

BIDS AND AWARDS COMMITTEE FOR GOODS (BAC-G)

**PROCUREMENT FOR THE PREVENTIVE MAINTENANCE OF THE COMMUNICATION,
NAVIGATION, AND SURVEILLANCE (CNS) EQUIPMENT AND FACILITIES AT THE
CLARK INTERNATIONAL AIRPORT**

BAC-G Resolution No. BG-2023-046

WHEREAS, on 21 January 2021, the BCDA and the North Luzon Airport Consortium (NLAC) signed and executed a Concession Agreement (CA) for the Operations and Maintenance (O&M) of the Clark International Airport (CIA);

WHEREAS, pursuant to Section 1.1(a) - BCDA O&M Services under Annex 4 of the CA, BCDA is obligated to provide, manage, operate and maintain the Air Traffic Control (ATC) and Air Navigation Services (ANS) and Equipment of the CIA which states that:

"1.1 The BCDA O&M to be provided or cause to be provided at Clark International Airport shall include:

- a. Provision, management, maintenance and operation of Air Traffic Control and Air Navigation Services and Equipment at Clark International Airport, in accordance with the relevant CAAP [Civil Aviation Authority of the Philippines] standards and ICAO Standards and Recommended Practices;"*

WHEREAS, in the 12 July 2023 Board Resolution, the BCDA Board of Directors approved the procurement for the Preventive Maintenance of the Communication, Navigation, and Surveillance (CNS) Equipment and Facilities at the Clark International Airport ("Project") through the Bids and Awards Committee for Goods (BAC-G) with a total Approved Budget for the Contract (ABC) of **Forty-Two Million Four Hundred Fifty-Two Thousand and 64/100 (PhP42,452,000.64)**, inclusive of all applicable taxes and fees, chargeable against the 2023 General Appropriations Act, following the Section 53.2 Negotiated Procurement - Emergency Cases of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (R.A.) No. 9184, broken down as follows:

Item Description	Amount (in PhP)
a. Flight Check Inspection and Calibration for the Communication, Navigation, and Surveillance (CNS) System	7,452,000.64
b. Replacement of Defective UPS Battery for CNS Equipment	3,500,000.00
c. Replacement of Defective UPS for CNS Equipment	1,000,000.00
d. Preventive Maintenance of Service Vehicle	100,000.00
e. Preventive Maintenance of ACU and Replacement of Outdated ACU for CNS Shelter, ATC Tower and Office	2,000,000.00
f. Calibration of CNS Test Instrument	300,000.00
g. Preventive Maintenance & Repair of Emergency Standby Generator Set including Diesel Tank for CNS Shelters and ATC Tower	1,000,000.00

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h. Preventive Maintenance & Repair of CNS Shelter Facilities, ATC Tower and Office	1,000,000.00
i. Replacement of Expired Fire Extinguisher for CNS Shelters, ATC Tower and Offices	100,000.00
j. Replacement of Spare Parts for Megaplex Multiplexer of Air Band Communication Equipment at ATC Tower	3,400,000.00
k. Procurement of Spare Parts for ILS Equipment of Glideslope 02 & 20 and Localizer 20 & 02, and DVOR	20,000,000.00
l. Maintenance for the installed CCTV Camera on the blind spot of the Runway due to the construction of CIA, NTB	100,000.00
m. Emergency Service, Maintenance, Repair and Purchases for CNS Equipment and Facilities	500,000.00
n. Maintenance for Main and Secondary Power for Navigation Aids and Automated Weather Observation System (AWOS)	2,000,000.00
TOTAL AMOUNT (inclusive of all applicable taxes and fees)	42,452,000.64

WHEREAS, Section 53.2 of the 2016 RIRR of R.A. No. 9184 provides, to wit:

“Section 53. Negotiated Procurement

*Negotiated Procurement is a method of procurement of Goods, Infrastructure Projects and Consulting services, whereby the Procuring Entity **directly negotiates a contract with a technically, legally and financially capable supplier**, contractor or consultant in any of the following cases (Emphasis ours):*

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53.2 Emergency Cases. *In case of imminent danger to life or property during a state of calamity, or when time is of the essence arising from natural or man-made calamities or other causes where immediate action is necessary to prevent damage to or loss of life or property, or to restore vital public services, infrastructure facilities and other public utilities.*

The instances or situations where the foregoing conditions may be applied include the provision of immediate response and initial recovery steps to avoid loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation.

xxx”

WHEREAS, in the 30 August 2023 memo to the BAC-G, the SPMD, being the end-user for the project, endorsed its request for procurement of the subject Project pursuant to Section 53.2 Negotiated Procurement - Emergency Cases of the 2016 RIRR of R.A. No. 9184;

