



COOPERATIVE DEVELOPMENT AUTHORITY

827 Aurora Blvd., Service Road, Brgy. Immaculate Conception, 1111 Cubao, Quezon City, Philippines
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CDA BIDS AND AWARDS COMMITTEE

BAC RES. NO.: 2021-051

BAC RESOLUTION DECLARING TIAXA PHILIPPINES INC. AS INELIGIBLE AND REINSTATING MYBUSYBEE, INC. AS THE SINGLE LOWEST CALCULATED BIDDER FOR THE PROJECT "DEVELOPMENT, SUPPLY, DELIVERY, INSTALLATION, CONFIGURATIONS AND DEPLOYMENT OF ELECTRONIC DOCUMENT TRACKING AND MANAGEMENT INFORMATION SYSTEM (EDTMIS)" UNDER CONTRACT NUMBER CDA-GOODS-2021-03

RESOLUTION

WHEREAS, the **COOPERATIVE DEVELOPMENT AUTHORITY**, through its **BIDS AND AWARDS COMMITTEE (BAC)**, advertised/posted the Invitation to Bid through Public Bidding for the Project: **DEVELOPMENT, SUPPLY, DELIVERY, INSTALLATION, CONFIGURATIONS AND DEPLOYMENT OF ELECTRONIC DOCUMENT TRACKING AND MANAGEMENT INFORMATION SYSTEM (EDTMIS)** under Contract No. CDA-GOODS-2021-03 at the PhilGEPS and CDA Websites and conspicuous place at the CDA Head Office, Bulletin Board-Main Lobby starting July 1, 2021 up to July 21, 2021 with an Approved Budget for the Contract in the amount of P16,000,000.00;

WHEREAS, in accordance with Section 22 of the Revised Implementing Rules and Regulations of Republic Act 9184, a Pre-Bid Conference thru videoconferencing was conducted on July 09, 2021, Friday, 10:00 A.M., the BAC discussed the details of the requirements of the Public Bidding as indicated in the Bidding Documents;

WHEREAS, in response to the Invitation to Bid, the following Bidders purchased Bidding documents:

- 1. MYBUSYBEE INC.**
G7 Burgundy Place, B. Gonzales, Loyola Heights, Quezon City
- 2. TIAXA PHILIPPINES, INC.**
Unit 2803 One Corporate Center Dona Julia Vargas Avenue
Ortigas Center, Pasig City

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WHEREAS, both Bidders submitted Bid documents thru electronic submission before the scheduled deadline of submission on July 21, 2021, Wednesday, and attended the Opening of Bids;

WHEREAS, in accordance to Rule IX Bid Evaluation, Section 30 of RA 9184, BAC conducted the opening of bids and preliminary examination and the following were the results:

NAME OF BIDDER	RESULT	REMARKS
1. MYBUSYBEE INC. G7 Burgundy Place, B. Gonzales, Loyola Heights, Quezon City	Passed	Compliant with the Checklist of Requirements - Technical Component
2. TIAXA PHILIPPINES, INC. Unit 2803 One Corporate Center Dona Julia Vargas Avenue Ortigas Center, Pasig City	Failed	Declared by the BAC as INELIGIBLE due to UNNOTARIZED Bid Securing Declaration and Omnibus Sworn Statement

WHEREAS, based on the above results, the Envelope No. 2 (Financial component) submitted by **MYBUSYBEE, INC.** was only opened and determined by the BAC to be compliant vis-à-vis the requirements particularly the Bid Price and the Bid Form as submitted, thus the result was read as follows;

ABC = P 16,000,00.00

Type of Bid Security	Amount of Bid Security	Amount of Bid as Read
Bid Securing Declaration	n/a	P15,444,000.00

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WHEREAS, after opening the 2nd envelope of the qualified Bidder-**MYBUSYBEE INC.**, the BAC accepted the Bid of the said Bidder and adjourned the Opening of Bids;

WHEREAS, in accordance to Rule IX Bid Evaluation, Section 32 of RA 9184, the BAC after the opening of the Bid proceeded with the Bid evaluation on the Bid submitted by the MYBUSYBEE INC. with the following results:

		BIDDER 1
RANK		Lone Bidder
NAME OF BIDDERS		MYBUSYBEE
TOTAL AMOUNT OF BID	P	15,444,000.00
NFCC	P	126,650,710.00
Form of Bid Security	P	
Bank / Company		
Surety bond/Bid Securing Declaration		Complied
Validity Period		120 calendar days
Bid Security Amount	P	
Required Bid Security	P	
Sufficient / Insufficient		
Technical Requirements		PASSED
Financial Requirements		PASSED
REMARKS		SINGLE LOWEST CALCULATED BIDDER

WHEREAS, on July 21, 2021, the BAC resolved in its Resolution No. 048 to declare **MYBUSYBEE INC.** with business address located at G7 Burgundy Place, B. Gonzales, Loyola Heights, Quezon City **as the bidder with Single Lowest Calculated Bid for the Project: DEVELOPMENT, SUPPLY, DELIVERY, INSTALLATION, CONFIGURATIONS AND DEPLOYMENT OF ELECTRONIC DOCUMENT TRACKING AND MANAGEMENT INFORMATION SYSTEM (EDTMIS)** under Contract No. CDA-GOODS-2021-03 at its submitted **bid price in the amount of FIFTEEN MILLION FOUR HUNDRED FORTY FOUR THOUSAND PESOS (P15,444,000.00)** inclusive of all appropriate taxes and fees;

