



BAGONG PILIPINAS



Republic of the Philippines
Department of Agriculture

AGRICULTURAL TRAINING INSTITUTE

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**AGRICULTURAL TRAINING INSTITUTE – CENTRAL OFFICE
BIDS AND AWARDS COMMITTEE**

**A RESOLUTION DECLARING LA OYAY STUDIO AS THE LOWEST CALCULATED AND
RESPONSIVE BIDDER FOR THE PROCUREMENT OF VIDEO PRODUCTION OF
AGRITALK 2-EASY LEARNING SERIES**

(ITB-ATI-CO-2024-06/PhilGEPS Ref. No. 10649208)

BAC Resolution No. 01-01, series of 2024

WHEREAS, Republic Act (RA) No. 9184 otherwise known as “The Government Procurement Reform Act” created the Bids and Awards Committee (BAC) to ensure among others that the Procuring Entity (PE) abides by the standard set forth by the said act;

WHEREAS, Section 10, Rule IV of the Implementing Rules and Regulations (IRR) of RA 9184 provides that all procurement shall pass through competitive bidding except as otherwise provided for under Rule XIV;

WHEREAS, the **Procurement of Video Production of Agritalk 2-Easy Learning Series**, not being an exemption, must necessarily pass through competitive bidding;

WHEREAS, the Agricultural Training Institute (ATI) posted the Invitation to Bid for the aforementioned Project with an Approved Budget for the Contract (ABC) amounting to **One Million One Hundred Thousand Pesos Only (Php 1,100,000.00)**, in the Philippine Government Electronic Procurement System (PhilGEPS) Website (PhilGEPS Ref. No. 10649208/ITB No. ATI-CO-2024-06) and the ATI Website;

WHEREAS, in response to the said posting, four (4) prospective bidders bought the bidding documents from the BAC Secretariat and submitted their bid proposals before the bid opening held on April 1, 2024, which include;

1. CESC.AB Talisman Inc.
2. Filmstock Media Inc.
3. La Oyay Studio
4. Metapixel Corporation

WHEREAS, during the Bid Opening, it was found out that having complied with the eligibility/technical and financial requirements, three (3) bidders were declared as “**ELIGIBLE**” to participate in the bidding and thus rated as “**PASSED**”;

Name of Bidder	Bid Amount as Read (Php)
Filmstock Media Inc.	890,400.00
CESSC.AB Talisman Inc.	899,360.00
La Oyay Studio	1,050,000.00

WHEREAS, the Technical Working Group (TWG) for Goods and Services conducted a careful examination, validation, and verification of all eligibility (technical and financial) documents required, including post-qualification documents as mandated by RA 9184 and its IRR to the lowest eligible bidder, **Filmstock Media Inc.** and found to be “**Non-Responsive**” to the ATI’s requirements, particularly on the required 6-8 years of experience in the production and development of agriculture-related process videos and agriculture process or how-to videos, as well as the performance rating of an average of at least 4.7 (Very Satisfactory) in the recent four (4) agriculture-related production projects. (see attached Bid Evaluation Report and Post Qualification Evaluation Report of BAC TWG);

[Handwritten signatures and initials]

WHEREAS, under Sections 34.5 and 34.6, Rule X (Post-Qualification) of the RA 9184 and its IRR, the following provisions were stipulated:

"34.5 If, however, the BAC determines that the bidder with the Lowest Calculated Bid/Highest Rated Bid fails the criteria for post-qualification, it shall immediately notify the said bidder in writing of its post-disqualification and the grounds for it.

34.6 Immediately after the BAC has notified the first bidder of its post-disqualification, and notwithstanding any pending request for reconsideration thereof, the BAC shall initiate and complete the same post-qualification process on the bidder with the second Lowest Calculated Bid/Highest Rated Bid. If the second bidder passes the post-qualification, and provided that the request for reconsideration of the first bidder has been denied, the second bidder shall be post-qualified as the bidder with the LCRB or HRRB."

