



BAC Resolution No.051, Series of 2023

BAC RESOLUTION DECLARING THE SINGLE CALCULATED AND RESPONSIVE BID AND RECOMMENDING THE AWARD OF CONTRACT TO JHOLAN AIRCONDITIONING SERVICES

Table with 2 columns: BIDDING No. and TITLE/DESCRIPTION. BIDDING No.: IB23-408625-06, APPROVED BUDGET CEILING (ABC): P5,000,000.00, BUDGET UTILIZATION SLIP No.: PP23090814. TITLE/DESCRIPTION: Category per RA9184: [X]GOODS [ ] INFRA/WORKS [ ]CONSULTING. "ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"

01: WHEREAS, on 30 October 2023 (Mon), the Bids and Awards Committee 2 (BAC 2), through the BAC Secretariat, posted an Invitation to Bid<sup>1</sup> at PhilGEPS Website, DAP Website, DAP-Pasig conspicuous places, and Facebook Page of the BAC Secretariat, sent Invitation to five (5) Observers, and directly invited forty-one (41) prospective Bidders, through email, to participate in the Competitive Bidding for the Project;

02: WHEREAS, on 07 November 2023 (Tue), the Pre-Bid Conference was conducted through online meeting via Google Meet Platform through the meeting link: meet.google.com/yvg-sgya-ebo, wherein ten (10) Prospective Bidders attended namely: [1] MJL Enterprises, [2] Gophertech Corporation, [3] Jholan Airconditioning Services, [4] Amigotek Corp., [5] FMG Refrigeration and Airconditioning Services, [6] Marco Inc., [7] Master-Air Cold Refrigeration And Air-Conditioning Services, [8] Great Guys Home Depot Inc., [9] Aequus Enterprise, [10] CGS Solid Aircon and Refrigeration, Inc.;

03: WHEREAS, among the Prospective Bidders who attended the Pre-Bid Conference, three (3) Bidders bought the Official Bidding Documents (OBD) namely: [1] Jholan Airconditioning Services (JAS), [2] SBD Builders (SB), [3] MJL Enterprises (ME);

04: WHEREAS, on 28 November 2023 (Tue), the Submission and Opening of electronic Bids (e-Bids) was conducted via Google Meet Platform, through the meeting link: meet.google.com/aso-ikoc-gkk, the BAC Secretariat informed the BAC that SBD Builders uploaded its e-Bid at the designated BiDMS site last 28 November 2023 at 12:31 AM, Jholan Airconditioning Services uploaded its e-Bid at the designated BiDMS site last 28 November 2023 at 8:20 AM and MJL Enterprises uploaded its e-Bid at the designated BiDMS site last 28 November 2023 at 9:06 AM;

05: WHEREAS, during the Opening of e-Bids, the order of opening of e-Bids was based on the time of their submission/uploading at their designated BiDMS site.

<sup>1</sup> Annex "A" – Invitation to Bid

As the 1<sup>st</sup> uploader, SBD Builders uploaded its e-Bid at the designated BiDMS site last 28 November 2023 at 12:31 AM and was represented by its Owner, Mr. Shaun B. Doherty, as evidenced by the submitted Letter of Authorization<sup>2</sup>. The BAC was assisted by TWG Chairperson Engr. Vener V. Maderaje (TWG Chair VVMaderaje) in examining the submitted documents;

**06: WHEREAS**, for the Technical including Eligibility Documents, SBD Builders provided its password: "**sbd**" and the BAC Secretariat proceeded to open the secured folders. The BAC initially declared the Technical including Eligibility Documents marked as "**T01**" to "**T11**" as "**PASSED subject to further Bid Evaluation and Post-Qualification**";

**07: WHEREAS**, SBD Builders provided its password for the Financial Documents: "**sbd**" and the BAC Secretariat proceeded to open the secured folder. The BAC initially declared financial documents marked as "**F01**" – **Financial Bid Form as "FAILED"** for the reason of non-inclusion of their bid amount on the Financial Bid form or incomplete or patently insufficient in compliance with the requirements set forth by the Official Bid Documents (OBD) to your Financial Documents submitted through the DAP's Bidding Document Management System (BiDMS) and on the financial document marked as "**F02**" – **Payment Schedule** declared by the BAC 2 as "**PASSED**";

**08: WHEREAS**, on the same date, the BAC declared SBD Builders submitted e-bid as "**FAILED**" and SBD Builders opted to file their written Request for Reconsideration (RR) until December 1, 2023, in compliance with Section 55 of 2016 Revised Implementing Rules and Regulations (IRR) of RA 9184;

**09: WHEREAS**, for the 2<sup>nd</sup> Bidder, Jholan Airconditioning Services, the BAC-TWG opened the bid and was represented by its Project Engineer, Engr. Shalot Rico, as evidenced by the submitted Letter of Authorization<sup>3</sup>. The BAC was assisted by TWG Chairperson Engr. Vener V. Maderaje (TWG Chair VVMaderaje) in examining the submitted documents;

**10: WHEREAS**, for the Technical including Eligibility Documents, Jholan Airconditioning Services provided its password: "**jholan001**" and the BAC Secretariat proceeded to open the secured folders. The BAC initially declared the Technical including Eligibility Documents marked as "**T01**" to "**T11**" as "**PASSED subject to further Bid Evaluation and Post-Qualification**";

**11: WHEREAS**, Jholan Airconditioning Services provided its password for the Financial Documents: "**jholan002**". The BAC Secretariat proceeded to open the secured folder. The BAC initially declared financial documents marked as "**F01**" to "**F02**" as "**PASSED subject to further Bid Evaluation and Post-Qualification**" with a Financial Bid Amount of **FOUR MILLION THREE HUNDRED FIFTY THOUSAND PESOS [P4,350,000.00]** which was below the declared Approved Budget for the Contract (ABC);

<sup>2</sup> Annex "B" – Letter of Authorization of SBD Builders

<sup>3</sup> Annex "C" – Letter of Authorization Jholan Airconditioning Services

**12: WHEREAS**, for the 3<sup>rd</sup> Bidder, MJL Enterprises, the BAC-TWG opened the bid and was represented by its Sales Representative, Ms. Marilyn Pabiona as evidenced by the submitted Letter of Authorization<sup>4</sup>. The BAC was assisted by TWG Chairperson Engr. Vener V. Maderaje (TWG Chair VVMaderaje) in examining the submitted documents;

**13: WHEREAS**, for the Technical including Eligibility Documents, MJL Enterprises provided its password: “**mjl12345**” and the BAC Secretariat proceeded to open the secured folders. The BAC initially declared the Technical including Eligibility Documents marked as “**T01**” declared by the BAC as “**FAILED**” for the reason of non-inclusion of Audited Financial statements as one of the attachments to the required document considered as incomplete or patently insufficient in compliance with the requirements set forth by the Official Bid Documents (OBD) to the Technical Documents submitted through the DAP’s Bidding Document Management System (BiDMS);

**14: WHEREAS**, for the Technical including Eligibility Documents marked as “**T02**” to “**T11**”, the BAC declared “**PASSED subject to further Bid Evaluation and Post-Qualification**”;

**15: WHEREAS**, due to MJL Enterprises’ failure on the Technical including Eligibility Documents marked as “**T01**”, the BAC declared MJL Enterprises’ submitted e-bid as “**FAILED**” and opted to file their written RR until December 1, 2023, in compliance with Section 55 of 2016 Revised Implementing Rules and Regulations (IRR) of RA 9184;

**16: WHEREAS**, based on the e-Bids submitted by the three (3) Bidders during the scheduled submission and opening of e-Bids, the Summary of e-Bid as follows:

Particulars	SBD BUILDERS	JHOLAN AIRCONDITIONING SERVICES	MJL ENTERPRISES
01: TECHNICAL INCLUDING ELIGIBILITY	PASSED	PASSED	FAILED for “ <b>T01</b> ”
02: FINANCIAL	FAILED for “ <b>F01</b> ”	PASSED	FAILED
03: TOTAL AMOUNT OF BID	₱4,915.000.00	₱4,350.000.00	FAILED
04: RANK	<b>FAILED</b>	<b>PASSED</b>	<b>FAILED</b>

