



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION
BIDS AND AWARDS COMMITTEE

BAC Secretariat Office: G/F Higher Education Development Center (HEDC) Bldg., CP
Garcia Avenue, UP Diliman, Quezon City
Website: <http://www.ched.gov.ph> email: chedbac@ched.gov.ph

BAC RESOLUTION NO. 2022-007

"Declaration of 'failure of bidding' for the Procurement of Janitorial Services for CHED for FY 2022"

WHEREAS, the Commission on Higher Education advertised the Invitation to Bid (ITB) for the conduct of public bidding for the **Procurement of Janitorial Services for CHED for FY 2022 (10 months)** with an Approved Budget for the Contract (ABC) amounting to **Five Million Eight Thousand Seven Hundred Seventy Four Pesos & 40/100 (P5,008,774.40)** and posted on December 9, 2021 at the websites of PhilGEPS (www.philgeps.gov.ph) with Reference No. 8282883 and CHED (www.ched.gov.ph) and at the premises of the Department of Information and Communications Technology (DICT), Philippine Institute of Volcanology and Seismology (PhiVolcs), and HEDC Building at UP-Diliman in Quezon City;

WHEREAS, in response to said advertisement, six (6) prospective bidders browsed the opportunity as per Document Request List at the website of the PhilGEPS (www.philgeps.gov.ph) namely: (a) D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC., (b) DEARJOHN SERVICES, INC., (c) EURO JANITORIAL SERVICES, CO., (d) EJCM MANPOWER SERVICES, (e) FIRST COUNTRY MANPOWER SERVICES, and (f) CMPT MANPOWER SERVICES;

WHEREAS, out of the six (6) prospective bidders who were in the document Request List at the website of PhilGEPS (www.philgeps.gov.ph) and those who read the Invitation to Bid that was posted at the CHED website (www.ched.gov.ph) and at the three conspicuous places, two (2) bidders namely: (a) D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC. and (b) CMPT MANPOWER SERVICES availed of the bidding documents;

WHEREAS, during the Pre-Bid Conference on December 17, 2021 attended by three (3) prospective bidders, namely: (a) D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC., (b) CMPT MANPOWER SERVICES, (c) EJCM MANPOWER SERVICES there were clarifications raised and the BAC immediately addressed these issues and concerns during the Pre-Bid Conference. Hence, the BAC issued Bid Bulletin No. 1 dated December 17, 2021 for the amendments and clarifications and was posted at the website of PhilGEPS (www.philgeps.gov.ph) on December 17, 2021;

WHEREAS, during the Submission and Opening of Bids on December 29, 2021, two (2) bidders namely: (a) D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC. and (b) CMPT MANPOWER SERVICES submitted their Eligibility/Technical Bid Envelopes and Financial Bid Envelopes to the Bids and Awards Committee (BAC);

WHEREAS, the BAC, after opening the first envelope in public which contained the Eligibility requirements and Technical documents, requested the assistance of the Technical Working Group for Other Goods and Services (TWG-OGS) for the evaluation of the documents;

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WHEREAS, the BAC, upon thorough evaluation, found the following:

BIDDER	ELIGIBILITY (passed / failed)	TECHNICAL (passed / failed)
D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.	PASSED	PASSED
CMPT MANPOWER SERVICES	PASSED	PASSED

WHEREAS, the BAC resolved to declare (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** as "eligible" for complying with the eligibility requirements and technical bid documents and further declared that they "passed" the requirements of the bids;

WHEREAS, the BAC, after opening the second envelope which contained the financial bid, requested the assistance of the Technical Working Group for Other Goods and Services (TWG-OGS) for the evaluation and to examine the completeness of the requirements of the financial components of the bid;

WHEREAS, the BAC, upon thorough evaluation, found the following:

BIDDER	REMARKS
CMPT MANPOWER SERVICES	PASSED
D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.	PASSED

WHEREAS, the BAC, upon deliberation, declared that (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** "passed" the requirements of the financial components of the bid;

