



Republic of the Philippines
Department of Education
REGION VII - CENTRAL VISAYAS
DIVISION OF CITY SCHOOLS - TAGBILARAN CITY

DIVISION BIDS AND AWARDS COMMITTEE (BAC) MINUTES OF THE MEETING

Special Meeting

Re: Supply and Delivery of 9, 211 and 9, 360

A4 bondpaper substance 20

9:00 A.M., March 22, 2022 @ Division Conference Hall

I. ATTENDANCE

Present:

- | | |
|------------------------------------|-----------------------------|
| 1. Dr. Casiana P. Caberte | - Chairperson |
| 2. Dr. Beatriz C. Luga | - Co-Chairperson |
| 3. Dr. Aimee T. Amistoso | - Regular Member |
| 4. Dr. Aquilino T. Milar, Jr. | - Regular Member |
| 5. Dr. Beatriz E. Incog | - Regular Member |
| 6. Mr. Alberto A. Lacang | - Alternate Member |
| 7. Dr. Nenita J. Incog | - Alternate Member |
| 8. Dr. Vida A. Encarquez | - Alternate Member |
| 9. Mrs. Michelle T. Sagara CPA, MM | - TWG Member |
| 10. Engr. Junicel T. Mancha | - TWG Member |
| 11. Engr. Louenie T. Indanao | - TWG Member |
| 12. Engr. Jose C. Marinas III | - TWG Member |
| 13. Mr. Joseph C. Barrete | - TWG Member |
| 14. Mr. Artemio B. Alo JD, EnP | - TWG Member |
| 15. Dr. John Ariel A. Lagura | - Secretariat Chair |
| 16. Ms. Angeli Faith V. Pascual | - Secretariat V-Chair |
| 17. Mr. Ananias J. Sumaylo | - Secretariat Member |
| 18. Mr. Christian John L. Capon | - Secretariat Member |
| 19. Ms. Lady May P. Karaan | - Secretariat Member |
| 20. Mr. Bernadito T. Taguisa | - Secretariat Member |
| 21. Ms. Marianne C. Palomares | - Secretariat Member |
| 22. Consolacion Flores | - Supervisor/ Sandugo Press |
| Mktg. and Supplies | |

II. CALL TO ORDER

The Opening of Bids was called to order at 9:00 A.M. by the Presiding Officer, Dr. Casiana P. Caberte. It started with a prayer led by Dr. Aquilino T. Milar, Jr. The BAC Presiding Officer declared the meeting quorum after a roll call of the BAC Members.

I. READING AND APPROVAL OF THE PREVIOUS MINUTES

There was no reading of the previous minutes to give way to the discussion on the Special Meeting on the Re: Supply and Delivery of 9, 211 and 9, 360 A4 bondpaper substance 20.





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50 **II. AGENDA OF THE MEETING**

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52 **A. MAIN AGENDUM**

53 **1. Special Meeting on the Re: Supply and Delivery of 9, 211 and 9, 360**
54 **A4 bondpaper substance 20.**

55 **2. Other Matters**

56 1. There's a concern regarding on the currently awarded bidder, the Sandugo
57 Press Mktg. and Supply, regarding on the supply and delivery of 9, 360 reams of A4
58 bondpaper and 9, 211 reams of A4 bondpapers with a contract price of 1,192,824.50,
59 and a Notice to Proceed (NTP), dated february 24, 2022. Within 20 calendar days,
60 items should have been delivered, however, the manager of Sandugo Press Marketing
61 and Supplies called to cancel the contract to the division, explaining that they were
62 scammed.

63 The 9, 211 reams of A4 bondpaper with an ABC of 1,750, 090.00 has
64 already a SARO, while the 9, 360 reams with an ABC of 1, 778, 400.00 have not yet
65 undergone with NTP and is included in EPA which was submitted to Central Office for
66 allotment.

67 The BAC Members finds a way to cancel, because it was requested based
68 on their bid amount and the next lowest bidder has a higher bid price. There are three
69 (3) options: first is to call the second lowest bidder to coordinate with them, while the
70 remaining amount will be shouldered by the Sandugo Press Mktg and Supply. The
71 second option is second lowest bidder shall be awarded but with the same bid amount
72 of the winning bidder/lowest bidder; Third option is to write to the Central Office,
73 adusting the amount needed to award to 2nd lowest bidder.

