



Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila



SBAC Resolution No. 005
Series of 2022

DECLARING THE JOINT VENTURE (JV) OF VARIANCE TRADING CORPORATION & RBGM MEDICAL EXPRESS SALES, INC. AS THE LOWEST CALCULATED AND RESPONSIVE BIDDER FOR LOT 1 OF THE "PROCUREMENT OF HOSPITAL EQUIPMENT FOR THE OFW HOSPITAL AND DIAGNOSTIC CENTER"

WHEREAS, the Department of Labor and Employment (DOLE) advertised the Invitation to Bid for the abovementioned project with an Approved Budget for the Contract (ABC) of ₱200,000,000.00 in the Philippine Government E-Procurement System (PhilGEPS), DOLE Website and conspicuous places at the DOLE's premises from 22 December 2021 to 10 January 2022;

WHEREAS, said project is included in the FY 2021 Annual Procurement Plan of the Department;

WHEREAS, the Pre-bid Conference scheduled on 29 December 2021 was attended by Seven (7) bidders namely: (1) Zenith Medical Equipment, Inc. (ZEMED), (2) Medical Devices Corporation (MEDEV), (3) Sunfu Solutions Inc., (4) DynaMed Healthcare Incorporated, (5) Variance Trading Corporation, (6) ISMED Group Philippines, and (7) Asya Medika, Inc. (AMI).

WHEREAS, Supplemental/Bid Bulletin was issued to amend and clarify some provisions originally indicated in the Bidding Documents;

WHEREAS, in response to the advertisement, four (4) bidders namely: (1) Sunfu Solutions Inc., (2) Endure Medical Inc., (3) Joint Venture of Variance Trading Corporation/ RBGM Medical Express Sales Inc., and (4) Biosite Medical Instruments purchased the bidding documents from the DOLE Special Bids and Awards Committee (DOLE BAC) Secretariat on 04 - 07 January 2022;

WHEREAS, the submission and opening of bids which was scheduled on 10 January 2022 was attended by four (4) bidders namely: (1) Sunfu Solutions Inc., (2) Endure Medical Inc., (3) Joint Venture of Variance Trading Corporation/RBGM Medical Express Sales Inc., and (4) Biosite Medical Instruments. Said bidders submitted their technical and financial envelopes. After preliminary examination, the technical proposals of Sunfu Solutions Inc. and Variance Trading Corporation were rated as "**passed**" while the technical proposals of Endure Medical Inc. and Biosite Medical Instruments were rated as "**failed**" for failure to comply with the Supplemental Bid

Bulletin No. 1 stating that Section III-Bid Data Sheet requiring each bidder to submit one copy of the first and second components of its bid and to submit additional three (3) hard copies of the same. Hence, the SBAC opened the financial envelopes of Sunfu Solutions Inc. and Joint Venture of Variance Trading Corporation/ RBGM Med Express Sales Inc. which were also rated as **“passed”**.

WHEREAS, on 11 January 2022 and 13 January 2022, Biosite Medical Instruments and Endure Medical Inc., respectively, filed their request for reconsideration to the decision of the SBAC rating their bids as **“failed”**.

WHEREAS, SBAC granted their request for reconsideration. Accordingly, SBAC notified the concerned bidders for the opening of their bids on 17 January 2022.

WHEREAS, on 17 January 2022 during the submission and opening of bids, (1) Sunfu Solutions Inc., (2) Endure Medical Inc., (3) Joint Venture of Variance Trading Corporation/RBGM Med Express Sales Inc., and (4) Biosite Medical Instruments were present. During the opening of the bid, the technical proposals of Endure Medical Inc., and Biosite Medical Instruments were rated as **“failed”** for failure to submit “Valid Certification as First-Tier Distributor issued by the Manufacturer of the Equipment Authorizing the bidder to sell/distribute the offered Equipment” and for failure to comply with Supplemental Bid Bulletin No. 1, Series of 2022 requiring that Items Number and the Project Title be provided in the “Notarized Certificate from the Bidder that the instruments, and its accessories are brand new, unused, not discontinued models and were not subjected to any product recall”, respectively.

WHEREAS, on 19 January 2022 and 20 January 2022, Biosite Medical Instruments and Endure Medical Inc., respectively, filed their request for reconsideration to the decision of the SBAC rating their bids as **“failed”**.

WHEREAS, on 21 January 2022, SBAC denied the aforesaid bidders’ requests for reconsideration and notified them accordingly.

WHEREAS, the SBAC - TWG in its bid evaluation report dated 17 January 2022, Variance Trading Corporation in Joint Venture Agreement with RBGM Medical Express Sales, Inc. was declared as the Lowest Calculated Bidder per SBAC Resolution No. 001, Series of 2022 for the project **“Procurement of Hospital Equipment for the OFW Hospital and Diagnostic Center”**.

WHEREAS, on 21 January 2022, the SBAC Secretariat sent a notice to Variance Trading Corporation/ RBGM Medical Express Sales, Inc., requesting for submission of post-qualification documents;

WHEREAS, on 26 January 2022, Variance Trading Corporation/RBGM Medical Express Sales, Inc. submitted their post-qualification documents;

WHEREAS, on 11 February 2022, Variance Trading Corporation/RBGM Medical Express Sales, Inc. was declared post-disqualified due to non-compliance with required technical specifications and/or non-submission of the required proof of compliance for the project;