



NOTICE OF CANCELLATION

14, May 2021

PUBLIC BIDDING NO. 19-340-7

Supply, Delivery, Installation, Testing, Configuration and Commissioning of System Networking San Fabric Switch with Transceiver and Unified Computing System (UCS) Servers for the Presidential Management Staff (PMS)

Notice is hereby issued **CANCELLING** the above-mentioned project pursuant to Clause 9 of the Invitation to Bid of the Bidding Documents which provides that *the Department of Budget and Management - Procurement Service reserves the right to reject any and all bids, annul the bidding process, or not award the contract at any time prior to contract award, without thereby incurring any liability to the affected bidder or bidders.*

Relevant thereto, Section 41 of the 2016 Revised Implementing Rules and Regulation of Republic Act No. 9184 States:

Section 41. Reservation Clause

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**. (emphasis supplied)

Bidders may request for refund of the payment for the purchase of bidding documents and the withdrawal of the bid security for the project.

SIGNATURE REDACTED

ATTY. JASONMER L. UYAN
OIC-Head of the Procuring Entity