**17: WHEREAS**, during the Submission and Opening of e-Bids, BAC 2 declared that: [1] SBD Builders as “**FAILED**” due to failure on their submitted “**F01**”, and [2] MJL Enterprises as “**FAILED**” due to their “**T01**” and the bidders opted to file their

<sup>4</sup> Annex “D” – Letter of Authorization MJL Enterprises

respective written RRs until December 1, 2023, in compliance with Section 55 of 2016 Revised Implementing Rules and Regulations (IRR) of RA 9184;

- 18: WHEREAS**, on 30 November 2023, BAC Sec received the filed RRs<sup>5</sup> of SBD Builders and MJL Enterprises;
- 19: WHEREAS**, on 05 December 2023, BAC 2 and its TWG deliberated the filed RR of SBD Builders and MJL Enterprises, wherein their respective RRs were “**DENIED**” by BAC 2 for the reason of incomplete or patently insufficient in compliance with the requirements set forth by the Official Bid Documents (OBD);
- 20: WHEREAS**, on December 7, 2023, BAC Sec furnished [1] SBD Builders and [2] MJL Enterprises a Reply to the RR<sup>6</sup> denying their RR and informed them that the decisions of the BAC 2 may be protested in writing to the Head of the Procuring Entity (HoPE). The Protest must be filed within seven (7) calendar days from receipt by the Party concerned of the BAC’s decision denying its request for reconsideration or until **December 14, 2023**, accompanied by the payment of 0.75% of the ABC or P37,500.00 as a non-refundable Protest Fee as per Section 55.3 Rule XVII of the 2016 Revised IRR of RA 9184;
- 21: WHEREAS**, on the same date, the BAC issued a Notice to Bidders that submitted e-bid by Jholan Airconditioning Services will undergo with Bid Evaluation Stage<sup>7</sup>;
- 22: WHEREAS**, on 11 December (Mon), the Technical Working Group (TWG) conducted the Bid Evaluation for the financial documents submitted by Jholan Airconditioning Services;
- 23: WHEREAS**, on the same date, the TWG Chairperson, through the BAC Secretariat, furnished a Memorandum addressed to the BAC 2 Chairperson recommending Jholan Airconditioning Services to be declared as the Single Calculated Bid (SCB)<sup>8</sup>, which the BAC 2 approved;
- 24: WHEREAS**, on 13 December 2023 (Wed), the BAC Secretariat furnished Jholan Airconditioning Services the Notice of SCB<sup>9</sup>, through its email address;
- 25: WHEREAS**, on December 13-20, 2023, the TWG conducted the Post-Qualification for Jholan Airconditioning Services and did an item-by-item assessment on the checklist items rated as “**PASSED**” during the Submission and Opening of e-Bids and conducted a Site Visit last December 14, 2023 at Jholan Airconditioning Services’ office located at #59 Imperial St., Cubao Quezon City;
- 26: WHEREAS**, on 20 December 2023 (Wed), a TWG Memorandum<sup>10</sup> from the TWG Chairperson was submitted to the BAC 2 Chairperson, through the BAC

<sup>5</sup> Annex “E” – Filed Request for Reconsideration

<sup>6</sup> Annex “F” – Reply to the Request for Reconsideration

<sup>7</sup> Annex “G” – Notice to Bidders

<sup>8</sup> Annex “H” – TWG Memo re: Result of Bid Evaluation

<sup>9</sup> Annex “I” – Notice of Single Calculated Bid

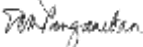





<sup>10</sup> Annex “J” – TWG Memo re: Result of Post Qualification

Secretariat, recommending Jholan Airconditioning Services as the Single Calculated and Responsive Bid (SCRB) and requesting a BAC and TWG meeting for the presentation of the TWG final recommendation to the BAC for the BAC’s adoption and approval;

**27: NOW, THEREFORE**, be it RESOLVED, as it is hereby RESOLVED;

01. That the bid submitted by **JHOLAN AIRCONDITIONING SERVICES** be declared as the **SINGLE CALCULATED AND RESPONSIVE BID** in consideration of its total bid amount of **FOUR MILLION THREE HUNDRED FIFTY THOUSAND PESOS [₱4,350,000.00]**;
02. That, a Notice of Single Calculated and Responsive Bid be issued to **JHOLAN AIRCONDITIONING SERVICES**;
03. That, we, the members of the Bids & Awards Committee 2, *as per Special Order No. 2023-047*, recommend to the *President & Chief Executive Officer* the approval of this BAC Resolution; and,
04. That, a Notice of Award (**NOA**) be issued to **JHOLAN AIRCONDITIONING SERVICES** upon approval of this BAC Resolution.

**RESOLVED** on this date, 29 December 2023 (Fri).

Concurred by the BIDS & AWARDS COMMITTEE (SO-2023-047)		
 <b>EDNA CARINA M. PANGANIBAN</b> BAC Member 1	<b>DOROTHEA C. BOY-NAVARRO</b> BAC Member 2	 <b>ALVIN P. PRINCIPE</b> BAC Member 3
 <b>ENGR. MARJORIE M. WAJE-BAGANG</b> BAC End-User’s Representative	 <b>RICHA S. TIBO</b> BAC Vice-Chairperson	 <b>ALAN S. CAJES</b> BAC Chairperson
Approved by:		
 <b>ATTY. ENGELBERT C. CARONAN, JR., MNSA</b> <i>President and Chief Executive Officer, DAP</i>		

**Annex "A"** re Invitation to Bid.....p1 of 3



**development academy of the philippines**  
BIDS & AWARDS COMMITTEE SO NO. 2023-047 DATED 16 MAY 2023

## INVITATION TO BID

FOR

### **“ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS- READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY”**

*per Invitation to Bid No.: IB23-408625-06*

1. The **Development Academy of the Philippines (DAP)**, through the Corporate Operating Budget (COB) for FY 2023 intends to apply the sum of **FIVE MILLION PESOS (P5,000,000.00)** being the Approved Budget for the Contract (ABC) under the contract for **“One (1) lot Supply, Installation and Commissioning of New Seventeen (17) units Individual Inverter-Type, BMS-ready Airconditioning Units at Floor 2A in Building A, DAP Building, Pasig City”** per Invitation to Bid No. IB23-408625-06. **Bids received in excess of the ABC shall be automatically rejected at bid opening.**
2. The **DAP** now invites bids for the above Project. Delivery of the Goods is required within **90 calendar days** upon receipt of the Notice To Proceed. Bidders should have completed, within a 5-year period at least two (2) similar contracts and the aggregate contract amounts should be equivalent to at least fifty percent (50%) of the ABC; and that the largest of these similar contracts must be equivalent to at least twenty-five percent (25%) of the ABC. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).
3. Bidding will be conducted through open competitive bidding procedures using a non-discretionary *“pass/fail”* criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No.9184.  
  
Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to RA 5183.
4. Prospective Bidders may obtain further information from DAP and inspect the Bidding Documents at the address given below during Monday to Friday, **9:00AM to 4:30PM**.
5. A complete set of Official Bidding Documents (OBD) may be acquired by interested Bidders on **October 30, 2023 (Mon) to 24 November 2023 (Fri)** from 09:00AM to 04:30PM, of the non-refundable applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, the cost for the Official Bidding Documents is **FIVE THOUSAND PESOS (P5,000.00)**.

Page 1 of 3

**Annex “A”** re Invitation to Bid.....p2 of 3

It may also be downloaded free of charge from the website of the Philippine Government Electronic Procurement System (PhilGEPS) and the website of the DAP. In order for bidders to participate, they shall pay the cost of the OBD not later than the scheduled Submission and Opening of the Bids.

6. Interested bidders must make payment to:

Account Name:	Development Academy of the Philippines
Account Number:	0671-0105-40
Bank:	Landbank of the Philippines
Branch of Account:	Pasig Capitol Branch

A copy of proof of payment must be emailed to DAP’s Finance Department at: [cashtreasury@dap.edu.ph](mailto:cashtreasury@dap.edu.ph) for the issuance of Official Receipt (OR) and the BAC Secretariat will provide assistance to the On-line Bidder for the creation of “bidms account” and dedicated site in the [bidms.dap.edu.ph](http://bidms.dap.edu.ph).

