



Republika ng Pilipinas  
**PANGASIWAAN NG TUBIG AT ALKANTARILYA SA KALAKHANG MAYNILA**  
Metropolitan Waterworks and Sewerage System  
**REGULATORY OFFICE**  
Katipunan Road, Balara, Quezon City 1105, Philippines

**BIDS AND AWARDS COMMITTEE (BAC)**

**RESOLUTION NO. 2012-05**  
Series of 2012

**DECLARING A FAILURE OF BIDDING  
FOR THE PROCUREMENT OF CONSULTANCY SERVICES  
FOR THE 2012 RATE REBASING EXERCISE**

**WHEREAS**, on 03 April 2012, the MWSS Board of Trustees (BOT) under Board Resolution No. 2012-038 approved the Procurement of the Consultancy Services for the 2012 Rate Rebasing under Contract No. RO-CS2012-001 with an Approved Budget for the Contract (ABC) of Php61,860,600.00;

**WHEREAS**, on 04 April 2012, the MWSS Regulatory Office Bids and Awards Committee (RO BAC) posted the Request for Expression of Interest (RFEI) in the website of the Philippine Government Electronic Procurement System (PhilGEPS);

**WHEREAS**, on 05 April 2012, RO BAC published the RFEI in the Philippine Star. The RFEI was, likewise, published in the Philippine Daily Inquirer on 08 April 2012;

**WHEREAS**, eight (8) firms signified their interest and bought eligibility documents within the deadline set on 16 April 2012 at 4:00 P.M., namely:

1. Reyes, Tacondong & Co.
2. Gatmaitan & Associates
3. Angel Lazaro & Associates International
4. Punongbayan & Araullo / GTI
5. Manabat Sanagustin & Co. / KPMG
6. Isla Lipana & Co. / Pricewaterhouse Coopers in association with Poyry IDP Consult, Inc.
7. Sustainable Development Solutions
8. Rebel group International BV

**WHEREAS**, only two (2) firms, namely Punongbayan & Araullo / GTI and Isla Lipana & Co. / Pricewaterhouse Coopers in association with Poyry IDP Consult, Inc. submitted eligibility documents;

**WHEREAS**, during the opening of the eligibility documents on 23 April 2012, Punongbayan & Araullo / GTI was declared initially eligible, subject to a post verification of the eligibility documents;

**WHEREAS**, Isla Lipana & Co. / Pricewaterhouse Coopers in association with Poyry IDP Consult, Inc. were declared ineligible on the ground that their eligibility documents which were sent electronically or by email were incomplete pursuant to BAC Resolution No. 2012-01 dated 23 April 2012 (Annex "A"). The BAC decided not to open the hard copies of their eligibility documents for the reason that the same were submitted after the deadline for the submission of the eligibility documents;

**WHEREAS**, upon a review of the RO BAC Technical Working Group (TWG) of the sufficiency and completeness of Punongbayan & Araullo / GTI's eligibility documents, in its memorandum dated 25 April 2012 (Annex "B") made certain observations which include among others, the facts that certain documents were not certified by the issuing office, agency or entity as required in the Instruction to Bidders and that only the biodata or curriculum vitae of thirteen (13) of the 28 key personnel or professional staff were submitted. In view thereof, the RO BAC decided to declare Punongbayan & Araullo / GTI ineligible to bid pursuant to BAC Resolution No. 2012-02 dated 25 April 2012 (Annex "C") and letter to Punongbayan & Araullo / GTI dated 26 April 2012 (Annex "D");

**WHEREAS**, on 26 April 2012, the RO BAC received a motion/request for a reconsideration dated 25 April 2012 from Isla Lipana & Co. / Pricewaterhouse Coopers in association with Poyry IDP Consult, Inc. The RO BAC decided to deny the motion/request for reconsideration for the reasons that there are no valid reasons to depart from its previous decision and that it cannot open the hard copies of the eligibility documents as requested on the ground that they were filed beyond the deadline for the submission of the same pursuant to BAC Resolution No. 2012-03 dated 26 April 2012 (Annex "E") and letter to Isla Lipana & Co. / Pricewaterhouse Coopers in association with Poyry IDP Consult, Inc. dated 27 April 2012 (Annex "F");

**WHEREAS**, on 30 April 2012, the RO BAC received a motion/request for reconsideration dated April 30, 2012 from Punongbayan & Araullo / GTI. The RO BAC decided to deny the motion/request for reconsideration by reiterating the grounds stated in its letter dated 26 April 2012 pursuant to BAC Resolution No. 2012-04 dated 02 May 2012 (Annex "G") and letter to Punongbayan & Araullo / GTI dated 03 May 2012 (Annex "H");

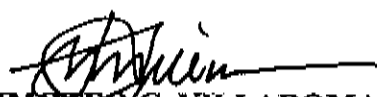
**WHEREAS**, on 03 May 2012, the RO BAC received a second letter from Isla Lipana & Co. / Pricewaterhouse Coopers in association with Poyry IDP Consult, Inc. dated 09 May 2012 requesting for a reconsideration/clarification but the RO BAC stood pat on its decision (Annex "I");

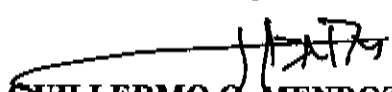
**WHEREAS**, neither Isla Lipana & Co. / Pricewaterhouse Coopers in association with Poyry IDP Consult, Inc. nor Punongbayan & Araullo / GTI were found INELIGIBLE TO BID;

**NOW THEREFORE**, for and in consideration of the foregoing premises, the RO BAC hereby **RESOLVES**, as it is hereby **RESOLVED**, **TO RECOMMEND TO THE MWSS BOARD OF TRUSTEES TO DECLARE A FAILURE OF BIDDING AND AUTHORITY TO RE-ADVERTISE THE REQUEST FOR EXPRESSION OF INTEREST.**

Adopted this 7<sup>th</sup> day of May 2012.

  
**GOLDELIO G. RIVERA**  
Chairman

  
**TIMOTEYO C. VILLAROMAN**  
Vice-Chairman

  
**GUILLERMO G. MENDOZA, JR.**  
Member

  
**RANDOLPH Q. MARCIAL**  
Member

  
**ELIAS R. ROMANO**  
Member/End-User