74 The bidder – Sandugo Press Marketing and Supply was given a chance to
75 explain on their part and requested to submit a written letter stating the reasons for
76 cancelling the contract. Ms. Flores, a representative from Sandugo Press Mktg. and
77 Supply attended during the meeting, giving the letter, stating that “We can’t supply
78 and deliver the 9, 211 reams of A4 bondpaper to DepEd Tagbilaran City Division
79 because of the escalated price of the bondpapers this time compared to our bid price.
80 We ordered from Thailand last February 2022 and spent 9, 430+ US\$, but we were a
81 victim of a scammer in Thailand. He keeps on asking money, so we stopped the
82 transaction. I am pleading your kind heart to understand our situation and hope we
83 can meet halfway to solve this”, a letter from Genevieve Jamisola, of Sandugo Press
84 Mktg. & Supply. Ma’am Genevieve said thru a phone call that she has still no final
85 decision.

86 In this case, the bidder was the one who terminate the contract, therefore
87 she created a damage, based on RA 9184, section 68, liquidating damages - Section
88 68. Liquidated Damages All contracts executed in accordance with the Act and this
89 IRR shall contain a provision on liquidated damages which shall be payable by the
90 contractor in case of breach thereof. For the procurement of Goods, Infrastructure
91 Projects and Consulting Services, the amount of the liquidated damages shall be at
92 least equal to one-tenth of one percent (0.001) of the cost of the unperformed portion
93 for every day of delay. Once the cumulative amount of liquidated damages reaches ten
94 percent (10%) of the amount of the contract, the Procuring Entity may rescind or
95 terminate the contract, without prejudice to other courses of action and remedies
96 available under the circumstances.





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97 Maam Fe Rallos stated that there's a liquidating damage. In addition,
98 another BAC Member said that there's a breach of contract, yet we need to give
99 sanctions based on what is legal. In this scenario, stating that they "can't deliver" the
100 bidder is the one who terminated the contract, which is detrimental to our operation.
101 Therefore, the decision of the BAC is to terminate the contract.

102 The Sandugo Press Mktg and Supply was requested to make a letter with
103 a clear statement or reason of terminating the contract and that they cannot supply
104 the bondpaper. Based on the computation, there are 6 days of liquidating damages in
105 which they were not able to deliver. The amount of the liquidated damages is more or
106 less of Php 7,000.00. Supposedly, they should deliver the supplies by March 16, 2022.

107 The BAC decided to call the next lowest bidder to know if they can supply,
108 however, the owner is out of town, therefore, the BAC decided to adjourn the meeting
109 pending on the transaction. It is assumed that the Cebu Star Sales, the next lowest
110 bidder if they will agree, that they will state to the letter that they will give discount.
111 But has to assure that the Sandugo Press Mktg. and Supply must submit to this Office
112 a termination letter.

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114 2. There's an Audit Observation Memorandum issued by COA dated March
115 14, 2022, concerning on the unallocated budget of (P 1, 617,000.00). It is stated that
116 the remaining funds allocated for the provision of learning resources. Decided to bid
117 for the purchase of toner. It was stated on the AOM acc. To the budget officer
118 unallocated budget of 1.6 million will be utilized in the year 2022 for the purchase of
119 toners and image drum.

120 Also, an AOM from COA, dated March 11, 2022, with the amount of
121 (3,341,000.00) for the New Normal Set-up for Minimum Health Standards. These are
122 the updates on the allocation from BE-LCP which was unutilized and discussed
123 options and/or decisions to utilize the fund for this year. The COA advised to procure
124 materials related to health. With regards to this Mrs. Rhodelia B. Tumanda, the
125 Division Nurse was called to give ideas and/or for the New Normal Set-up for Minimum
126 Health Standards. For the update of procurement of 3,341,000.00, the 500,000 came
127 from the Division while the 2.8 million is from schools. There's a different computation
128 for large schools and small schools. There's a stated guidelines for the breakdown of
129 computation. Then, it was agreed that the provision is per classroom.

130 Another concern is that that there's a philgeps ntIONAL training for two (2)
131 days and the Training fee is Php 2,000.00. Lastly, there are new BAC Member, namely:
132 Mr. Aldrin Pajo in lieu of Ruben Lorejo and Mrs. Mayflor Robles in lieu of Ms. Lady
133 May Karaan.

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140 **V. ADJOURNMENT**

141 As there were no more points to discuss with, the meeting has been
142 adjourned by the BAC Chairperson thru a motion by Mr. Alberto A. Lacang and
143 seconded by Dr. Aquilino T. Milar, Jr. at 11:23 in the morning.

144


145 I hereby attest that the foregoing statements were true and correct.

146

147 Prepared by:

148 
149 **MARIANNE C. PALOMARES**
150 BAC Secretariat

151 Noted by:

152 
153 **CASIANA P. CABERTE PhD, CESE**
154 BAC Chairperson