7. The DAP will hold a Pre Bid Conference on **November 7, 2023 (Tue), 10:00AM** via Google Meet Platform which shall be opened to all interested Bidders upon formal request through the BAC Secretariat. Requests shall be coursed through email at [dapbacsec@dap.edu.ph](mailto:dapbacsec@dap.edu.ph) and an invitation link will be then provided for at most three (3) email addresses per On-line Bidder.
8. In compliance with GPPB Resolution No. 12-2020, all electronic-Bids must be duly received by the Bids and Awards Committee (BAC) Secretariat, through the designated [bidms.dap.edu.ph](http://bidms.dap.edu.ph) secured account on or before **November 28, 2023 (Tue)** and not later than **10:00AM**. All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB Clause 14**.
9. Bid opening shall be on **November 28, 2023 (Tue)** at **10:00AM** via Google Meet Platform. Electronic-bids will be opened in the presence of the bidders’ authorized representative/s who are authorized to attend the proceedings. **LATE BIDS SHALL NOT BE ACCEPTED**.
10. The **DAP** reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time in accordance with the provisions of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.
11. For further information, please refer to:

**MARIET RIZ M. BRADECINA**  
**Manager, BAC Secretariat Division**  
 Development Academy of the Philippines  
 GF DAP Bldg., San Miguel Avenue, Pasig City 1600  
 P.O. Box 12788 Ortigas Center, Pasig City 1600 Philippines  
 Telephone No : (632) 8631-0921 loc. 133  
 BAC Secretariat email : [dapbacsec@dap.edu.ph](mailto:dapbacsec@dap.edu.ph)  
 Website address : <http://www.dap.edu.ph>

**Annex "A" re Invitation to Bid.....** p3 of 3

12. You may visit the following websites:

For downloading of Official Bidding Documents: <https://www.dap.edu.ph/invitation-to-bid/>

For online bid submission: <http://bidms.dap.edu.ph/page/>

Issued this 30<sup>th</sup> day of October 2023.

For the **DAI** Bids & Awards Committee 2:



**ALAN S. CAJES**  
Chairperson, BAC

>> Nothing Follows <<



**Annex "B"** re Letter of Authorization of SBD Builder.....p1 of 4



**SBD  
BUILDERS**

REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF CEBU CITY ) S.S.

DATE: \_\_\_\_\_

**LETTER OF AUTHORIZATION (LOA)  
and  
COMPLIANCE WITH REQUIRED electronic-FILES**

**To WHOM IT MAY CONCERN:**

This is to certify that the below named personnel is/are authorized to attend, decide, accept and affix his/her signature to attest the validity of SBD BUILDER's bid for the Project: "ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY" per IB23-408625-06 scheduled on 28 November 2023 (Tue) for and on behalf of the undersigned Bidder, to wit:

N	NAME OF THE AUTHORIZED REPRESENTATIVE	POSITION TITLE
	SHAUN B. DOHERTY	AUTHORIZE SIGNATORY

This is to further certify that the submitted password protected zip.file folder contains Eligibility & Technical and Financial Documents. The e-files that can be found in the said password protected zip.file folder are the faithful electronic copies of the submitted requirements.

The Bidder certifies that all of the electronic files with suffix SBD Builders had been diligently and carefully examined;

The Bidder ensures that each secured folders was inspected, and the files enumerated herebelow were saved;

The electronic files that can be found are the following:



**Annex “B”** re Letter of Authorization of SBD Builder.....p2 of 4

FILENAME		Filetype
<b>N</b>	<p><b>INSTRUCTIONS:</b> * The structure of the "final filename" followed the file structure below. The first 3 characters of the filename refers to the document tag:</p> <p>* The "_XXX" represents the page-number of the file if in jpg-format, or the last page-number of the file if in pdf-format. In case there is only one page, "_XXX" will be "_000"; and.</p> <p>* The suffix "- BidderName -" was replaced by the Company Name of the Bidder.</p>	
	<p>01 <u>LOA_XXX=signed_Letter_of_Authorization_SBD Builders</u></p> <p><b>INSTRUCTIONS:</b> <u>The duly adjusted filled-out, printed, and signed LOA should be placed prior to the Opening of the secured zip-file bid. The LOA can be read without opening any part of the submitted bid.</u></p>	Pdf, or jpg, or word
<b>I. Technical Components (Class A Documents)</b>		
02	T01_XXX=PhilGEPS_Registration= <u>SBD Builders</u>	pdf or jpg
03	T02_XXX=EXCEL_All_Ongoing_Contracts= <u>SBD Builders</u>	EXCEL
	T02_XXX=IMAGE_All_Ongoing_Contracts= <u>SBD Builders</u>	pdf or jpg
04	T03_XXX=Single_Largest_Completed_Contract= <u>SBD Builders</u>	EXCEL
	T03_XXX=Single_Largest_Completed_Contract= <u>SBD Builders</u>	pdf or jpg
05	T04_XXX=Bid_Security= <u>SBD Builders</u>	pdf or jpg
06	T05_XXX=Technical_Specifications= <u>SBD Builders</u>	pdf or jpg
07	T06_XXX=Omnibus_Sworn_Statement= <u>SBD Builders</u>	pdf or jpg
08	T07_XXX=Cert_Site+Inspection= <u>SBD Builders</u>	pdf or jpg
09	T08_XXX=Company_Profile= <u>SBD Builders</u>	pdf or jpg
10	T09_XXX=Cert_Distribution and Service= <u>SBD Builders</u>	pdf or jpg
11	T10_XXX=NFCC_computation= <u>SBD Builders</u>	pdf or jpg
12	T11_XXX=VALID_Joint_Venture_Agreement= <u>SBD Builders</u>	pdf or jpg
	<p><b>INSTRUCTIONS:</b> <u>If the Bidder will not have any joint venture agreement (JVA) with any juridical entities, the Bidder is still required to issue a Statement, written in its letterhead, clearly indicating that the Bidder will not enter into any JVA for this Project.</u></p>	
<b>II. Financial Components</b>		
13	F01_XXX=FINANCIAL_BID_FORM= <u>SBD Builders</u>	pdf or jpg
14	F02_XXX= PRICE_SCHEDULE= <u>SBD Builders</u>	pdf or jpg

C:\Users\Admin\AppData\Local\Temp\Fa8D67.11F\LOA\_XXX=signed Letter of Authorization=BidderName.docx

Page 2

**Annex "B" re Letter of Authorization of SBD Builder.....p3 of 4**

p.3/4

This is to also finally certify that **SBD Builders** fully understood and agreed that non-compliance to any statement of this authorization can be ground or basis for disqualification once the DAP-BAC declares that submittal failed due to non-compliance.

This certification is being issued for whatever legal purpose it may serve.

<b>CERTIFIED BY:</b>
Signature: 
BIDDER NAME: <b>SBD BUILDERS</b>
POSITION: (BIDDER'S PRESIDENT/CEO/ HEAD OF THE COMPANY / CORPORATE SECRETARY/ &P HIGHER OFFICER OR THE AUTHORIZED PERSON/PERSON IN AUTHORITY)
IN THE EVENT OF INVALID DATE THE BAC WILL OPT TO CALL THE AUTHORITY OF THE REGIONAL AUTHORITY TO VALIDATE, COMPLY AND OBTAIN SUCH AUTHORIZATION
CONTACT NUMBER(S):
SUIT: AND SIGNATURE OTHER THAN BIDDER'S PRESIDENT/CEO/ HEAD OF THE COMPANY / CORPORATE SECRETARY/ &P HIGHER OFFICER OR THE AUTHORIZED PERSON CONSIDERED NON- RESPONSIVE
DATE SIGNED:

<b>SPECIMEN SIGNATURE/S OF AUTHORIZED REP/S</b>	
SIGNATURE 1	
NAME & POSITION TITLE OF THE AUTHORIZED REP 1	
SIGNATURE 2	
NAME & POSITION TITLE OF THE AUTHORIZED REP 2	
SIGNATURE 3	
NAME & POSITION TITLE OF THE AUTHORIZED REP 3	

**ACKNOWLEDGEMENT**

C:\Users\Adrian\AppData\Local\Temp\1\11F\1104\_1001\sgw\Letter of Authorization\BAC\BAC Home.docx

Page 3

**Annex "B" re Letter of Authorization of SBD Builder.....p4 of 4**

..p.4/4

**SUBSCRIBED AND SWORN** to before me this 18<sup>TH</sup> day of November 2023 at Cebu City, Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No.02-8-13-SC). Affiant/s exhibited to me his/her *insert two Tax Identification Number & Residence Certificate*, with his/her photograph and signature appearing thereon, with 1<sup>st</sup> ID No. 259-938-080-000 issued on April 16, 2018 at Cebu, Philippines and 2<sup>nd</sup> ID No. 107432890 issued on February 19, 2023 at Cebu City.