WHEREAS, the BAC declared the bid price "as read" as follows:

BIDDER	BID AS READ
CMPT MANPOWER SERVICES	P4,790,998.90
D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.	P4,791,002.83

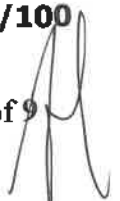
WHEREAS, the BAC requested the assistance of the Technical Working Group for Other Goods and Services (TWG-OGS) to evaluate the submitted financial bid;

WHEREAS, the BAC, upon thorough evaluation, declared the bid price "as calculated" as follows:

BIDDER	BID AS CALCULATED
CMPT MANPOWER SERVICES	P4,791,001.20
D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.	P4,791,001.20

WHEREAS, the BAC, upon deliberation, declared that (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** "passed" the eligibility, technical and financial components of the bid with the same bid amount as calculated in the amount of **Four Million Seven Hundred Ninety One Thousand One Pesos & 20/100 (P4,791,001.20)**;



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WHEREAS, NPM 71-2015 states:

"In determining the applicability and appropriateness of a tie-breaking method, it necessitates a prior determination of the existence of a tie among bids which calls for its resolution. Pointedly, tie-breaking methods are applied only in situations where all bids are considered to have passed the post-qualification stage and are now considered as Lowest Calculated and Responsive Bids (LCRBs).

A tie occurring during the opening of the bids does not find support to the situation contemplated in the preceding paragraph where a tie-breaking method will be employed. Instead of declaring a tie after bid opening, the PE should continue the process of Bid Evaluation and Post-Qualification and only upon declaration that two or more of the bidders are determined as LCRBs will a tie be considered to have occurred among the bids."

WHEREAS, considering the above provisions and the two (2) bidders submitted the same bid amount as calculated, the BAC resolved to subject (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** for post qualification evaluation;

WHEREAS, on January 19, 2022 regular BAC meeting, the TWG-OGS, upon conduct of post qualification evaluation with **CMPT MANPOWER SERVICES** on January 4, 2022, reported to the BAC the following:

- Original documents such as the following were requested and were presented by CMPT Ms. Marissa F. Paz for validation:
 - a. DTI Registration Certificate;
 - b. Mayor's Permit;
 - c. Tax Clearance Certificate;
 - d. Single Largest Completed Contract Details, and
 - e. Ongoing including awarded but not yet started contracts.

- Technical Specifications Number 4: List of basic equipment and consumables **currently available** in the janitorial agency which shall be provided to CHED for the duration of the contract, **CMPT has presented 17 items out of the 20 items enumerated in the checklist**. Among the items not presented with corresponding reasons were:

PARTICULARS	QTY	UNIT	AVAILABLE	NOT AVAILABLE	REMARK
floor polisher, heavy duty	6	unit	/		
pad holder 16" with bracket	6	piece	/		
carpet brush 16" with bracket	2	piece	/		
floor polisher brush 16" with bracket	6	piece	/		
vacuum cleaner, heavy duty	3	unit	/		
mop squeezer with bucket	7	set	/		

[Handwritten signatures and initials in blue ink are present at the bottom of the page, including a large signature on the left and several initials on the right.]

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dust mop	2	piece	/		
mobile garbage bin (360 liters capacity)	3	unit	/		
grass cutter	1	unit	/		
caution signs ("cleaning in progress")	4	piece	/		
caution signs ("wet floor")	4	piece	/		
spray gun/trigger sprayer	23	piece		x	Brand new to be issued to janitor: to be ordered from the supplier
nozzle for water hose	1	piece	/		
water hose 1/2 inch – 1 roll (200 m)	200	meter	/		
glass squeegee	8	piece	/		
spatula	23	piece		x	Brand new to be issued to janitor: to be ordered from the supplier (own hardware)
belt bag	23	piece		x	Brand new to be issued to janitor: to be ordered from the supplier (own hardware)
safety belt	2	piece	/		
pressure washer	1	unit	/		
extension cord 15 meters	2	unit	/		