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WHEREAS, in the 06 September 2023 pre-procurement conference of the BAC-G, the BAC-G instructed SPMD, as the end-user, to complete the documentary requirements for procurement, namely, Certificate of Due Diligence for the conduct of Market Study, Purchase Request, and the Technical Specifications for the project;

WHEREAS, in another pre-procurement conference of the BAC-G on 14 November 2023, SPMD presented the chronology of intervening events (*Annex A*) why the end-user failed to immediately revert to the BAC-G despite the emergency nature of the procurement of the project, the summary of which are as follows;

- a. Finalization of the Technical Specifications;
- b. Completion of the documentary requirements; and
- c. CAAP's revision of the items for procurement. The following were removed:
 1. Maintenance for the installed CCTV Camera on the blind spot of the Runway due to the construction of CIA, NTB; and
 2. Maintenance for Main and Secondary Power for Navigation Aids and Automated Weather Observation System (AWOS)

WHEREAS, upon the representation of the end-user, there is a need to undertake the procurement under Section 53.2 Negotiated Procurement - Emergency Cases of the 2016 RIRR of R.A. No. 9184 for the following reasons:

Item Description	Justifications	Impact
a. Flight Check Inspection and Calibration for the Communication, Navigation, and Surveillance (CNS) System	As outlined in Section 10.1.4.2 of CARANS, any facility experiencing a lapse in flight inspection certification should not be utilized for air navigation and/or aircraft operation unless it has been certified by authorized technical personnel to ensure its integrity and accuracy, as specified in this regulation and will cause diversion of flights to nearby airports outside the Philippines.	Airport Closure
b. Replacement of Defective UPS Battery for CNS Equipment	No backup power supplied to the Uninterruptible Power Supply (UPS) in the event of a power outage or other disruption, risking the uninterrupted communication between the Air Traffic Controller and the Pilot, thereby endangering both aircraft and passengers.	Airport Closure
c. Replacement of Defective UPS for CNS Equipment	Non-continuous power supply for the CNS Equipment causing interrupted services for Air Traffic Controllers and flying aircraft, leading to a decreased level of safety in CIA operations, thereby endangering both aircraft and passengers.	Airport Closure
d. Preventive Maintenance of Service	No immediate response to the CAAP CNS Team during emergency communication fault for the	Daytime Operations Only and Airport

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Vehicle	CNS System at CIA Airside.	Closure as worst case
e. Preventive Maintenance of ACU and Replacement of Outdated ACU for CNS Shelter, ATC Tower and Office	Maintaining required room temperature for every CNS Shelter and to prevent failure of CNS equipment as their electronic parts are sensitive and CCA's/ modules are costly and expensive.	Airport Closure
f. Calibration of CNS Test Instrument	No accurate and reliable measurements of CNS Receiving Frequency (RF) signal and thereby endangering both aircraft and passengers.	Airport Closure
g. Preventive Maintenance & Repair of Emergency Standby Generator Set including Diesel Tank for CNS Shelters and ATC Tower	To supply electricity when power from the grid is unavailable due to severe weather conditions or catastrophic events. Non-continuous power supply for the CNS Equipment causing interrupted services for Air Traffic Controllers and flying aircraft, thereby endangering both aircraft and passengers.	Daytime Operations Only and Airport Closure as worst case
h. Preventive Maintenance & Repair of CNS Shelter Facilities, ATC Tower and Office	For protection of the sensitive CNS Equipment and prevent damage of costly and expensive CNS Equipment.	Daytime Operations Only and Airport Closure as worst case
i. Replacement of Expired Fire Extinguisher for CNS Shelters, ATC Tower and Offices	For emergency use on fire related accidents and prevent damage of costly and expensive CNS Equipment.	Daytime Operations Only and Airport Closure as worst case
j. Replacement of Spare Parts for Megaplex Multiplexer of Air Band Communication Equipment at ATC Tower	Non-replacement of spare parts which cause interruptive communication between the Air Traffic Controller and the Pilot, thereby endangering both aircraft and passengers.	Daytime Operations Only and Airport Closure as worst case
k. Procurement of Spare Parts for ILS Equipment of Glideslope 02 & 20 and Localizer 20 & 02, and DVOR	Non-replacement of spare parts will cause interruptive signal communication for the Instrument Landing System (ILS) and Control Tower, thereby endangering both aircraft and passengers.	Daytime Operations Only and Airport Closure as worst case
l. Maintenance for the installed CCTV Camera on the blind spot of the Runway due to the construction of CIA, NTB	Requiring a clear line of sight to the blind spot area of the runway due to the newly-constructed Clark International Airport New Terminal Building.	Daytime Operations Only
m. Emergency Service, Maintenance, Repair and Purchases for CNS Equipment and Facilities	Utilizing the allocated budget for unforeseen damage to CNS Equipment.	Daytime Operations Only and Airport Closure as worst case
n. Maintenance for Main and Secondary Power for Navigation Aids and Automated Weather	Necessitating the maintenance of both the Main and Secondary Power Transformers to avert power outages in CNS Facilities. Non-continuous power supply for the CNS Equipment causing	Daytime Operations Only and Airport Closure as worst case