Witness my hand and seal this 27<sup>th</sup> day of November 2023.

Signature of the NOTARY PUBLIC

NAME OF THE NOTARY PUBLIC

Serial No. of Commission  
Notary Public for

...until

PTR No. (date & place issued)

IBP No. (date & place issued)

Doc. No. 704  
Page No. 42  
Book No. 13  
Series of 2023

  
**ATTY. JOSEPH DALE L. BATOCTON**  
Notary Public for Cebu City  
Notarial Commission No. 17-21 until December 31, 2023  
1147 Bldg No. 15 Village Street, Guadalupe, Cebu City  
Roll of Notaries No. 72404  
PTR No. 02218517 January 02, 2021 / Cebu  
PTR No. 2011214 / January 04, 2023 / Cebu City  
RPLB Formative No. 00-1597-1433 until April 14, 2015  
jbatoc@ayd@gmail.com/jbatoc@notary0611.com

**Annex "C"** re Letter of Authorization of Jholan Airconditioning Services.....p1 of 4



**JHOLAN AIRCONDITIONING SERVICES**

59 Imperial St., Cubao, Q. C. Telefax: 709-3702  
Cell: 0918-2519852 / 0906-4308207  
Email: jholan\_aire@yahoo.com

REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF QUEZON CITY ) S.S.

DATE: NOVEMBER 25, 2023

**LETTER OF AUTHORIZATION (LOA)**  
and  
**COMPLIANCE WITH REQUIRED electronic-FILES**

**To WHOM IT MAY CONCERN:**

This is to certify that the below named personnel is/are authorized to attend, decide, accept and affix his/her signature to attest the validity of Jholan Airconditioning Services's bid for the Project: **"ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY" per IB23-408625-06** scheduled on **28 November 2023 (Tue)** for and on behalf of the undersigned Bidder, to wit:

N	NAME OF THE AUTHORIZED REPRESENTATIVE	POSITION TITLE
1	Mary Jane Castro	HR/ Finance and Operation Manager
2	John Kurt Alfred Ponce	Supervisor/ Engineer
3	Shalot Rico	Project Engineer

This is to further certify that the submitted password protected zip.file folder contains Eligibility & Technical and Financial Documents. The e-files that can be found in the said password protected zip.file folder are the faithful electronic copies of the submitted requirements.

The Bidder certifies that all of the electronic files with suffix **Jholan Airconditioning Services** had been diligently and carefully examined;

The Bidder ensures that each secured folders was inspected, and the files enumerated here below were saved;

The electronic files that can be found are the following:

**Annex “C”** re Letter of Authorization of Jholan Airconditioning Services.....p2 of 4

p.2/4

FILENAME		Filetype
<b>N</b>	<p><b>INSTRUCTIONS:</b> * The structure of the "final-filename" followed the file structure below. The first 3 characters of the filename refers to the document-tag;</p> <p>* The "_XXX" represents the page-number of the file (if in jpg-format), or the last page-number if the file is in pdf-format. In case there is only one page, "_XXX" will be "_000"; and</p> <p>* The suffix "&lt;BidderName&gt;" was replaced by the Company Name of the Bidder.</p>	
01	<p>LOA_004=signed_Letter_of_Authorization=Jholan Airconditioning Services</p> <p><b>INSTRUCTIONS:</b> The duly adjusted/filled-out, printed, and signed LOA should be placed prior to the Opening of the secured zip-file bid. The LOA can be read without opening any part of the submitted bid.</p>	Pdf, or jpg, or word
<b>I. Technical Components (Class A Documents)</b>		
02	T01_042=PhilGEPS_Registration=Jholan Airconditioning Services	pdf or jpg
03	T02_000=EXCEL_All_Ongoing_Contracts=Jholan Airconditioning Services	EXCEL
	T02_022=IMAGE_All_Ongoing_Contracts=Jholan Airconditioning Services	pdf or jpg
04	T03_000=Single_Largest_Completed_Contract=Jholan Airconditioning Services	EXCEL
	T03_049=Single_Largest_Completed_Contract= Jholan Airconditioning Services	pdf or jpg
05	T04_002=Bid_Security=Jholan Airconditioning Services	pdf or jpg
06	T05_011=Technical_Specifications=Jholan Airconditioning Services	pdf or jpg
07	T06_002=Omnibus_Sworn_Statement=Jholan Airconditioning Services	pdf or jpg
08	T07_000=Cert_Site+Inspection=Jholan Airconditioning Services	pdf or jpg
09	T08_024=Company_Profile=Jholan Airconditioning Services	pdf or jpg
10	T09_000=Cert_Distribution and Service=Jholan Airconditioning Services	pdf or jpg
11	T10_026=NFCC_computation=Jholan Airconditioning Services	pdf or jpg
12	<p>T11_000=VALID_Joint_Venture_Agreement=Jholan Airconditioning Services</p> <p><b>INSTRUCTIONS:</b> If the Bidder will not have any joint venture agreement (JVA) with any juridical entity/ies, the Bidder is still required to issue a Statement, written in its letterhead, clearly indicating that the Bidder will not enter into any JVA for this Project.</p>	pdf or jpg
<b>II. Financial Components</b>		
13	F01_002=FINANCIAL_BID_FORM=Jholan Airconditioning Services	pdf or jpg
14	F02_006= PRICE_SCHEDULE=Jholan Airconditioning Services	pdf or jpg

C:\Users\wh10\Desktop\UAS 2023\Win1 Proposal\BAP\BAP 2A FLOOR\LEGAL DOCUMENTS\LOA\_004=signed Letter of Authorization=Jholan Airconditioning Services.docx

**Annex "C"** re Letter of Authorization of Jholan Airconditioning Services.....p3 of 4

p.3/4

This is to also finally certify that JHOLAN AIRCONDITIONING SERVICES fully understood and agreed that non-compliance to any statement of this authorization can be ground or basis for disqualification once the DAP-BAC declares that submittal failed due to non-compliance.

This certification is being issued for whatever legal purpose it may serve.

CERTIFIED BY:	
SIGNATURE:	
BIDDER NAME:	<b>Jholan Airconditioning Services</b>
POSITION: <small>(BIDDERS'S PRESIDENT/ CEO/ HEAD OF THE COMPANY/ CORPORATE SECRETARY/ ANY HIGHER OFFICER THAN AUTHORIZED PERSON/PERSON IN AUTHORITY)</small>	<b>Jose V. Ebonia, Jr. General Manager</b>
<small>IN THE EVENT OF INVALID LGA THE BAC MAY OPT TO CALL THE AUTHORIZING OR THE PERSON IN AUTHORITY TO VALIDATE, CONFIRM AND ASCERTAIN SUCH AUTHORIZATION</small>	
CONTACT NUMBER(S):	8709-3702/ 0906-4308207/ 0926-0848342
<small>NOTE: ANY SIGNATORY OTHER THAN BIDDERS'S PRESIDENT/ CEO/ HEAD OF THE COMPANY/ CORPORATE SECRETARY/ ANY HIGHER OFFICER THAN AUTHORIZED PERSON CONSIDERED NON- RESPONSIVE</small>	
DATE SIGNED:	Nov. 25, 2023

SPECIMEN SIGNATURE/S OF AUTHORIZED REP/S	
SIGNATURE1	
NAME & POSITION TITLE OF THE AUTHORIZED REP1	<b>Mary Jane Castro/ HR, Finance, and Operation Manager</b>
SIGNATURE2	
NAME & POSITION TITLE OF THE AUTHORIZED REP2	<b>John Kurt Alfred Ponce/ Supervisor Engineer</b>
SIGNATURE3	
NAME & POSITION TITLE OF THE AUTHORIZED REP3	<b>Shalot Rico/ Project Engineer</b>

**Annex "C"** re Letter of Authorization of Jholan Airconditioning Services.....p4 of 4

p.4/4

### ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN to before me this 25<sup>th</sup> day of November 2023 at Quezon City, Philippines. Affiant is personally known to me and was identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No.02-8-13-SC). Affiant exhibited to me his UMID ID and Driver's License, with his photograph and signature appearing thereon, with 1<sup>st</sup> ID No. 0003-9019834-7 and 2<sup>nd</sup> ID No. N04-99-431249.