- Technical Specifications Number 9 List of required uniforms and pictures of standard uniforms in use. **CMPT Manpower services presented 2 sets of uniforms to be used by its janitorial team members**
- Bid Bulletin No. 1 Amendments/Clarifications to Technical Specifications (found in Section VII Technical Specification of the bidding documents)

Technical Specifications/ Agency Qualification	Reference
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Submit an updated list of remittances and proof of payment from SSS for the 2 nd Quarter of 2021	Presented payment documents until October 2021
Submit an updated list of remittances and proof of payment from Pagibig Fund for the 2 nd Quarter of 2021	Presented payment documents until October 2021
Submit an updated list of remittances and proof of payment from Philhealth for the 2 nd Quarter of 2021	Presented payment documents until October 2021
ADDED Technical Specifications/Agency Qualification	
Submit an updated list of remittance and proof of payment from SSS for the 2 nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from SSS as of 2nd Quarter of 2021	The latest presented until the 3 rd quarter 2021 (July-September)
Submit an updated list of remittance and proof of payment from Pag-big Fund for the 2 nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from Pag-big Fund as of 2nd Quarter of 2021	The latest presented document until the 3 rd quarter 2021 (August 2005-September 2021) with a validity of one year, issued on 9 November 2021. <i>Note: The issued certification is for general legal purposes without prejudice to the agency taking appropriate action if the office is found with accountabilities later.</i>
Submit an updated list of remittance and proof of payment from Philhealth for the 2 nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from Philhealth as of 2nd Quarter of 2021	The Latest presented document until the 3 rd quarter 2021 (January – September) was issued on 28 October 2021 <i>Note: the certification issued by the agency only reflects regular remittances for the covered dates and that said certification is being issued for whatever legal purpose it may serve the Office.</i>
Added No. 12 Bid Bulletin 1	
12. Letter of Commitment that janitors and supervisors to be assigned to CHED prior to their deployment must be fully vaccinated.	The original document was presented.
<ul style="list-style-type: none"> As such, it is in the assessment of the TWG that the bidder has failed to comply with some of the equipment/materials that should be currently available as part of the specifications 	

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required during the post qualification visit. It is to be noted that the excuse that such would only be purchased when the bidding contract is awarded has no merit as the post qualification determines whether such requirements are indeed available. Time and again, the BAC has issued show cause order to bidders who have won the bidding only to belatedly inform the BAC that the required materials are no longer available. The absence/inadequacy of the equipment during said post qualification inspection is fatal and should merit the failure of the bidder to comply with the published specification

FURTHER, the TWG-OGS, upon conduct of post qualification evaluation with **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.** on January 5, 11, & 18, 2022, reported to the BAC the following:

- Original documents such as the following were requested and were presented by D' Triumph Cleaners and Allied Services Inc. for validation:
 - a. SEC Registration;
 - b. Mayor's Permit;
 - c. Tax Clearance Certificate;
 - d. Single Largest Completed Contract Details, and
 - e. Ongoing including awarded but not yet started contracts.
- Technical Specifications Number 4: List of basic equipment and consumables currently available in the janitorial agency which shall be provided to CHED for the duration of the contract.
- D' Triumph Cleaners and Allied Services Inc. has presented some of the items enumerated in the checklist with reasons that the other equipment and materials will be available should the procurement be awarded

PARTICULARS	QTY	UNIT	AVAILABL E	NOT AVAILABLE	REMARK S
floor polisher, heavy duty	6	unit	/		
pad holder 16" with bracket	6	piece	/		
carpet brush 16" with bracket	2	piece		/	Available in CHED
floor polisher brush 16" with bracket	6	piece	/		
vacuum cleaner, heavy duty	3	unit	/		
mop squeezer with bucket	7	set	/		
dust mop	2	piece	/		
mobile garbage bin (360 liters capacity)	3	unit	/		
grass cutter	1	unit	/		
caution signs ("cleaning in progress")	4	piece	/		

