



BIDS AND AWARDS COMMITTEE

April 7, 2021

DINO S. ESCOBINAS
Authorized Representative
NAGA NTE CORPORATION
Zone 6, Barangay Bell
Magarao, Camarines Sur

NOTICE OF RESOLUTION DENYING REQUEST FOR RECONSIDERATION

(Supply and Delivery of Agricultural Supplies for Lot 1 – Insecticide and Fungicide and Lot 2 – Zinc Phosphide (Rodenticides) for use in RCPMC Pest and Diseases Control under 2021 ILD Program)

During the bid opening conducted by the Bids and Awards Committee of this Agency on March 31, 2021, NAGA NTE CORPORATION (NTE) was declared ineligible due to improperly filling-out the Schedule of Prices particularly failing to identify/separate its bid offers for Lots 1 and 2.

NAGA NTE CORPORATION, through Mr. Dino S. Escobinas, Authorized Representative, filed its Request for Reconsideration dated March 31, 2021 which was received by the Committee on the same date. The bidder admitted the said error and manifested their intent to re-submit a corrected price schedule.

After careful deliberation, the BAC ruled that:

The project under consideration is classified as a procurement on a per-lot basis. Each lot shall be considered as separate, as bidders are allowed to bid on any or all lots depending on the bidder's preference and qualification. Consequently, the proper and accurate identification of lots to which the bidder intends to bid is critical in the conduct of bid evaluation. Failure to properly identify such lots therefore is considered as a defect on the bid submitted which merits a declaration of ineligibility.

The BAC further reiterates that it cannot consider the bidder's request to resubmit a corrected copy of the Price Schedule after the opening of bids as they are prohibited from accepting such replacement under Rule XVII, Section 55 of RA 9184 and its 2016 IRR which states that "...The bidder shall not be allowed to submit additional documents to correct any defects in the bid submitted". To this effect, the resubmission of the price schedule cannot cure the bidder's ineligibility as mandated by law.

Premises considered, the Committee denies the Request for Reconsideration and maintains the ineligibility of NAGA NTE CORPORATION

Let the BAC Secretariat inform NAGA NTE CORPORATION of this resolution, and post a copy of this Notice in the agency website.

RESOLVED during the BAC Conference this 7th day of April, 2021.

LUZ R. MARCELINO
RTD for Operations