Witness my hand and seal this 25<sup>th</sup> day of November 2023.

Signature of the NOTARY PUBLIC

NAME OF THE NOTARY PUBLIC

Serial No. of Commission  
Notary Public for

...until

PTR No. (date & place issued)

IBP No. (date & place issued)

Doc. No. 057  
Page No. 93  
Book No. 1001  
Series of 2023

*[Signature]*  
ATTY. JUMILDE S. FERRER  
Notary Public

Commission Serial No. JP-800  
Until December 31, 2024  
PTR No. 4054809 - 01.05.23.QC  
IBP No. 173746 - 11.09.22.QC  
Roll No. 21532  
MCLE Compliance No. VII-0918017-04 14 25  
Room 211, St. Anthony Building,  
891 Aurora Blvd., Cubao, Quezon City  
Tel. Fax (02) - 8211-1208



**Annex "D" re Letter of Authorization of MJL Enterprises.....p1 of 4**

# MJL ENTERPRISES

122 Juan Sumulong Avenue, Brgy. Bagumbayan, Teresa, Rizal email: mj\_l\_of@yahoo.com Tel. No. 9352257

REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF **QUEZON CITY**, S.

DATE: \_\_\_\_\_

## LETTER OF AUTHORIZATION (LOA) and COMPLIANCE WITH REQUIRED electronic-FILES

**To WHOM IT MAY CONCERN:**

This is to certify that the below named personnel is/are authorized to attend, decide, accept and affix his/her signature to attest the validity of MJL Enterprises bid for the Project: **One (1) Lot Supply, Installation and Commissioning of New Seventeen (17) Units Individual Inverter-Type, BMS-Ready Airconditioning Units at Floor 2A in Building A, DAP Building, Pasig City" per IB23-408625-06 scheduled on 28 November 2023 (Tuesday) for and on behalf of the undersigned Bidder, to wit:**

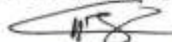
N	NAME OF THE AUTHORIZED REPRESENTATIVE	POSITION TITLE
	Marilyn Pabiona	Sales

This is to further certify that the submitted password protected zip.file folder contains Eligibility & Technical and Financial Documents. The e-files that can be found in the said password protected zip.file folder are the faithful electronic copies of the submitted requirements.

The Bidder certifies that all of the electronic files with suffix **MJL Enterprises** had been diligently and carefully examined;

The Bidder ensures that each secured folders was inspected, and the files enumerated here below were saved;

The electronic files that can be found are the following:



D:\DAP\LOA\_XXX-signed Letter of Authorization=BidderName (3).docx

101

# MJL ENTERPRISES

122 Auro Sumulong Avenue, Brgy. Bagumbayan, Teresa, Rizal    email: mjled@yahoo.com    Tel. No. 9352257

	FILENAME	
<b>N</b>	<p><b>INSTRUCTIONS:</b> * The structure of the "final-filename" followed the file structure below. The first 3 characters of the filename refers to the document-tag;</p> <p>* The "_XXX" represents the page-number of the file (if in jpg-format), or the last page-number if the file is in pdf-format. In case there is only one page, "_XXX" will be "_000"; and,</p> <p>* The suffix "MJL Enterprises" was replaced by the Company Name of the Bidder.</p>	<b>Filetype</b>
<b>01</b>	<p>LOA_XXX=signed_Letter_of_Authorization=&lt;MJL Enterprises&gt;</p> <p><b>INSTRUCTIONS:</b> The duly adjusted/filled-out, printed, and signed LOA <u>should be placed prior to the Opening of the secured zip-file bid</u>. The LOA can be read without opening any part of the submitted bid.</p>	Pdf, or jpg, or word
<b>I. Technical Components (Class A Documents)</b>		
<b>02</b>	E01_XXX=PhilGEPS_Registration=MJL Enterprises	pdf or jpg
<b>03</b>	E02_XXX=EXCEL_All_Ongoing_Contracts=MJL Enterprises	EXCEL
	E02_XXX=IMAGE_All_Ongoing_Contracts=MJL Enterprises	pdf or jpg
<b>04</b>	E03_XXX=Single_Largest_Completed_Contract=MJL Enterprises	EXCEL
	E03_XXX=Single_Largest_Completed_Contract=MJL Enterprises	pdf or jpg
<b>05</b>	E04_XXX=NFCC_computation=MJL Enterprises	pdf or jpg
<b>06</b>	E05_XXX=Audited_Financial_Statement=MJL Enterprises	pdf or jpg
<b>07</b>	E06_XXX=VALID_Joint_Venture_Agreement=MJL Enterprises	pdf or jpg
	<b>INSTRUCTIONS:</b> If the Bidder will not have any joint venture agreement (JVA) with any juridical entity/ies, the Bidder is still required to issue a Statement, written in its letterhead, clearly indicating that the Bidder will not enter into any JVA for this Project.	
<b>08</b>	T01_XXX=Bid_Security=MJL Enterprises	pdf or jpg
<b>09</b>	T02_XXX=Technical_Specifications=MJL Enterprises	pdf or jpg
<b>10</b>	T03_XXX=Omnibus_Sworn_Statement= MJL Enterprises	pdf or jpg
<b>11</b>	T04_XXX=Cert_Site+Inspection= MJL Enterprises	pdf or jpg
<b>12</b>	T05_XXX=Company_Profile= MJL Enterprises	pdf or jpg
<b>13</b>	T06_XXX=Cert_Distribution and Service= MJL Enterprises	pdf or jpg
<b>II. Financial Components</b>		
<b>14</b>	F01_XXX=FINANCIAL_BID_FORM= MJL Enterprises	pdf or jpg

D:\DAP\LOA\_XXX=signed Letter of Authorization=BidderName (3).docx




# MJL ENTERPRISES

122 Ann Sumalang Avenue, Brgy. Bagumbayan, Tereza, Rizal email: mj\_ed@yahoo.com Tel. No. 9352257

**15** F02\_XXX= PRICE\_SCHEDULE= MJL Enterprises pdf or jpg

This is to also finally certify that MJL Enterprises fully understood and agreed that non-compliance to any statement of this authorization can be ground or basis for disqualification once the DAP-BAC declares that submittal failed due to non-compliance.

This certification is being issued for whatever legal purpose it may serve.

CERTIFIED BY:	
SIGNATURE:	
BIDDER NAME:	<u>MJL Enterprises</u>
POSITION: <small>(BIDDERS'S PRESIDENT/ CEO/ HEAD OF THE COMPANY / CORPORATE SECRETARY/ ANY HIGHER OFFICER THAN AUTHORIZED PERSON/PERSON IN AUTHORITY)</small>	Johnlly Gerber C. Cruz
<small>IN THE EVENT OF INVALID LOA THE BAC MAY OPT TO CALL THE AUTHORIZING OR THE PERSON-IN- AUTHORITY TO VALIDATE, CONFIRM AND ASCERTAIN SUCH AUTHORIZATION</small>	
CONTACT NUMBER/S:	
<small>(NOTE: ANY SIGNATORY OTHER THAN BIDDER'S PRESIDENT/ CEO/ HEAD OF THE COMPANY / CORPORATE SECRETARY/ ANY HIGHER OFFICER THAN AUTHORIZED PERSON CONSIDERED NON- RESPONSIVE</small>	
DATE SIGNED:	November 22, 2023

SPECIMEN SIGNATURE/S OF AUTHORIZED REP/S	
SIGNATURE 1	
NAME & POSITION TITLE OF THE AUTHORIZED REP1	Marilyn Pedrona / Sales
SIGNATURE 2	
NAME & POSITION TITLE OF THE AUTHORIZED REP2	
SIGNATURE 3	
NAME & POSITION TITLE OF THE AUTHORIZED REP3	



**Annex "D"** re Letter of Authorization of MJL Enterprises.....p4 of 4

# MJL ENTERPRISES

122 Juan Sumulong Avenue, Drgy. Bagumbayan, Teresa, Rizal email: mj\_l\_id@yahoo.com Tel. No. 9352257

## ACKNOWLEDGEMENT

**NOV 24 2023**  
SUBSCRIBED AND SWORN to before me this 24<sup>th</sup> day of NOV 2023 at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No.02-8-13-SC). Affiant/s exhibited to me his *TIN and Driver's License*, with his photograph and signature appearing thereon, with 1<sup>st</sup> ID No. 436-285-351-000 issued on \_\_\_\_\_ at Cainta Rizal and 2<sup>nd</sup> ID No. D16-05-006183 issued on July 10, 2023 at Teresa Rizal.