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caution signs ("wet floor")	4	piece	/		
spray gun/trigger sprayer	23	piece	/		
nozzle for water hose	1	piece	/		
water hose 1/2 inch – 1 roll (200 m)	200	meter	/		
glass squeegee	8	piece		/	Available in CHED
spatula	23	piece	/		
belt bag	23	piece		/	Available in CHED
safety belt	2	piece		/	Available in CHED
pressure washer	1	unit		/	Available in CHED
extension cord 15 meters	2	unit		/	Available in CHED

- The CHED end-user was requested to submit a list of equipment and materials received during the award of the previous procurement. CHED end-user also assisted and presented existing equipment and materials (carpet brush, squeegee, belt bags, extension cords, safety belt, pressure washer) during the time of the inspection. It was also clarified that a new set of equipment and materials should be available for this current procurement
- Bid Bulletin No. 1 Amendments/Clarifications to Technical Specifications (found in Section VII Technical Specification of the bidding documents):

Technical Specifications/ Agency Qualification	Reference
Submit an updated list of remittances and proof of payment from SSS for the 2 nd Quarter of 2021	Presented documents showing payments as of September 2021 for 18 employees.
Submit an updated list of remittances and proof of payment from Pagibig Fund for the 2 nd Quarter of 2021	Presented documents showing payments as of May 2021 issued June 15, 2021. <i>Note: Payment is less than one month to cover the 2nd Quarter of 2021</i>
Submit an updated list of remittances and proof of payment from Philhealth for the 2 nd Quarter of 2021	Presented documents showing payments as of until October 2021 issued November 18, 2021
ADDED Technical Specifications/Agency Qualification	

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<p>Submit an updated list of remittance and proof of payment from SSS for the 2nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from SSS as of 2nd Quarter of 2021</p>	<p>The latest certification document presented until the 3rd quarter of August 2021, issued October 04, 2021</p>
<p>Submit an updated list of remittance and proof of payment from Pag-big Fund for the 2nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from Pag-big Fund as of 2nd Quarter of 2021</p>	<p>The latest presented certification document covers May 2020 – April 2021, issued on June 1, 2021, with a validity of one year.</p> <p>The TWG-OGS validated the original copy of Pag-Ibig remittance list for the months of May and June 2021 with OR # 8217519 dated June 15, 2021 and OR# 9421146 dated July 14, 2021, respectively. We also verify that the existing janitors of CHED are included in the aforementioned list.</p> <p><i>Note: Coverage of the certification is from May 2020 – April 2021. Less than two months to cover the 2nd Quarter of 2021. The issued certification is for general legal purposes without prejudice to the agency taking appropriate action if the office is found with accountabilities later.</i></p>
<p>Submit an updated list of remittance and proof of payment from Philhealth for the 2nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from Philhealth as of 2nd Quarter of 2021</p>	<p>The certification issued by Philhealth only indicated that they have been remitting the premium contribution and actively reporting the employee and employer share under the NHIP program from October 1, 2020, to September 30, 2021</p>

WHEREAS, the TWG-OGS, considering the result of the post qualification evaluation, found (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** as **non-responsive**;

WHEREAS, the BAC, considering the recommendation of the TWG-OGS, resolved to declare (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** as **post disqualified** and instructed the Secretariat to inform both bidders on the post disqualification and that they can submit a Motion for Reconsideration (MR) within three (3) days from receipt of said notice;

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WHEREAS, on January 24, 2022 regular BAC meeting, the Secretariat reported to the BAC that **CMPT MANPOWER SERVICES** did not submit an MR;

WHEREAS, D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC. submitted an MR on January 24, 2022;

WHEREAS, the BAC, upon deliberation, duly seconded resolved to **deny** the MR of **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.;**

WHEREAS, the BAC duly seconded resolved to declare a "**failure of bidding**" for the **Procurement of Janitorial Services for CHED for FY 2022;**

WHEREFORE, RESOLVE AS IT IS HEREBY RESOLVED, that the Bids and Awards Committee hereby declare a "**failure of bidding**" for the **Procurement of Janitorial Services for CHED for FY 2022.**

Done this 24th day of January 2022, in accordance with Memorandum from the Office of the Executive Director dated May 28, 2020 re CHED Office Operations Beginning 01 June 2020.

