



## NOTICE OF CANCELLATION

05 September 2023

### PUBLIC BIDDING 23-061-1

#### Supply and Delivery of Folder with Tab, A4 and Legal for the Procurement Service

Notice is hereby issued **CANCELLING** the bidding for **Item No 1: Folder with Tab, A4**, of the above captioned procurement project due to an oversight in properly notifying the bidder of its post disqualification. Thus, the Bids and Awards Committee (BAC) resolves that the Post Qualification for the Second Lowest Calculated Bid cannot proceed properly.

Section 34.5 provides, *"If, however, the BAC determines that the bidder with the Lowest Calculated Bid/Highest Rated Bid fails the criteria for post-qualification, it shall immediately notify the said bidder in writing of its post-disqualification and the grounds for it."*

Section 34.6 provides, *"Immediately after the BAC has notified the first bidder of its post-disqualification, and notwithstanding any pending request for reconsideration thereof, the BAC shall initiate and complete the same post-qualification process on the bidder with the second Lowest Calculated Bid/Highest Rated Bid. If the second bidder passes the post-qualification, and provided that the request for reconsideration of the first bidder has been denied, the second bidder shall be post-qualified as the bidder with the LCRB or HRRB."*

Pursuant to the Failure of Bidding provided in Section 35.6 of the 2016 Revised Implementing Rules and Regulations (IRR) of the Republic Act (RA) No. 9184, which states that without prejudice to Sec. 35.1 hereof, the BAC is authorized, upon consultation with the end-user unit, to cancel or terminate the conduct of procurement activities, for any justifiable reason.

Further, this cancellation is being made pursuant to paragraph 11 of the Invitation to Bid in the Bidding Documents, which provides that "The PS-DBM reserves the right to reject any bids and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance to Sections 35.6 and 41 of the 2016 revised IRR of R.A No. 9184, without thereby incurring any liability to the affected bidder or bidders".

Bidder/s may request a refund of the fee for the bidding documents and the withdrawal of the bid security posted for the aforementioned project.

For the Bids and Awards Committee I,

  
**KARL MICHAEL R. ESPEJO**  
Chairperson