**NOV 24 2023**  
Witness my hand and seal this 24<sup>th</sup> day of \_\_\_\_\_ 2023.

Signature of the NOTARY PUBLIC

NAME OF THE NOTARY PUBLIC

Serial No. of Commission  
Notary Public for  
...until

PTR NO. (date & place issued)

IBP NO. (date & place issued)

Doc. No. 399  
Page No. 00  
Book No. XIII  
Series of 2023

**ATTY. VICENTE C. CRUZ**  
ADM. MATTER NO. NP-031  
NOTARY PUBLIC

UNTIL DECEMBER 31, 2023  
PTR NO. 371037601-03-23/Q.C.

ROLL NO. 33962/06-30-06  
IBP LIFETIME MEMBER NO. 02322/04-19-01/Q.C.  
MCLE NO. VII-0013576 until Apr. 14, 2025

**Annex "E"** Filed Request for Reconsideration of SBD Builders & MJL Enterprises..... p1 of 3



30 November 2023

Mr Alan S Cajes  
BAC 2 Chairperson  
Development Academy of the Philippines  
Pasig City

Dear Sir,

We would like to request for your kind reconsideration on the decision of declaring our submission as "FAILED" on the following grounds: Regretfully, we failed to put the Amount in Words and Amount In figures in F01 document but admittedly due to an honest human error, we failed to state this in the required page.

Details of the Bidding joined last 28 November 2023 are as follows:

Project Bid No: IB 23-408625-06  
ABC: Php 5,000,000.00

We underscored in our F02 the details in the amounts of each item.

We are still hoping to win this bidding despite our lapses.

We are going to send the Complete filled form F01 together with this letter.

Thank you very much.

Truly yours,

  
Shaun Doherty

**Annex "E"** Filed Request for Reconsideration of SBD Builders & MJL Enterprises..... p2 of 3



development academy of the philippines

BIDS & AWARDS COMMITTEE (SO No.2023-047)

**REQUEST FOR RECONSIDERATION**

Date: November 29, 2023

**Mr. ALAN S. CAJES**

BAC 2 Chairperson

development academy of the philippines

dap Building, San Miguel Avenue, Pasig City 1600

P.O. Box 12788, Ortigas Center, Pasig City 1600 Philippines

Telephone: (632) 8631 0921 loc. 133

Dear Sir:

In relation to the results of the conducted Submission & Opening of e-bids of the **Project: "ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"** with Invitation to Bid No. **IB23-408625-06** and ABC of **P5,000,000.00** held on **28 November 2023 (Tuesday) at 10:00 AM.**

Date & Time of the Submission and Opening of e-bids:

28 November 2023 (Tuesday) at 10:00 AM

Venue for the Submission and Opening of e-bids:

Via google meet platform

...we would like to request for reconsideration on the decision of declaring our submission as **"FAILED"** on the following grounds:

Cite the basis: Dear Sir/Madam,

This is a motion for reconsideration regarding the submitted of our eligibility and technical requirement due to confusion about the LOA Form we use. In this regards, our financial statement is submitted in E05 it is a present documents and it is submitted during the opening of bids.

We are humbly requesting your good office to reconsider our financial Statement and to open the F01 and F02 financial documents.

**Annex "E"** Filed Request for Reconsideration of SBD Builders & MJL Enterprises..... p3 of 3



development academy of the philippines

BIDS & AWARDS COMMITTEE (SO No.2023-047)

We are hoping for your consideration.

Very truly yours,

*Signature of the Authorized Officer:*

*PRINTED NAME:* Johnlly Gerber C. Cruz

*Official Designation of the Authorized Officer:* Proprietor

*Name of the bidder:* MJL Enterprises

Signature as RECEIVED by the dap-BAC Secretariat:	_____
PRINTED NAME:	_____
Date/Time Received:	_____

**Annex "F"** Reply to the Request for Reconsideration..... p1 of 2



development academy of the philippines

BIDS & AWARDS COMMITTEE (SO No. 2023-047)

07 December 2023

**MR. SHAUN B. DOHERTY**

Owner

**SBD BUILDERS**

108 NHA Housing Busay,

Cebu city, Cebu, Philippines

Email: [shaundrone2.0@gmail.com](mailto:shaundrone2.0@gmail.com)

**REPLY TO THE REQUEST FOR RECONSIDERATION**

**CONTRACT NAME: "ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"**

**IB No.: IB23-408625-06 | ABC OF P5,000,000.<sup>00</sup>**

Dear **Mr. Doherty**:

The Bids and Awards Committee 2 (BAC 2) acknowledged the receipt of your Request for Reconsideration (RR) on November 30, 2023 (Thu) relative to a failed bid pursuant to Section 30.1 of the revised IRR of RA9184 during the submission and opening of bid on 28 November 2023. The failed bid was due to your submitted Financial Document marked as "**F01**" – Financial Bid Form.

Upon deliberation of the BAC 2 last December 5, 2023 (Tue), we regret to inform you that your **RR** is **DENIED** for the reason of incomplete or patently insufficient in compliance with the requirements set forth by the Official Bid Documents (OBD) to your Financial Documents submitted through the DAP's Bidding Document Management System (BIDMS).

Decisions of the BAC 2 may be protested in writing to the Head of the Procuring Entity (HoPE). The **Protest** must be filed within seven (7) calendar days from receipt by the Party concerned of the BAC's decision denying its request for reconsideration, accompanied by the payment of 0.75% of the ABC or P37,500.00 as a non-refundable Protest Fee as per Section 55.3 Rule XVII of the 2016 Revised IRR of RA 9184.

Very truly yours,

**ALAN S. CAJES**

Chairperson, Bids and Awards Committee 2



**Annex "F"** re TWG Memo: Result of Bid Evaluation dtd. 16 November 2023 .....p2 of 2



development academy of the philippines

BIDS & AWARDS COMMITTEE (SO No. 2023-047)

07 December 2023

**Mr. JOHNLLY GERBER C. CRUZ**

Proprietor

**MJL ENTERPRISES**

122 Juan Sumulong Avenue

Brgy. Bagumbayan, Teresa Rizal

Email: [mjl\\_sd@yahoo.com](mailto:mjl_sd@yahoo.com)

**REPLY TO THE REQUEST FOR RECONSIDERATION**

**CONTRACT NAME: "ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"**

**IB No.: IB23-408625-06 | ABC of P5,000,000.<sup>00</sup>**

Dear **Mr. Cruz**:

The Bids and Awards Committee 2 (BAC 2) acknowledged the receipt of your Request for Reconsideration (RR) on November 30, 2023 (Thu) relative to a failed bid pursuant to Section 30.1 of the revised IRR of RA9184 during the submission and opening of bid on 28 November 2023. The failed bid was due to the absence of the Audited Financial Statements for FY2021 and FY2022 as one of the supporting documents for Technical Document marked as "T01"

Upon deliberation of the BAC 2 last December 5, 2023 (Tue), we regret to inform you that your **RR** is **DENIED** for the reason of incomplete or patently insufficient in compliance with the requirements set forth by the Official Bid Documents (OBD) to your Technical Documents submitted through the DAP's Bidding Document Management System (BIDMS).

Decisions of the BAC 2 may be protested in writing to the Head of the Procuring Entity (HoPE). The **Protest** must be filed within seven (7) calendar days from receipt by the Party concerned of the BAC's decision denying its request for reconsideration, accompanied by the payment of 0.75% of the ABC or P37,500.00 as a non-refundable Protest Fee as per Section 55.3 Rule XVII of the 2016 Revised IRR of RA 9184.