Bids and Awards Committee

ATTY. MARCO CICERO F. DOMINGO
Member

(on official business)
DR. MARIVIC V. IRIBERRI
Member


ATTY. FREDERICK MIKHAIL I. FAROLAN
Member


DIR. CORINNA FRANCES CABANILLA
Member


ATTY. CHRISTIAN E. RIVERO
Member


ATTY. RYAN L. ESTEVEZ
Vice Chair


ATTY. CINDERELLA FILIPINA BENITEZ-JARO
Chairperson



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"Declaration of "failure of bidding" for the Procurement of Janitorial Services for CHED for FY 2022"

WHEREAS, the Commission on Higher Education advertised the Invitation to Bid (ITB) for the conduct of public bidding for the **Procurement of Janitorial Services for CHED for FY 2022 (10 months)** with an Approved Budget for the Contract (ABC) amounting to **Five Million Eight Thousand Seven Hundred Seventy Four Pesos & 40/100 (P5,008,774.40)** and posted on December 9, 2021 at the websites of PhilGEPS (www.philgeps.gov.ph) with Reference No. 8282883 and CHED (www.ched.gov.ph) and at the premises of the Department of Information and Communications Technology (DICT), Philippine Institute of Volcanology and Seismology (PhiVolcs), and HEDC Building at UP-Diliman in Quezon City;

WHEREAS, in response to said advertisement, six (6) prospective bidders browsed the opportunity as per Document Request List at the website of the PhilGEPS (www.philgeps.gov.ph) namely: (a) D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC., (b) DEARJOHN SERVICES, INC., (c) EURO JANITORIAL SERVICES, CO., (d) EJCM MANPOWER SERVICES, (e) FIRST COUNTRY MANPOWER SERVICES, and (f) CMPT MANPOWER SERVICES;

WHEREAS, out of the six (6) prospective bidders who were in the document Request List at the website of PhilGEPS (www.philgeps.gov.ph) and those who read the Invitation to Bid that was posted at the CHED website (www.ched.gov.ph) and at the three conspicuous places, two (2) bidders namely: (a) D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC. and (b) CMPT MANPOWER SERVICES availed of the bidding documents;

WHEREAS, during the Pre-Bid Conference on December 17, 2021 attended by three (3) prospective bidders, namely: (a) D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC., (b) CMPT MANPOWER SERVICES, (c) EJCM MANPOWER SERVICES there were clarifications raised and the BAC immediately addressed these issues and concerns during the Pre-Bid Conference. Hence, the BAC issued Bid Bulletin No. 1 dated December 17, 2021 for the amendments and clarifications and was posted at the website of PhilGEPS (www.philgeps.gov.ph) on December 17, 2021;

WHEREAS, during the Submission and Opening of Bids on December 29, 2021, two (2) bidders namely: (a) D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC. and (b) CMPT MANPOWER SERVICES submitted their Eligibility/Technical Bid Envelopes and Financial Bid Envelopes to the Bids and Awards Committee (BAC);

WHEREAS, the BAC, after opening the first envelope in public which contained the Eligibility requirements and Technical documents, requested the assistance of the Technical Working Group for Other Goods and Services (TWG-OGS) for the evaluation of the documents;

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WHEREAS, the BAC, upon thorough evaluation, found the following:

BIDDER	ELIGIBILITY (passed / failed)	TECHNICAL (passed / failed)
D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.	PASSED	PASSED
CMPT MANPOWER SERVICES	PASSED	PASSED

WHEREAS, the BAC resolved to declare (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** as "eligible" for complying with the eligibility requirements and technical bid documents and further declared that they "passed" the requirements of the bids;

WHEREAS, the BAC, after opening the second envelope which contained the financial bid, requested the assistance of the Technical Working Group for Other Goods and Services (TWG-OGS) for the evaluation and to examine the completeness of the requirements of the financial components of the bid;

