



# PLARIDEL WATER DISTRICT

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## RESOLUTION NO. 55 SERIES OF 2019

### RESOLUTION TO DECLARE FAILURE OF BIDDING FOR THE PROCUREMENT OF SECURITY SERVICES 2019, TO REFUND BIDDING DOCUMENTS FEE TO THE TWO (2) PARTICIPATING BIDDERS, AND APPROVE TO CONDUCT ANOTHER PUBLIC BIDDING FOR THE PROCUREMENT OF SECURITY SERVICES 2019

WHEREAS, per Bids and Awards Committee (BAC) Resolution No. 2019-038, the BAC recommends that the Head of Procuring Entity (HoPE) declare the failure of bidding for the procurement of Security Services 2019, to refund bidding documents fee to the two (2) participating bidders, and approve to conduct another public bidding for the procurement of security services 2019;

WHEREAS, under Section 41 of the 2016 Revised IRR of RA 9184, "The HoPE reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract in the following situations:

- a) If there is prima facie evidence of collusion between appropriate public officers or employees of the Procuring Entity, or between the BAC and any of the bidders, or if the collusion is between or among the bidders themselves, or between a bidder and a third party, including any act which restricts, suppresses or nullifies or tends to restrict, suppress or nullify competition;
- b) If the BAC is found to have failed in following the prescribed bidding procedures; or
- c) For any justifiable and reasonable ground where the award of the contract will not redound to the benefit of the GoP, as follows: (i) if the physical and economic conditions have significantly changed so as to render the project no longer economically, financially, or technically feasible, as determined by the HoPE; (ii) if the project is no longer necessary as determined by the HoPE; or (iii) if the source of funds for the project has been withheld or reduced through no fault of the Procuring Entity;


WHEREAS, on the 29<sup>th</sup> of August 2019, after reviewing the timeline of the procurement proceeding, the BAC Chairperson discovered that the BAC Secretariat failed to post the Invitation to Bid on the website and other conspicuous places as mandated in Section 21 of the 2016 Revised IRR of RA 9184;


WHEREAS, under Section 17.5 of the same Act, "Bidding Documents Fee may be refunded in accordance with the aforementioned Guidelines based on the grounds provided for under Section 41 of the Act and this IRR;"

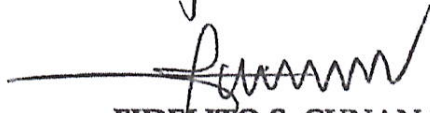
NOW, THEREFORE, BE IT RESOLVED, for the Head of Procuring Entity (HoPE) to declare the failure of bidding for the Procurement of Security Services 2019, to refund bidding documents fee to the two (2) participating bidders, and to approve to conduct another public bidding for the procurement of Security Services 2019.

Approved this 13<sup>th</sup> day of September 2019.

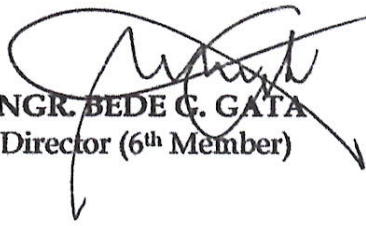
  
**NANCY C. DELA CRUZ**  
Chairperson

  
**NATHANAEL ANDRES S. BERNABE, JR.**  
Vice-Chairperson

  
**ATTY. REYNALDO F. PARIS**  
Secretary

  
**FIDELITO S. CUNANAN**  
Director

  
**AMIRA DE LEON ARROYO**  
Director

  
**ENGR. BEDE C. GATA**  
Director (6<sup>th</sup> Member)