Very truly yours,

**ALAN S. CAJES**

Chairperson, Bids and Awards Committee 2

**Annex "G"** re: Notice to Bidder .....p1 of 1



development academy of the philippines  
BIDS & AWARDS COMMITTEE (SO No.2023-047)

07 December 2023

## NOTICE TO BIDDERS

**PROJECT:** "ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"

**IB No.:** IB23-408625-06 | ABC of P5,000,000.<sup>00</sup>

Notice is hereby issued for the information of all bidders who submitted their e-bids for the Project last 28 November 2023 (Tue).

We would like to inform you that during the Opening of e-bids, the two (2) bidders were declared by the BAC as **"FAILED"** for non-compliance with the requirements set forth by the Official Bid Documents (OBD).

Based on the Bids and Awards Committee 2 (BAC 2) deliberation last 5 December 2023 (Tue) on the received written Request for Reconsiderations (RRs) for the Project, the filed RRs were declared by the BAC 2 as **"DENIED"** wherein the official response to their respective RRs have been communicated through the known email addresses of both Bidder.

Moreover, the submitted e-bids by one (1) bidder who was declared as **"PASSED"** during the Opening of e-bids last 28 November 2023 will now undergo the Bid Evaluation Stage in compliance with Section 32 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184.

For everyone's information,

*For the Bids and Awards Committee 2,*

**ALAN S. CAJES**


*Chairperson, Bids and Awards Committee 2*

**Annex "H" re TWG Memo: Result of Bid Evaluation dtd. 11 December 2023..... p1 of 3**



**development academy of the philippines**  
BIDS & AWARDS COMMITTEE (SO No.2023-047)

**MEMORANDUM:**

<b>FOR:</b>	 <b>ALAN S. CAJES</b> Chairperson, Bids and Award Committee 2 (BAC 2)
<b>FROM:</b>	<b>VICE-CHAIRPERSON, TECHNICAL WORKING GROUP (TWG)</b>
<b>SUBJECT:</b>	<b>RESULTS OF DETAILED BID EVALUATION ON THE FINANCIAL COMPONENT ON THE SUBMITTED E-BIDS OF JHOLAN AIRCONDITIONING SERVICES FOR THE PROJECT: "ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"</b>
<b>DATE:</b>	<b>11 December 2023 (Monday)</b>

1. This has reference to the result of the detailed bid evaluation for **"ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"** made by the BAC-TWG on the financial component of the bid to determine the Single Calculated Bid (SCB) as prescribed by Section 32 of the 2016 Revised IRR of RA9184.
2. **WHO ATTENDED/PARTICIPATED IN THE EVALUATION:** As prescribed by RA9184, the BAC-TWG evaluated, decided and finalized its recommendation. Participated in the BAC-TWG discussion were: Ariel J. San Buenaventura (member), Filipino Francisco P. Gomez (member), Rose Ann P. Santiago (member), Frank John B. Adornado (member), Ar. Michael Rey S. AVECILLA (member), Engr. Marjorie M. Waje-Bagang (BAC & TWG End User Representative), and the undersigned TWG Vice-Chairperson. Also present were from the BAC Secretariat, namely: Manager Mariet Riz M. Bradecina, Jesserie Ann P. Tagle, Ermilando V. Moratalla, Jr., Lea A. Udtohan, and Mr. Frederick A. Delizo. From the invited observers, no one attended the Bid Evaluation for the Project.
3. **EVALUATION PROCESS:** The TWG members conducted a detailed evaluation of the financial component of the bid rated as "present" during the Submission and Opening of e-Bids submitted by **JHOLAN AIRCONDITIONING SERVICES**.

4. The evaluation was made on 11 December 2023 (Monday) using the following procedures:
- The TWG members critically examined the financial documents to check their compliance;
  - The TWG members had done an item-by-item careful evaluation of the Financial Bid Form (F01) & Price Schedule (F02) to determine the completeness of the bids and possible arithmetical corrections;
  - Discussions/deliberations over the key/important points noted by each member were conducted;
  - Consultation over the issues raised, and the clarification made into the raised point was observed; and,
  - Summarization of the observations/findings was noted for reporting to the Bids and Awards Committee (BAC). Please refer to the attached Summary on the Detailed Evaluation of financial e-bids.
5. Based on the conducted detailed evaluation of the bid for the **"ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"** by **JHOLAN AIRCONDITIONING SERVICES** using non-discretionary criteria.
6. Submitting herewith the BAC-TWG's attached observation/finding as listed in the "Summary on the Detailed Evaluation of Financial Component of the Bids" tendered by **JHOLAN AIRCONDITIONING SERVICES**.
7. Given the results of the detailed bid evaluation for **"ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"** made by the BAC-TWG on the financial components, BAC-TWG recommends **JHOLAN AIRCONDITIONING SERVICES** be declared as responsive and eligible for Post-Qualification. Thank you.



**MICHAEL H. RAMOS**

**SUMMARY OF THE DETAILED EVALUATION OF THE FINANCIAL COMPONENT OF THE E-BIDS FOR "ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"**

**A. FINANCIAL BID FORM**

As per Form 1: Financial Bid Form	JHOLAN AIRCONDITIONING SERVICES		
	Reference Section in the 2016 Revised IRR of RA9184		
	Sec.32.2.1a (Completeness of the Bid)	Sec.32.2.1b (Arithmetical Corrections)	32.2.3a (Discrepancy Between amount in words and figures)
	Bid Complete	No Correction	No Discrepancy
<b>Bid Amount</b>	<b>₱4,350,000.00</b>		

**B. PRICE SCHEDULE**

As per Form 2: Price Schedule	JHOLAN AIRCONDITIONING SERVICES		
	Reference Section in the 2016 Revised IRR of RA9184		
	Sec.32.2.1a (Completeness of the Bid)	Sec.32.2.1b (Arithmetical Corrections)	32.2.3b (Total Price)
<b>JHOLAN AIRCONDITIONING SERVICES</b>	Bid Complete	No Correction	<b>₱4,350,000.00</b>
<b>GRAND TOTAL AMOUNT</b>	<b>₱4,350,000.00</b>		

**Annex "I" re Notice of Single Calculated Bid** ..... p1 of 1



20 December 2023

**MR. JOSE V. EBONIA, JR.**  
General Manager  
**JHOLAN AIRCONDITIONING SERVICES**  
59 Imperial St., Cubao Quezon City  
Email: [jholan\\_aire@yahoo.com](mailto:jholan_aire@yahoo.com)  
Contact #: 0918-2519852 / 0906-4308207

Through: **ENGR. SHALOT RICO**  
Project Manager

**NOTICE of SINGLE CALCULATED AND RESPONSIVE BID**

**PROJECT NAME: ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY**

**INVITATION TO BID No.: IB23-408625-06 | ABC of P5,000,000.<sup>00</sup>**

Dear **Mr. Ebonia**,


In connection with your Bid submission for the above-mentioned Project, we would like to inform you that **JHOLAN AIRCONDITIONING SERVICES** is hereby declared as the **SINGLE CALCULATED AND RESPONSIVE BID (SCRB)** with a Financial Bid Amount of **FOUR MILLION THREE HUNDRED FIFTY THOUSAND PESOS (P4,350,000.00)**.

As the declared SCRБ for the Project, the Bids and Awards Committee 2 (BAC 2) will endorse its recommendation to the Head of the Procuring Entity (HoPE) and this will not automatically signify an Award of Contract.

Thank you.

