

**BAC-C RESOLUTION NO. BC-2018-041**

**NEGOTIATED PROCUREMENT  
THROUGH SMALL VALUE PROCUREMENT**

**Consulting Services for the Preparation of Environmental Impact Statement and Facilitation  
of Environmental Compliance Certificate Application for the  
New Clark City Project**

**WHEREAS**, BCDA is implementing the development of the New Clark City (NCC) – a 9,450 hectare BCDA property which will be environmentally sustainable, socially inclusive, culturally relevant and technologically integrated metropolis. NCC will be a catalyst of the economic development of Central Luzon, in particular and country, in general;

**WHEREAS**, in July 2014, the Environmental Management Bureau (EMB) of the Department of Environment and Natural Resources (DENR) issued EMB Memorandum Circular (MC) 005. Under MC 005, NCC is classified under Category B, Non-environmentally Critical Project. As such, BCDA is required to submit a complete Environmental Impact Statement (EIS) for the NCC;

**WHEREAS**, the Consortium of Nippon Koei Co., Ltd, AECOM Singapore Pte., Ltd., and Philkoei International Inc., BCDA's consultant for the preparation of the NCC Comprehensive Master Development Plan (NCC Master Plan), had already prepared an initial environmental assessment report of the NCC. The said report contains secondary data from various government agencies, Local Government Unit (LGU) and actual interviews from various stakeholders within NCC;

**WHEREAS**, to be considered complete, the EIS must contain primary baseline data obtained from various site locations within and nearby catchment area of NCC such as, but not limited to, air quality, noise level, water quality and terrestrial inventory;

**WHEREAS**, a positive review of the EIS by the DENR – EMB will result in the issuance of an Environmental and Compliance and Certificate (ECC), allowing BCDA to proceed to the next stage of the project planning;

**WHEREAS**, the ECC outlines the commitments of the project proponent which are necessary for the compliance with the existing environmental regulations or to operate within best environmental practice that are not currently covered by existing laws;

**WHEREAS**, there is a need for an independent consultant to carry-out the environmental testing who will come up with the primary data and proposed mitigating measures to limit the effects of the project within the standards set by DENR and who shall facilitate the ECC application for the NCC;

**WHEREAS**, in a Memo dated September 17, 2018, the Project Monitoring Office (PMO) for NCC endorsed to the Bids and Awards Committee for Consulting Services (BAC-C) the procurement

of Consulting Services for the preparation of EIS and facilitation of the ECC application for NCC through Section 53.9 of the Revised IRR on Small Value Procurement;

**WHEREAS**, on June 19, 2018, the Executive Vice President (EVP) of BCDA approved the procurement of the abovementioned consulting services with an approved budget of Pesos: Nine Hundred Fifty Thousand Pesos (Php950,000.00), for a period of 60 days from execution of contract and/or issuance of Notice to Proceed, inclusive of all applicable taxes, fees and other charges;

**WHEREAS**, Section 53.9 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", allows the procuring entity to resort to Small Value Procurement where the procurement does not fall under shopping of Section 52 of the Revised IRR and the amount involved does not exceed the thresholds prescribed in Annex "H" (Consolidated Guidelines for the Alternative Methods of Procurement) of the Revised IRR in the amount of One Million Pesos (Php1,000,000.00) for NGAs, GOCCs, GFIs, SUCs and Autonomous Regional Government;

**WHEREAS**, pursuant to Annex H, Section J, Delegation of Authority, of the Revised IRR, the conduct of Shopping and Negotiated Procurement under Emergency Cases, Small Value Procurement and Lease of Real Property and Venue may be delegated to the End-user unit or any other appropriate Bureau, Committee, or support unit duly authorized by the BAC through a Resolution approved by the HOPE;

**WHEREAS**, after careful evaluation, the BAC-C finds merit on the recommendation of the PMO for the procurement of consulting services for the preparation of EIS and facilitation of the ECC application for NCC through Small Value Procurement pursuant to Section 53.9 of the IRR of RA 9184 and its request for delegated authority to undertake the procurement;

**NOW, THEREFORE**, we, the members of the Bids and Awards Committee for Consulting Services, hereby RESOLVE, as it is hereby RESOLVED to:

1. RECOMMEND the procurement of the consulting services for the preparation of EIS and facilitation of ECC application through the Alternative Method of Procurement in accordance with Section 53.9 of the Revised IRR of RA 9184 under Small Value Procurement;
2. DELEGATE the procurement of the aforesaid consulting services to the PMO, subject to compliance with the applicable provisions of RA 9184 and the Revised IRR;
3. DIRECT the PMO to strictly adhere to the approved timetable of procurement activities and to refrain from any procurement activity without the approval of the BAC-C;
4. DIRECT the PMO to request for the issuance of the Certificate of Funds Availability (CFA) from the Budget Department for the procurement prior to the award of the contract;

*Handwritten signatures and initials:*  
A large stylized signature, possibly "Jc", is written above several smaller initials and marks, including "Dhw" and "R".

5. DIRECT the PMO to furnish the BAC-C copies of the duly conformed Notice of Award and Notice to Proceed as well as the executed Contract within 10-days from execution of the document;
6. DIRECT the PMO to report to the BAC-C, through a memo, the result of the procurement process within a period of 15 days from the determination as to whether the procurement has succeeded or failed; and
7. DIRECT the PMO to submit to the BAC-C, an evaluation of the performance of the Consultant at the end of the contract.

Done in Taguig City this 22<sup>nd</sup> day of November 2018.

#### BIDS AND AWARDS COMMITTEE FOR CONSULTING SERVICES

  
**JOSHUA M. BINGCANG**  
Chairperson

  
**JOANNA EILEEN M. CAPONES**  
Vice-Chairperson

  
**VIRGIL M. ALVAREZ**  
Member

  
**JOCELYN L. CANIONES**  
Member

  
**GUALBERTO J. OYZON, JR.**  
Member

Approved by:

  
**AILEEN ANUNCIACION R. ZOSA**  
Executive Vice President