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Observation System (AWOS)	interrupted services for Air Traffic Controllers and flying aircraft, thereby endangering both aircraft and passengers.	
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WHEREAS, the BAC-G required the end-user to request the suppliers to submit a cost proposal together with the following documentary requirements pursuant to Item II of Appendix A (Documentary Requirement Alternative Methods of Procurement) under Annex "H" (Consolidated Guidelines for the Alternative Methods of Procurement) of the 2016 RIRR of R.A. No. 9184:

1. Mayor's/Business Permit
2. Income/Business Tax Return
3. Omnibus Sworn Statement

WHEREAS, Section V.D.2.b.iii under Annex "H" (Consolidated Guidelines for the Alternative Methods of Procurement) of the 2016 RIRR of R.A. No. 9184, provides that:

"2. EMERGENCY CASES

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- iii. The HoPE [Head of Procuring Entity] may delegate to either the BAC or the End-user unit or any other appropriate bureau, committee, support or procuring unit the authority to directly negotiate with a legally, technically, and financially capable supplier, contractor, or consultant for procurement undertaken through any of the allowable instances of Negotiated Procurement (Emergency Cases) under Section 53.2 of the 2016 revised IRR.

xxx"

WHEREAS, the end-user presented to the BAC-G the cost proposals and documentary requirements (Annex B) of the suppliers as follows:

Item Description	Supplier and Remarks	Proposal (in PHP)
a. Flight Check Inspection and Calibration for the Communication, Navigation, and Surveillance (CNS) System	Flight Inspection and Calibration Group (FICG) - CAAP (Excluded per guidance of the BAC-G to change the mode of procurement to Section 53.5 Agency-to-Agency of R.A. No. 9184, subject to approval by the BCDA President and Chief Executive Officer, as the supplier cannot comply with the documentary requirements.)	-
b. Replacement of Defective UPS Battery for CNS Equipment	Fibercom Telecom Philippines, Inc.	3,397,363.20
c. Replacement of Defective UPS for CNS Equipment	American Technologies, Inc.	370,400.00
d. Preventive Maintenance of Service Vehicle	Rapide Auto Service Experts (Per CIAC Engineering, there is no need for maintenance of the said vehicle since it has already been returned to them)	-

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e. Preventive Maintenance of ACU and Replacement of Outdated ACU for CNS Shelter, ATC Tower and Office	Jannalex Office Supplies Equipment Trading	1,663,182.08
f. Calibration of CNS Test Instrument	Microprecision Calibration, Inc.	201,152.00
g. Preventive Maintenance & Repair of Emergency Standby Generator Set including Diesel Tank for CNS Shelters and ATC Tower	Devine Electrical Services	960,600.00
h. Preventive Maintenance & Repair of CNS Shelter Facilities, ATC Tower and Office	A.M. Brothers Construction, Inc.	991,200.00
i. Replacement of Expired Fire Extinguisher for CNS Shelters, ATC Tower and Offices	SF Allied Industrial Products	99,736.00
j. Replacement of Spare Parts for Megaplex Multiplexer of Air Band Communication Equipment at ATC Tower	Fibercom Telecom Philippines, Inc.	3,246,156.48
k. Procurement of Spare Parts for ILS Equipment of Glideslope 02 & 20 and Localizer 20 & 02, and DVOR	Evercon Builders and Equipment Corporation	19,593,884.80
l. Maintenance for the installed CCTV Camera on the blind spot of the Runway due to the construction of CIA, NTB	None (Excluded from this procurement as CAAP deemed it unnecessary)	-
m. Emergency Service, Maintenance, Repair and Purchases for CNS Equipment and Facilities	ELECOL Engineering Equipment Supply and Service	313,000.00
n. Maintenance for Main and Secondary Power for Navigation Aids and Automated Weather Observation System (AWOS)	None (Excluded from this procurement as CAAP deemed it unnecessary)	-
TOTAL AMOUNT (inclusive of all applicable taxes and fees)		30,836,674.56