WHEREAS, the BAC, upon thorough evaluation, found the following:

BIDDER	REMARKS
CMPT MANPOWER SERVICES	PASSED
D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.	PASSED

WHEREAS, the BAC, upon deliberation, declared that (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** "passed" the requirements of the financial components of the bid;

WHEREAS, the BAC declared the bid price "as read" as follows:

BIDDER	BID AS READ
CMPT MANPOWER SERVICES	P4,790,998.90
D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.	P4,791,002.83

WHEREAS, the BAC requested the assistance of the Technical Working Group for Other Goods and Services (TWG-OGS) to evaluate the submitted financial bid;

WHEREAS, the BAC, upon thorough evaluation, declared the bid price "as calculated" as follows:

BIDDER	BID AS CALCULATED
CMPT MANPOWER SERVICES	P4,791,001.20
D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.	P4,791,001.20

WHEREAS, the BAC, upon deliberation, declared that (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** "passed" the eligibility, technical and financial components of the bid with the same bid amount as calculated in the amount of **Four Million Seven Hundred Ninety One Thousand One Pesos & 20/100 (P4,791,001.20)**;

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WHEREAS, NPM 71-2015 states:

"In determining the applicability and appropriateness of a tie-breaking method, it necessitates a prior determination of the existence of a tie among bids which calls for its resolution. Pointedly, tie-breaking methods are applied only in situations where all bids are considered to have passed the post-qualification stage and are now considered as Lowest Calculated and Responsive Bids (LCRBs).

A tie occurring during the opening of the bids does not find support to the situation contemplated in the preceding paragraph where a tie-breaking method will be employed. Instead of declaring a tie after bid opening, the PE should continue the process of Bid Evaluation and Post-Qualification and only upon declaration that two or more of the bidders are determined as LCRBs will a tie be considered to have occurred among the bids."

WHEREAS, considering the above provisions and the two (2) bidders submitted the same bid amount as calculated, the BAC resolved to subject (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** for post qualification evaluation;

WHEREAS, on January 19, 2022 regular BAC meeting, the TWG-OGS, upon conduct of post qualification evaluation with **CMPT MANPOWER SERVICES** on January 4, 2022, reported to the BAC the following:

- Original documents such as the following were requested and were presented by CMPT Ms. Marissa F. Paz for validation:
 - a. DTI Registration Certificate;
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 - e. Ongoing including awarded but not yet started contracts.

- Technical Specifications Number 4: List of basic equipment and consumables **currently available** in the janitorial agency which shall be provided to CHED for the duration of the contract, **CMPT has presented 17 items out of the 20 items enumerated in the checklist.** Among the items not presented with corresponding reasons were:

PARTICULARS	QTY	UNIT	AVAILABLE	NOT AVAILABLE	REMARK
floor polisher, heavy duty	6	unit	/		
pad holder 16" with bracket	6	piece	/		
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vacuum cleaner, heavy duty	3	unit	/		
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Handwritten signatures and initials in blue ink: "Ma", "dt", "S", "A", and a large signature.

