



Republic of the Philippines
Department of Labor and Employment
NATIONAL LABOR RELATIONS COMMISSION
Quezon City



**BIDS AND AWARDS COMMITTEE
(A.O. 08-05, Series of 2023)**

BAC Resolution No. 2024-01-04

**DECLARATION OF TELLUS SECURITY AGENCY (TSAI), INC. AS
WINNER IN THE TIE-BREAKING ACTIVITY FOR THE PROCUREMENT
OF SECURITY SERVICES FY 2024 AND RECOMMENDATION TO
AWARD THE CONTRACT TO TELLUS SECURITY AGENCY (TSAI), INC.**

WHEREAS, on 02 January 2024, the NLRC Bids and Awards Committee (Committee) adopted the BAC Technical Working Group's (BAC-TWG) Post-Qualification Report dated 02 January 2024, which included the following recommendations:¹

1. To declare **Tough Guard Security & Investigation Agency, Inc.** to be **post-disqualified** due to its significant non-compliance with the terms and conditions of the Contract for Security Services FY 2023 and unsatisfactory performance of its contractual obligations in line with Section 34.3 (b) of the 2016 Revised IRR of R.A. No. 9184;
2. To declare **Tellus Security Agency (TSAI), Inc.** and **168 Security, Inc.** as the **Lowest Calculated and Responsive Bidders** for the Procurement of Security Services for FY 2024;
3. To conduct a tie breaking activity by inviting at least one (1) representative from **Tellus Security Agency (TSAI), Inc.** and **168 Security, Inc.** using a non-discretionary/non-discriminatory method which is the draw lots method or have the bidders agree on a better selection criteria which is similarly based on sheer luck or chance pursuant to Appendix 11 of R.A. 9184, Government Procurement Policy Board (GPPB) Circular No. 06-2005, Tie Breaking Method; and
4. To award the contract for the Procurement of Security Services for FY 2024 to the winning bidder.

WHEREAS, in view of the adoption of the aforementioned recommendations of BAC-TWG, **Tough Guard Security & Investigation Agency, Inc., 168 Security, Inc.,**

¹ **Annex A:** Post Qualification Report of the TWG dated 02 January 2024

and **Tellus Security Agency (TSAI), Inc.** were informed, through separate letters dated 02 January 2024, of the results of the procurement proceedings and post-qualification results;

WHEREAS, Tough Guard Security & Investigation Agency, Inc., was informed that upon the deliberation of the post-qualification results, the BAC-TWG declared them as post-disqualified due to their persistent non-compliance with the terms and conditions of its ongoing contract with and the unsatisfactory performance of the security guards deployed in the National Labor Relations Commission;

WHEREAS, 168 Security, Inc., and Tellus Security Agency (TSAI), Inc. were informed that upon the deliberation of the post-qualification results, the BAC-TWG declared them as bidders with the Lowest Calculated and Responsive Bid, hence, the Committee adopted the recommendation of the BAC-TWG to resort to a tie-breaking activity to determine the winning bidder;

WHEREAS, 168 Security, Inc., and Tellus Security Agency (TSAI), Inc. manifested their acceptance of the results of the procurement proceedings and post-qualification results, and their intention to join the tie-breaking activity to determine the winning bidder;

WHEREAS, on 15 January 2024, the Committee, proceeded to conduct the tie-breaking activity using a non-discretionary/non-discriminatory method which is the draw lots method between **168 Security, Inc., and Tellus Security Agency (TSAI), Inc.,** wherein it was explained that whoever will pick the paper with the notation, "1" will be the winning bidder;

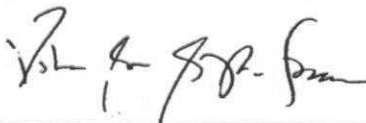
WHEREAS, Tellus Security Agency (TSAI), Inc. picked the paper with the notation, "1."

NOW WHEREFORE, in consideration of the foregoing, the Committee **RESOLVES,** as it is hereby **RESOLVED,** to **DECLARE Tellus Security Agency (TSAI), Inc.** as the Lowest Calculated and Responsive Bidder being the winner in the Tie-Breaking Activity for the Procurement of Security Services FY 2024.

RESOLVED FURTHER, to **RECOMMEND** to Chairperson Grace E. Maniquiz-Tan the **AWARD OF CONTRACT TO Tellus Security Agency (TSAI), Inc.**

15 January 2024 at the National Labor Relations Commission Quezon Ave., Quezon City.

Recommending Approval:




LA VILMA MARIA S. PLAN-BARRERA
BAC Chairperson


Regular Members:

NOT PRESENT

ATTY. SHERYL E. PAQUIDAO
Member



ECC II PURDEY P. PEREZ
Member

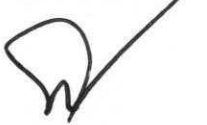


ATTY. TARCILA B. NEPOMUCENO-BANDA
Member



ECC II FELICIDAD B. ICO
Member

Approved by:



GRACE E. MANIQUIZ-TAN
Chairperson, NLRC