

#### Republic of the Philippines

### **CEBU NORMAL UNIVERSITY**

Osmeña Blvd. Cebu City, 6000 Philippines

## Office of the Bids and Awards Committee

Telephone No.: (+63 32) 254-1452 Local 141 or 125

Email: <a href="mailto:cnubacsec@gmail.com">cnubacsec@gmail.com</a>
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BAC Resolution Declaring a Second (2<sup>nd</sup>) Failure of Bidding for the Procurement of Motor Vehicles for Cebu Normal University and Recommending to Proceed with the Negotiated Procurement under Section 53.1 (Two Failed Biddings)

#### RESOLUTION No. 26 series of 2024

- WHEREAS, Cebu Normal University (CNU) intends to procure Motor Vehicles, under Bid No. 23-12-940, with an approved budget of the contract (ABC) of Ten Million Pesos (₱ 10,000,000.00);
- WHEREAS, the Bids and Awards Committee declared the first failed bidding under BAC Resolution No. 71 series of 2023 dated December 12, 2023;
- WHEREAS, on 9 January 2024, the Bids and Awards Committee (BAC) posted continuously for eighteen (18) calendar days the Invitation to Bid (ITB) for the procurement of Procurement of Motor Vehicles for Cebu Normal University with Bid No. 23-12-940 in the PhilGEPS website, CNU website and in conspicuous place within the premises of Cebu Normal University in accordance with Section 21.2 of the IRR of RA 9184;
- WHEREAS, in response to the said Re-Invitation to Bid, three (3) prospective bidders, Nissan Commonwealth Inc., Nissan Cebu Distributors, Inc. and Toyota Mandaue South, Cebu purchased Bidding Documents for the Contract:
- WHEREAS, representatives of the abovementioned bidders attended the eligibility checking of documents and the opening of bids conducted on January 29, 2024 at the BAC Office, Cebu Normal University, Osmeña Boulevard, Cebu City;
- WHEREAS, during the eligibility checking of documents, only Nissan Commonwealth Inc. and Nissan Cebu Distributors, Inc. bidders were rated "PASSED";
- WHEREAS, BAC Resolution No. 9 series of 2024 dated January 30, 2024 declared the bid submitted by Nissan Commonwealth Inc. as the Single Calculated Bid (SCB) for Lot 1 Supply and Delivery of Two (2) Units of Brand-New















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Motor Vehicle Pick-Up Type 4x2 Drive Train and the bid submitted by **Nissan Cebu Distributors**, **Inc.** as the Lowest Calculated Bid (LCB) for Lot 2 – Supply and Delivery of Three (3) Units of Brand-New Motor Vehicle Van Passenger Type;

- WHEREAS, the members of the Bids and Awards Committee and the Technical Working Group conducted the post-qualification evaluation process on the bid documents submitted by Nissan Commonwealth Inc. and Nissan Cebu Distributors Inc. on February 22, 2024;
- WHEREAS, per Post-Qualification Evaluation Report submitted by the members of the Bids and Awards Committee and the Technical Working Group, the following are the findings:
  - 1. For Lot 1, Nissan Commonwealth Inc. did not meet the specifications specifically on the "leaf spring suspension", and instead offered "multi-link suspension"; and
  - 2. For Lot 2, Nissan Cebu Distributors, Inc. did not meet the specifications required by the end-user concerning the "power outer mirrors", instead they can only provide a "manually adjustable type of mirror".
- WHEREAS, BAC Resolution No. 25 series of 2024 dated March 3, 2024, declared both Nissan Commonwealth Inc. and Nissan Cebu Distributors, Inc. "post disqualified" due to the findings that both Nissan Commonwealth Inc. and Nissan Cebu Distributors, Inc. failed to comply with the eligibility and technical requirements of this project for Lot 1 Supply and Delivery of Two (2) Units of Brand-New Motor Vehicle Pick-Up Type 4x2 Drive Train and Lot 2 Supply and Delivery of Three (3) Units of Brand-New Motor Vehicle Van Passenger Type respectively, hence the BAC-TWG found its corresponding bid "non-responsive", therefore, both firms are post-disqualified pursuant to Section 34.1 of the IRR of R.A. 9184;
- WHEREAS, the BAC notified both Nissan Commonwealth Inc. and Nissan Cebu Distributors, Inc. of its disqualification on March 5, 2024 and were sent through their Email address (<a href="mailto:genesisbidgroup@gmail.com">genesisbidgroup@gmail.com</a>) and (<a href="mailto:roalolor@nissancebu.com.ph">roalolor@nissancebu.com.ph</a>) respectively;
- WHEREAS, in Section 55.1 of 2016 Revised Implementing Rules and Regulations (IRR), R.A. 9184 provides that the decision of the BAC at any stage of procurement process maybe questioned by filing a request for reconsideration within three (3) calendar days upon receipt of written notice or upon verbal notification. The BAC shall decide on the request for reconsideration within seven (7) calendar days from receipt thereof. The bidder shall not be allowed to submit additional documents to correct any defects of the bid submitted;







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WHEREAS, both Nissan Commonwealth Inc. and Nissan Cebu Distributors, Inc. did not file a Motion for Reconsideration (MR) pursuant to Section 55.1 of the 2016 IRR of R.A. 9184 within the required reglementary period of three (3) calendar days upon its receipt of the written notice or upon verbal notification of their post disqualification. Hence, their disqualification had become final;

NOW THEREFORE, we, the Members of the Bids and Awards Committee (BAC), hereby RESOLVE as it is hereby RESOLVED:

- a) To declare the 2<sup>ND</sup> FAILURE OF BIDDING for the the Procurement of Motor Vehicles for Cebu Normal University with Bid No. 23-12-940: Lot 1 – Supply and Delivery of Two (2) Units of Brand-New Motor Vehicle Pick-Up Type 4x2 Drive Train; and Lot 2 – Supply and Delivery of Three (3) Units of Brand-New Motor Vehicle Van Passenger Type, pursuant to Section 35.1.a of the IRR of RA 9184; and
- b) To recommend to the HoPE the approval of declaring 2<sup>nd</sup> FAILURE OF BIDDING for the Procurement of Motor Vehicles for Cebu Normal University with Approved Budget for the Contract (ABC) of Ten Million Pesos (P 10,000,000.00) and approval to proceed with the Negotiated Procurement as per Section 53.1 (Two Failed Biddings) of the 2016 Revised IRR of R.A. 9184.

RESOLVED, et the Cebu Normal University, this 12th day of March 2024.

Dr. JOSEPH ELVIR C. TUBILAN

BAC Chair

Ms. FLORA MAE L. RIVERA BAC Membera

Dr. JESON A BUSTAMANTE

Mr. BRYAN QUIMADA Provisional Member - End-user Dr. ALLAN ROY B. ELNAR BAC Vice - Chair

Dr. GENARA B. PACAÑA BAC Member

Mr. LEVY TIPON

Provisional Member - Technical Expert

Approved:

DANIEL A. ARIASO SR., MEcon, PhD, CESO II
University President III



Certification Date: 1 February 2021
Recertification due date: 24 January 202
For verification of the certificate please
access www.od-intl.com (Certification
check and type the registration number)





