



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF BUDGET AND MANAGEMENT
GENERAL SOLANO ST., SAN MIGUEL, MANILA

BLACKLISTING ORDER No. 02, Series of 2021

Pursuant to Section 6.0 (a) of Appendix 10 (Guidelines on the Use of Bid Securing Declaration)¹ of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, and upon the findings and recommendation of the Department of Budget and Management-Bids and Awards Committee (DBM-BAC) in its Resolution No. 2021-14, the undersigned, hereby issues this Blacklisting Order to the entity hereafter stated:

1. MMEEN Construction with Business Name No. 1906126 issued by the Department of Trade and Industry (DTI), and Philippine Government Electronic Procurement System (PhilGEPS) Registration No. 201509146717900286809 having business address at 106 Bulusan St., Laloma, Quezon City, is hereby **SUSPENDED/DISQUALIFIED** from participating in all government procurement for 2 years starting from March 24, 2021 until March 23, 2023.

2. Specific ground/offense committed:

Submission of Bids that contain false information or falsified documents, or the concealment of such information in the Bids in order to influence the outcome of eligibility screening, or any other stage of the competitive bidding.²

3. The penalty is being imposed in connection with the following procurement details:

- a. Name of Project: **Replacement of Tiles and Repainting of the Interior Walls and Finishes of Budget and Management Bureau-B Office**

¹ Issued through Government Procurement Policy Board (GPPB) Resolution No. 03-2012 dated 27 January 2012, as amended by GPPB Resolution No. 15-2014 dated June 20, 2014

² Considering that MMEEN Construction submitted May and June 2020 BIR Forms 2550M with the same Reference No. 092000035775667 and Batch No. 2003867267 to the DBM-BAC, while on the other hand, the BIR confirmed that MMEEN Construction had filed the monthly VAT return (BIR Form 2550M) for the month of April 2020 with the same Reference No. 092000035775667 and Batch No. 2003867267 and that there are no records found for the months of May and June 2020, the BAC finds that the bid submission of MMEEN Construction contained false information or falsified documents, or the concealment of such information in the Bids in order to influence the outcome of the competitive bidding, which is a violation specified in Section 69.1 (b) of the 2016 Revised IRR of RA No. 9184.


Likewise, as to the noted irregularities in the August to October 2020 VAT Declaration Forms submitted by MMEEN Construction to the DBM-BAC, where the BIR RDO No. 38 confirmed that the September and October 2020 VAT Returns actually contained Reference and Batch Numbers of the August 2020 VAT Return, the BAC further finds that the bid submission of MMEEN Construction contained false information or falsified documents, or the concealment of such information in the Bids in order to influence the outcome of the competitive bidding, which is a violation specified in Section 69.1 (b) of the same IRR

- b. Location of the Project: **Department of Budget and Management – Central Office**
 - c. Approved Budget for the Contract: **P2,000,000.00**
4. In addition to the foregoing, the enforcement of Bid Securing Declaration on the **payment of fine in the amount of P443,210.90**,³ equivalent to the difference between the evaluated bid prices of MMEEN Construction (i.e., P1,456,789.10) and Interworld Enterprises, the bidder with the 2nd Lowest Calculated Bid (i.e., P1,900,000.00), **within fifteen (15) days from receipt of this Blacklisting Order** which shall be considered as the written demand for the payment of fine in accordance with Clause 2 of the Bid Securing Declaration submitted by MMEEN Construction.

The name/s of the foregoing persons and/or entities shall be posted within three (3) calendar days from the date of effectivity of this Blacklisting Order in the Consolidated Blacklisting Report (CBR) through the Online Blacklisting Portal pursuant to Section 10 of the "Uniform Guidelines for Blacklisting of Manufacturers, Suppliers, Distributors, Contractors and Consultants", *as amended by GPPB Resolution No. 14-2020 dated 25 June 2020*. The names of the Blacklisted Persons/Entity/ies shall be removed upon the lapse of the period of penalty.

Issued this ___ day of March 2021, in the City of Manila, Philippines.

SO ORDERED.



WENDEL E. AVISADO
Secretary

Received by: _____
 Designation: _____
 Date Received: _____

³ The higher amount between two percent (2%) of the Approved Budget for the Contract (2% x P2,000,000.00 = P40,000.00) or the difference between the evaluated bid prices of MMEEN Corporation with the Lowest Calculated Bid (P1,456,789.10) and Interworld Enterprises with the next Lowest Calculated Bid (P1,900,000.00), i.e., P443,210.90; Amended Section 6.0 of the Guidelines on the Use of Bid Securing Declaration was adopted under GPPB Resolution No. 15-2014 dated June 20, 2014, to wit:

"xxx Commission of any of the acts mentioned in Section 5 of these Guidelines shall merit the following sanctions: a) Penalty of automatic blacklisting for two (2) years in all government procurement activities; b) Payment of fine equivalent to the amount subject to the following rules: i) Two Percent (2%) of the Approved Budget for the Contract (ABC) or the Difference between the evaluated bid prices of the bidder with the Lowest Calculated/Highest Rated Bid and the bidder with the next Lowest Calculated/Highest Rated Bid, and so on, **whichever is HIGHER**; xxx" (emphasis supplied)

In case of concerns/clarifications, you may contact DBM through:

Address: General Solano St., San Miguel, Manila
Contact Person: Joyce D. Labao
Telephone No.: (8) 657-3300 local 3115
E-mail Address: jlabao@dbm.gov.ph

Posted on:

Date & time: _____
Name: _____
Position: _____