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WHEREAS, on July 21, 2021, the BAC was in receipt of an email from Mr. Jeremille E. Raton, Business Development Manager, APAC, Tiaxa Philippines, Inc. requesting for a motion for reconsideration citing Section 6 (6.1 and 6.3) of GPPB Resolution No. 09-2020 which allows the Procuring Entity to accept alternate documentary requirements for procurement activities during a State of Calamity such as Unnotarized Bid Securing Declaration and Unnotarized Omnibus Sworn Statement, among others;

WHEREAS, on July 23, 2021, the BAC discussed the motion for reconsideration filed by Tiaxa Philippines, Inc. and found the request for reconsideration to be with merit pursuant to Section 55 of RA 9184, **"PROTESTS ON DECISIONS OF THE BAC"** and GPPB Resolution No. 09-2020, **"APPROVING MEASURES FOR THE EFFICIENT CONDUCT OF PROCUREMENT ACTIVITIES DURING A STATE OF CALAMITY, OR IMPLEMENTATION OF COMMUNITY QUARANTINE OR SIMILAR RESTRICTIONS"**.

WHEREAS, based on the results of the BAC deliberations under BAC Resolution No. 050 dated July 23, 2021, reply letter was sent to Tiaxa Philippines stating the merits of the motion filed and letters of invitations were sent to MYBUSYBEE INC, COA, PCC and PCCI to witness the Opening of Bids;

WHEREAS, on July 29, 2021 the BAC secretariat presented the documents (1st envelope) submitted by TIAXA PHILIPPINES INC. and the BAC had the following observations:

DOCUMENTS	FINDINGS / REMARKS
1. Joint Venture Between Tiaxa Philippines and 3NETI Research and Development OPC for the provision of VAS Services	1 st copy - No signature on the part of 3NETI Notarized, erased the name of Lester B. Hurtado in the acknowledgement 2 nd copy – No signature on the part of Tiaxa Philippines Unnotarized

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2. Joint Venture Between Tiaxa Philippines and Tiaxa Chile for the Joint Project Development

1st copy - No signature on the part of Tiaxa Chile
Notarized, erased the name of Marcelo Dumovic in the acknowledgement

2nd copy – No signature on the part of Tiaxa Philippines
Unnotarized

WHEREAS, Rule VIII, Section 23 of the revised IRR of RA 9184, provides for the Eligibility Requirements for the Procurement of Goods and Infrastructure Projects;

WHEREAS, under subsection 23.1 (b) of the aforementioned IRR, a valid joint venture agreement (JVA), in case the joint venture is already in existence, is one of the requirements under the Class B documents. In the absence of a JVA, duly notarized statements from all the potential joint venture partners should be included in the bid, stating that they will enter into and abide by the provisions of the JVA in the event that the bid is successful.

NOW, THEREFORE, for and in consideration of the foregoing, the Members of the CDA Bids and Awards Committee (BAC), hereby **RESOLVE** as it is hereby **RESOLVED**:

- (1) To declare **TIAXA PHILIPPINES INC** as **INELIGIBLE** due to its submission of unnotarized/unsigned Joint Venture Agreements rendering the same invalid;
- (2) To reinstate **MYBUSYBEE INC.** with business address located at G7 Burgundy Place, B. Gonzales, Loyola Heights, Quezon City **as the bidder with Single Lowest Calculated Bid for the Project: DEVELOPMENT, SUPPLY, DELIVERY, INSTALLATION, CONFIGURATIONS AND DEPLOYMENT OF ELECTRONIC**





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DOCUMENT TRACKING AND MANAGEMENT INFORMATION SYSTEM (EDTMIS) under Contract No. CDA-GOODS-2021-03 at its submitted **bid price in the amount of FIFTEEN MILLION FOUR HUNDRED FORTY FOUR THOUSAND PESOS (P15,444,000.00)** inclusive of all appropriate taxes and fees; and

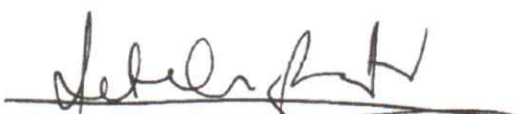
- (3) To instruct the Technical Working Group to conduct the post qualification process subject to the existing rules and regulations of Republic Act No. 9184 and its Implementing Rules and Regulations.

DONE in Quezon City this 29th day of July 2021.

Not Present

DIR. GIOVANNI T. PLATERO

BAC Chairman


ATTY. ELIZABETH O. BATONAN
BAC Vice Chairman, Presiding


ATTY. MONALIZA P. ARRIBA-JUAREZ
BAC Member


ATTY. JOANNE NEPOMUCENO-LIMPIN
BAC Member


MELISSA C. SANTOS
BAC Member


MONATAO HONEYA R. ALAWI
BAC Member

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