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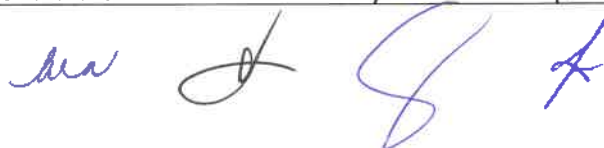
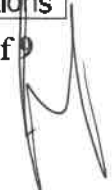
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Technical Specifications/ Agency Qualification	Reference
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<i>ADDED Technical Specifications/Agency Qualification</i>	
Submit an updated list of remittance and proof of payment from SSS for the 2 nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from SSS as of 2nd Quarter of 2021	The latest presented until the 3 rd quarter 2021 (July-September)
Submit an updated list of remittance and proof of payment from Pag-big Fund for the 2 nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from Pag-big Fund as of 2nd Quarter of 2021	The latest presented document until the 3 rd quarter 2021 (August 2005-September 2021) with a validity of one year, issued on 9 November 2021. <i>Note: The issued certification is for general legal purposes without prejudice to the agency taking appropriate action if the office is found with accountabilities later.</i>
Submit an updated list of remittance and proof of payment from Philhealth for the 2 nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from Philhealth as of 2nd Quarter of 2021	The Latest presented document until the 3 rd quarter 2021 (January – September) was issued on 28 October 2021 <i>Note: the certification issued by the agency only reflects regular remittances for the covered dates and that said certification is being issued for whatever legal purpose it may serve the Office.</i>
<i>Added No. 12 Bid Bulletin 1</i>	
12. Letter of Commitment that janitors and supervisors to be assigned to CHED prior to their deployment must be fully vaccinated.	The original document was presented.
<ul style="list-style-type: none"> As such, it is in the assessment of the TWG that the bidder has failed to comply with some of the equipment/materials that should be currently available as part of the specifications 	

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required during the post qualification visit. It is to be noted that the excuse that such would only be purchased when the bidding contract is awarded has no merit as the post qualification determines whether such requirements are indeed available. Time and again, the BAC has issued show cause order to bidders who have won the bidding only to belatedly inform the BAC that the required materials are no longer available. The absence/inadequacy of the equipment during said post qualification inspection is fatal and should merit the failure of the bidder to comply with the published specification

FURTHER, the TWG-OGS, upon conduct of post qualification evaluation with **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.** on January 5, 11, & 18, 2022, reported to the BAC the following:

- Original documents such as the following were requested and were presented by D' Triumph Cleaners and Allied Services Inc. for validation:
 - a. SEC Registration;
 - b. Mayor's Permit;
 - c. Tax Clearance Certificate;
 - d. Single Largest Completed Contract Details, and
 - e. Ongoing including awarded but not yet started contracts.
- Technical Specifications Number 4: List of basic equipment and consumables currently available in the janitorial agency which shall be provided to CHED for the duration of the contract.
- D' Triumph Cleaners and Allied Services Inc. has presented some of the items enumerated in the checklist with reasons that the other equipment and materials will be available should the procurement be awarded

PARTICULARS	QTY	UNIT	AVAILABL E	NOT AVAILABLE	REMARK S
floor polisher, heavy duty	6	unit	/		
pad holder 16" with bracket	6	piece	/		
carpet brush 16" with bracket	2	piece		/	Available in CHED
floor polisher brush 16" with bracket	6	piece	/		
vacuum cleaner, heavy duty	3	unit	/		
mop squeezer with bucket	7	set	/		
dust mop	2	piece	/		
mobile garbage bin (360 liters capacity)	3	unit	/		
grass cutter	1	unit	/		
caution signs ("cleaning in progress")	4	piece	/		

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caution signs ("wet floor")	4	piece	/		
spray gun/trigger sprayer	23	piece	/		
nozzle for water hose	1	piece	/		
water hose 1/2 inch – 1 roll (200 m)	200	meter	/		
glass squeegee	8	piece		/	Available in CHED
spatula	23	piece	/		
belt bag	23	piece		/	Available in CHED
safety belt	2	piece		/	Available in CHED
pressure washer	1	unit		/	Available in CHED
extension cord 15 meters	2	unit		/	Available in CHED

- The CHED end-user was requested to submit a list of equipment and materials received during the award of the previous procurement. CHED end-user also assisted and presented existing equipment and materials (carpet brush, squeegee, belt bags, extension cords, safety belt, pressure washer) during the time of the inspection. It was also clarified that a new set of equipment and materials should be available for this current procurement

- Bid Bulletin No. 1 Amendments/Clarifications to Technical Specifications (found in Section VII Technical Specification of the bidding documents):