Very truly yours,  
For the Bids and Awards Committee 2

  
**ALAN S. CAJES**  
BAC 2 Chairperson

Conforme:   
**MR. JOSE V. EBONIA, JR.**  
General Manager  
**JHOLAN AIRCONDITIONING SERVICES**  
Date: DECEMBER 21, 2023

**Annex "J"** re TWG Memo: Result of Post Qualification dtd. 20 December 2023..... p1 of 9



**MEMORANDUM:**

<b>FOR:</b>	<b>ALAN S. CAJES</b> <i>Chairperson, Bids and Award Committee 2 (BAC 2)</i>
<b>FROM:</b>	<b>CHAIRPERSON, BAC-TECHNICAL WORKING GROUP (BAC-TWG)</b>
<b>SUBJECT:</b>	<b>RESULTS OF THE POST-QUALIFICATION OF E-BIDS BY JHOLAN AIRCONDITIONING SERVICES FOR THE PROJECT: "ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY"</b>
<b>DATE:</b>	20 December 2023 (Wednesday)

1. This has reference to the post-qualification assessment made by the BAC-TWG on the e-bids submitted by **JHOLAN AIRCONDITIONING SERVICES** which was declared as the Single Calculated Bid (SCB) last 12 December 2023 after the conduct of the Bid Evaluation process for the above-mentioned project.
2. The BAC-TWG conducted the post-qualification assessment on **December 13, 2023 – December 19, 2023**. Processes observed were the following:
  - a.) The TWG members critically and thoroughly validated, verified and ascertained the compliance of the Technical including eligibility and financial proposals;
  - b.) The TWG members had done item-by-item careful reading and assessment on the checklist items rated "**PASSED**" by the BAC members during the opening of e-bids;
  - c.) Discussions/deliberations over the key/important points noted by each member of the BAC-TWG were conducted;
  - d.) Consultation over the issues raised, and the clarification made into the raised point was observed; and,
  - e.) Summarization of the remarks was noted on the checklist column provided by BAC Secretariat. Please refer to the attached Documentary Requirement Checklist.
3. As prescribed by RA9184, the BAC-TWG evaluated, decided, and finalized its recommendation. Present in the meeting were: Ariel J. San Buenaventura (member), Filipino Francisco P. Gomez (member), Rose Ann P. Santiago (member), Frank John B. Adornado (member), Ar. Michael Rey S. AVECILLA (member), Engr. Marjorie M. Waje-Bagang (BAC & TWG End User Representative), Michael H. Ramos (TWG Vice-Chairperson) and the undersigned TWG Chairperson. Also present were from the BAC Secretariat,

namely: Jesserie Ann P. Tagle, Ermilando V. Moratalla, Jr., Lea A. Udtohan, and Mr. Frederick A. Delizo. From the invited observers, no one attended the Post Qualification.

4. The TWG also conducted the ocular visit to **JHOLAN AIRCONDITIONING SERVICES** Office at Cubao, Quezon City last 14 December 2023 to validate, ascertain and verified the actual documents under Eligibility Documents please refer to the photos captured during inspection, below are some observations during the ocular visit:
  - Verified, Validated and Ascertained the eligibility documents under E01; and,
  - Jholan Airconditioning Services has office, storage and warehouse facilities with fabrication area.
5. Upon thorough and critical validation, verification and ascertainment, the BAC-TWG found out that the submitted Technical including eligibility and financial component by **JHOLAN AIRCONDITIONING SERVICES** are **COMPLIANT with reference to the Documentary Requirement Checklist as required by the Bids and Awards Committee.**
6. In view of this, the BAC-TWG recommends that the e-bids submitted by **JHOLAN AIRCONDITIONING SERVICES** be declared as the **SINGLE CALCULATED AND RESPONSIVE BID (SCRB)** for "**ONE (1) LOT SUPPLY, INSTALLATION AND COMMISSIONING OF NEW SEVENTEEN (17) UNITS INDIVIDUAL INVERTER-TYPE, BMS-READY AIRCONDITIONING UNITS AT FLOOR 2A IN BUILDING A, DAP BUILDING, PASIG CITY**"
7. For your approval and/or next instructions.

  
ENGR. VENER V. MADERA



**Annex "J"** re TWG Memo: Result of Post Qualification dtd. 20 December 2023..... p3 of 9

**OCULAR INSPECTION**



The Site – Jholan  
Airconditioning Services .



Sign Billboard



Office Validation of Actual  
Eligibility Documents

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**Annex "J"** re TWG Memo: Result of Post Qualification dtd. 20 December 2023..... p5 of 9



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**Annex “J”** re TWG Memo: Result of Post Qualification dtd. 20 December 2023..... p7 of 9

Section VIII. Checklist of Technical and Financial Documents

**Bid Document CHECKLIST – Technical (Including Eligibility)**

**I. Technical Component Envelope**

**DAF DOES NOT ALLOW ANY BIDDER from any country outside the Philippines**

Class “A” Documents			
Legal Documents	mark	As Checked during SOeB	TWG Recommendation
<p>1) Valid PhilGEPS Certificate of Registration (Platinum Membership), with the current, updated, and clear copy of the documents as follows, per <b>BDS Clause 10.1, item no. 1.</b></p> <ul style="list-style-type: none"> <li>❑ Clear and readable Photocopy of Registration Certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI), or Cooperative Development Authority (CDA), whichever is applicable;</li> <li>❑ Clear and readable Photocopy of valid Mayor’s/Business Permit or its Equivalent Document;</li> <li>❑ Clear and readable Photocopy of Tax Clearance Certificate for FY2022 issued by the Bureau of Internal Revenue (BIR);</li> <li>❑ Clear and readable Photocopy of Audited Financial Statements for FY2021 and FY2022 stamped “received” by the BIR or its duly accredited and authorized institutions.</li> </ul>	<b>T01</b>	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<p><b>PASSED</b></p> <p>PhilGEPS Platinum Certificate of Registration validated at PhilGEPS website.</p>
Technical Documents			
	mark	As Checked during SOeB	TWG Recommendation
<p>2) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, per <b>BDS Clause 10.1, item no. 2.</b>;</p>	<b>T02</b>	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>
<p>3) Statement of the bidder’s SLCC at least two (2) completed similar contracts and the aggregate contract amounts should be equivalent to at least fifty percent (50%) of the ABC; and that the largest of these similar contracts must be equivalent to at</p>	<b>T03</b>	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>

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least twenty-five (25%) of the ABC. pursuant to the exception provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents per <b>BDS Clause 10.1, item no. 3;</b>			
4) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission. <b>or</b> Original copy of Notarized Bid Securing Declaration, per <b>BDS Clause 10.1, item no. 4;</b>	T04	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>
5) Conformity with the Technical Specifications, which may include fabrication / Shop drawings, material board, mock-ups, production/delivery schedule, and/or after-sales/parts, if applicable as per <b>BDS Clause 10.1, item no. 5;</b>	T05	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>
6) Original duly signed Omnibus Sworn Statement (OSS); <b>and</b> applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder, per <b>BDS Clause 10.1, item no. 6. ;</b>	T06	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>
7) Certificate of Site Inspection duly signed by TWG-End-user representative or TWG Chairperson or the End-User, per <b>BDS Clause 10.1, item no. 7;</b>	T07	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>
8) <b>Company Profile with a List of All Completed Contracts</b> within the last five (5) years, including the list of Company Officers, and bidder's company address per BDS Clause 10.1 under Technical Documents item no. 1	T08	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>
9) <b>Certificate of distribution and service per BDS Clause 10.1</b> under Technical Documents item no. 2	T09	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>
Financial Documents	mark	As Checked during SOeB	TWG Recommendation
10) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC); <b>or</b> a committed Line of Credit from a Universal <b>or</b>	T10	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>

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Commercial Bank in lieu of its NFCC computation, per <b>BDS Clause 10.1, item no. 8</b> ; and			
<b>Class “B” Documents</b>			
11) If applicable, valid Joint Venture Agreement (JVA), in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful, shall be included in the bid, per <b>BDS Clause 10.1, item no. 11</b> .	<b>T11</b>	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed <input checked="" type="checkbox"/> N/A	<b>PASSED</b>

**II. Financial Component Envelope**

**dap** DOES NOT ALLOW ANY BIDDER from any country outside the Philippines

FINANCIAL DOCUMENTS	mark	As Checked during SOeB	TWG Recommendation
a. Original of duly signed and accomplished Financial Bid Form, per <b>BDS Clause 11.1</b> .	<b>F01</b>	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>  <b>Bid Amount: P4,350,000.00</b>
b. Original of duly signed and accomplished Price Schedule(s), per <b>BDS Clause 11.1</b> .	<b>F02</b>	<input checked="" type="checkbox"/> Passed <input type="checkbox"/> Failed	<b>PASSED</b>
<b>TWG’s Evaluation on the submitted Technical including eligibility and Financial Components:</b>		<b>PASSED</b>	
<b>END OF TECHNICAL, INCLUDING ELIGIBILITY AND FINANCIAL DOCUMENTS CHECKLIST</b>			