WHEREAS, Section V.D.2.b.iv under Annex "H" of the 2016 RIRR of R.A. No. 9184, provides that:

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*“iv. Upon confirmation and ascertainment of such capability to address the emergency, the HoPE, upon recommendation of the BAC or the End-user unit or any other appropriate bureau, committee, support or procuring unit, **authorize for the purpose shall immediately award the contract to the Supplier, Contractor or Consultant.** (Emphasis ours)”*

WHEREAS, in view of the foregoing and consistent with Section V.D.2.b.iv under Annex “H” of the 2016 RIRR of R.A. No. 9184, the BAC-G concurred with the recommendations of the BAC-G TWG that the said suppliers are legally, technically and financially capable to undertake this procurement.

ACCORDINGLY, We, the members of the Bids and Awards Committee for Goods, hereby **RESOLVE**, as it is hereby **RESOLVED** to recommend the following:

1. To award the contract to the following suppliers for the Procurement of the Preventive Maintenance of the Communication, Navigation, and Surveillance (CNS) Equipment and Facilities at the Clark International Airport through Negotiated Procurement under Emergency Cases in accordance with Section 53.2 of the 2016 RIRR of R.A. No. 9184:

Supplier	Item Description	Contract Amount (in Php)	
		In Figure	In Words
a. Fibercom Telecom Philippines, Inc.	i. Replacement of Defective UPS Battery for CNS Equipment	3,397,363.20	Three Million Three Hundred Ninety- Seven Thousand Three Hundred Sixty-Three & 20/100
	ii. Replacement of Spare Parts for Megaplex Multiplexer of Air Band Communication Equipment at ATC Tower	3,246,156.48	Three Million Two Hundred Forty-Six Thousand One Hundred Fifty-Six & 48/100
b. American Technologies, Inc.	Replacement of Defective UPS for CNS Equipment	370,400.00	Three Hundred Seventy Thousand Four Hundred & 00/100
c. Jannalex Office Supplies Equipment Trading	Preventive Maintenance of ACU and Replacement of Outdated ACU for CNS Shelter, ATC Tower and Office	1,663,182.08	One Million Six Hundred Sixty-Three Thousand One Hundred Eighty-Two & 08/100
d. Microprecision Calibration, Inc.	Calibration of CNS Test Instrument	201,152.00	Two Hundred One Thousand One Hundred Fifty-Two & 00/100
e. Devine Electrical Services	Preventive Maintenance & Repair of Emergency Standby Generator Set including Diesel Tank for CNS Shelters and ATC Tower	960,600.00	Nine Hundred Sixty Thousand Six Hundred & 00/100
f. A.M. Brothers Construction, Inc.	Preventive Maintenance & Repair of CNS Shelter Facilities, ATC Tower and Office	991,200.00	Nine Hundred Ninety-One Thousand Two Hundred & 00/100

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g. SF Allied Industrial Products	Replacement of Expired Fire Extinguisher for CNS Shelters, ATC Tower and Offices	99,736.00	Ninety-Nine Thousand Seven Hundred Thirty-Six & 00/100
h. Evercon Builders and Equipment Corporation	Procurement of Spare Parts for ILS Equipment of Glideslope 02 & 20 and Localizer 20 & 02, and DVOR	19,593,884.80	Nineteen Million Five Hundred Ninety-Three Thousand Eight Hundred Eighty-Four & 80/100
i. ELECOL Engineering Equipment Supply and Service	Emergency Service, Maintenance, Repair and Purchases for CNS Equipment and Facilities	313,000.00	Three Hundred Thirteen Thousand & 00/100
TOTAL COST (inclusive of all applicable taxes and fees)		30,836,674.56	

2. To direct the **STRATEGIC PROJECTS MANAGEMENT DEPARTMENT (SPMD)**, being the end-user unit, to submit to the BAC-G the duly conformed Notice of Award, Notice to Proceed, and the duly executed agreement/contract.

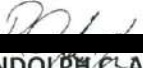
RESOLVED, at the BCDA Corporate Center Office, Bonifacio Global City, Taguig City, this **18 December 2023**.

BIDS AND AWARDS COMMITTEE (BAC) FOR GOODS


RICHARD BRIAN M. CEPE
 Chairperson



JOCELYN L. CANIONES
 Vice Chairperson


MARIA JOSEFINA V. PE
 Member


RANDOLPH C. AUSTRIA
 Member


MARICEL C. SANTOS
 Member

Approved By:


JOSHUA M. BINGCANG
 President & CEO



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