Technical Specifications/ Agency Qualification	Reference
Submit an updated list of remittances and proof of payment from SSS for the 2 nd Quarter of 2021	Presented documents showing payments as of September 2021 for 18 employees.
Submit an updated list of remittances and proof of payment from Pagibig Fund for the 2 nd Quarter of 2021	Presented documents showing payments as of May 2021 issued June 15, 2021. <i>Note: Payment is less than one month to cover the 2nd Quarter of 2021</i>
Submit an updated list of remittances and proof of payment from Philhealth for the 2 nd Quarter of 2021	Presented documents showing payments as of until October 2021 issued November 18, 2021

ADDED Technical Specifications/Agency Qualification

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[Signature]

[Signature]

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<p>Submit an updated list of remittance and proof of payment from SSS for the 2nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from SSS as of 2nd Quarter of 2021</p>	<p>The latest certification document presented until the 3rd quarter of August 2021, issued October 04, 2021</p>
<p>Submit an updated list of remittance and proof of payment from Pag-big Fund for the 2nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from Pag-big Fund as of 2nd Quarter of 2021</p>	<p>The latest presented certification document covers May 2020 – April 2021, issued on June 1, 2021, with a validity of one year.</p> <p>The TWG-OGS validated the original copy of Pag-Ibig remittance list for the months of May and June 2021 with OR # 8217519 dated June 15, 2021 and OR# 9421146 dated July 14, 2021, respectively. We also verify that the existing janitors of CHED are included in the aforementioned list.</p> <p><i>Note: Coverage of the certification is from May 2020 – April 2021. Less than two months to cover the 2nd Quarter of 2021. The issued certification is for general legal purposes without prejudice to the agency taking appropriate action if the office is found with accountabilities later.</i></p>
<p>Submit an updated list of remittance and proof of payment from Philhealth for the 2nd Quarter of 2021 or clearance/certification that they have no arrears and there is no pending case against them from Philhealth as of 2nd Quarter of 2021</p>	<p>The certification issued by Philhealth only indicated that they have been remitting the premium contribution and actively reporting the employee and employer share under the NHIP program from October 1, 2020, to September 30, 2021</p>

WHEREAS, the TWG-OGS, considering the result of the post qualification evaluation, found (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** as **non-responsive**;

WHEREAS, the BAC, considering the recommendation of the TWG-OGS, resolved to declare (a) **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.**, and (b) **CMPT MANPOWER SERVICES** as **post disqualified** and instructed the Secretariat to inform both bidders on the post disqualification and that they can submit a Motion for Reconsideration (MR) within three (3) days from receipt of said notice;

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BAC RESOLUTION NO. 2022-007

WHEREAS, on January 24, 2022 regular BAC meeting, the Secretariat reported to the BAC that **CMPT MANPOWER SERVICES** did not submit an MR;

WHEREAS, D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC. submitted an MR on January 24, 2022;

WHEREAS, the BAC, upon deliberation, duly seconded resolved to **deny** the MR of **D'TRIUMPH CLEANERS AND ALLIED SERVICES, INC.;**

WHEREAS, the BAC duly seconded resolved to declare a **"failure of bidding"** for the **Procurement of Janitorial Services for CHED for FY 2022;**

WHEREFORE, RESOLVE AS IT IS HEREBY RESOLVED, that the Bids and Awards Committee hereby declare a **"failure of bidding"** for the **Procurement of Janitorial Services for CHED for FY 2022.**

Done this 24th day of January 2022, in accordance with Memorandum from the Office of the Executive Director dated May 28, 2020 re CHED Office Operations Beginning 01 June 2020.

Bids and Awards Committee

ATTY. MARCO CICERO F. DOMINGO
Member

(on official business)
DR. MARIVIC V. IRIBERRI
Member



ATTY. FREDERICK MIKHAIL I. FAROLAN
Member

(on official business)
DIR. CORINNA FRANCES CABANILLA
Member

ATTY. CHRISTIAN E. RIVERO
Member

ATTY. RYAN L. ESTEVEZ
Vice Chair




ATTY. CINDERELLA FILIPINA BENITEZ-JARO
Chairperson

BAC RESOLUTION NO. 2022-007

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Bids and Awards Committee



Domingo
Marco Cicero
Fygele

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