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WHEREAS, the BAC issued a Notice of Post Disqualification on May 15, 2024 to Filmstock Media Inc. and issued a Notice of Post Qualification to the second eligible bidder, CESC.AB Talisman Inc. on May 23, 2024;

WHEREAS, the Technical Working Group (TWG) for Goods and Services conducted another examination, validation, and verification of all eligibility (technical and financial) documents required, including post-qualification documents as mandated by RA 9184 and its IRR to the second lowest eligible bidder, **CESSC.AB Talisman Inc.** and found to be **"Non-Responsive"** to the ATI's requirements, particularly on the required 6-8 years of experience in the production and development of agriculture-related process videos and agriculture process or how-to videos. *(see attached Bid Evaluation Report and Post Qualification Evaluation Report of BAC TWG);*

WHEREAS, under Section 34.7, Rule X (Post-Qualification) of the RA 9184 and its IRR, the following provisions were stipulated:

"34.7 If the second bidder, however, fails the post-qualification, the procedure for post-qualification shall be repeated for the bidder with the next Lowest Calculated Bid/Highest Rated Bid, and so on until the LCRB or HRRB, as the case may be, is determined for award, subject to Section 37 of this IRR."

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WHEREAS, the BAC issued a Notice of Post Disqualification on June 4, 2024 to CESC.AB Talisman Inc., and issued a Notice of Post Qualification to the third eligible bidder, La Oyay Studio on June 14, 2024;

WHEREAS, the Technical Working Group (TWG) for Goods and Services conducted another careful examination, validation, and verification of the eligibility (technical and financial) documents required, including post-qualification documents as mandated by RA 9184 and its IRR to the third eligible bidder, **La Oyay Studio**. All submitted documents were declared authentic, however, it was found that the recalculated Net Financial Contracting Capacity (NFCC) of La Oyay Studio (Php 6,419,850) is lower than the declared NFCC, which amounted to Php 13,859,850.00. *(see attached Bid Evaluation Report and Post Qualification Evaluation Report of BAC TWG);*

WHEREAS, the BAC sent a legal inquiry to the Government Procurement Policy Board – Technical Support Office (GPBB-TSO) on June 24, 2024, regarding the concern raised by the TWG for Goods and Services about whether the NFCC issue will be grounds for disqualification;

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BAC Resolution No. _____ series of 2024.

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WHEREAS, the GPBB-TSO provided their response on July 2, 2024, regarding the legal inquiry, as follows:

“From the foregoing, the determination of the bidder’s financial eligibility depends on the financial documents submitted in support of its bid. Since the bidder opted to submit an NFCC computation, its submission should comply with the requirement that the NFCC computation should be at least equal to the ABC to be bid. Failure to comply with the financial eligibility requirements and/or criteria set by law and the rules shall result to the ineligibility or disqualification of the bidder concerned.”

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WHEREAS, the La Oyay Studio submitted an NFCC amounting to Php 6,419,850.00 which is at least equal to the ABC of Php 1,100,000.00, thereby considering the bidder as **“Responsive”** to the ATI’s requirements, with a Bid Amount as Calculated amounting to One Million Fifty Thousand Pesos only (Php 1,050,000.00);

WHEREAS, the BAC further evaluated the aforementioned bid proposal and agreed to adopt the TWG’s recommendation and declare **La Oyay Studio** as the **LOWEST CALCULATED AND RESPONSIVE BIDDER**;

NOW, THEREFORE, in consideration of the foregoing, We, the BAC Members, hereby **RESOLVE AS IT HEREBY RESOLVED** to:

1. Declare **La Oyay Studio** as the **Lowest Calculated and Responsive Bidder** for the **Procurement of Video Production of Agritalk 2-Easy Learning Series**;
2. Recommend for the approval of the award of the said Contract to **La Oyay Studio** and its Bid Amount as calculated amounting to **One Million Fifty Thousand Pesos (Php 1,050,000.00)**; and
3. Recommend for Approval by the ATI Director IV of the foregoing findings and recommendations.


Done this 10TH day of JULY 2024 at Agricultural Training Institute Bldg., Elliptical Road, Diliman, Quezon City.

THE BIDS AND AWARDS COMMITTEE:


KARL LOUISE M. SALIBIO
Member



ROMERMART A. PEÑAMORA
Member

LEONILA D. CAIZ
Member


KEMEIEL M. BORROMEIO
Vice Chairperson

MILAGROS C. URBANO
Chairperson

APPROVED BY:


REMEILYN R. RECOTER, MNSA, CESO III
Director IV

Date: _____