

BIDS AND AWARDS COMMITTEE FOR INFRASTRUCTURE PROJECTS (BAC-I)

CONSTRUCTION OF PN MODULAR FACILITIES AT BNS LOT 1

**RESOLUTION NO. 2024-012
DECLARATION OF LOWEST CALCULATED RESPONSIVE BID (LCRB)**

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA), through the PN Relocation Projects Trust Funds, has put on bid the **Construction of PN Modular Facilities at BNS Lot 1** with an Approved Budget for the Contract (ABC) in the sum of **Pesos: Two Hundred Twelve Million Five Hundred Ninety-Nine Thousand Two Hundred Three and 15/100 Centavos (PhP 212,599,203.15)**, inclusive of all applicable taxes and fees.

WHEREAS, the BAC-I, through its Secretariat, advertised the Invitation to Bid on 14 May 2024 in the following platforms:

- a. DBM Philippine Government Electronic Procurement System (PhilGEPS);
- b. BCDA Website; and
- c. In a conspicuous place reserved for the purpose in the premises of BCDA.

WHEREAS, in response to the said advertisements, twenty (20) prospective bidders bought the bid documents, namely:

1. RR Ricafort Construction and Supplies
2. Ron Mark Construction and MMTB Construction Services
3. FFJJ Construction
4. Trass Construction Co., Inc.
5. ZED Builders Inc.
6. R A Moya Construction And Trading Corp.
7. M.E. Sicat Construction, Inc.
8. SBR Center Builders, Inc.
9. Fabula Construction Corporation
10. C.T. Leoncio Construction and Trading, and Two Degrees Construction and Supply
11. 21th Construction Development Corporation
12. R.V. Rieta Trading & General Construction
13. DWD Construction and Services, and BLC Construction and Aggregates
14. S.D. Platon Construction, Inc.
15. Almaná Construction and Development Corporation
16. St. Gabriel Builders and LCRUZ Construction, Inc.
17. Aguila Simbulan Plus Partners Construction And Development Co.
18. Marcephil Construction
19. GSMAXX Construction Corp.
20. Protech Construction & Development Corp.

WHEREAS, out of the aforementioned interested bidders, nineteen (19) submitted their bids prior to the set deadline of submission of bids for the project on 22 July 2024 at 9:00AM, namely:

1. RR Ricafort Construction and Supplies
2. Ron Mark Construction and MMTB Construction Services
3. S.D. Platon Construction, Inc.
4. FFJJ Construction
5. Fabula Construction Corporation
6. Marcphil Construction
7. Almaná Construction and Development Corporation
8. DWD Construction and Services, and BLC Construction and Aggregates
9. GSMAXX Construction Corp.
10. C.T. Leoncio Construction and Trading, and Two Degrees Construction and Supply
11. R A Moya Construction And Trading Corp.
12. St. Gabriel Builders and LCRUZ Construction, Inc.
13. M.E. Sicat Construction, Inc.
14. SBR Center Builders, Inc.
15. Trass Construction Co., Inc.
16. 21th Construction Development Corporation
17. R.V. Rieta Trading & General Construction
18. Aguila Simbulan Plus Partners Construction And Development Co.
19. Protech Construction & Development Corp.

WHEREAS, on 22 July 2024, the first envelopes which contained the Eligibility and Technical Requirements of the nineteen (19) proponents were opened and subjected to a preliminary evaluation by determining the presence or absence of the required documents using the "pass/fail" criterion;

WHEREAS, during the said preliminary evaluation and after checking the sufficiency of the required documents as regards their presence or absence, the BAC-I declared the Technical Bids of eight (8) bidders as "failed" due to the absence of the required documents or non-compliance with the requirements provided under the bidding documents for the project, Republic Act (R.A.) No. 9184 and its Revised Implementing Rules and Regulations (RIRR), to wit:

BIDDERS	NON-COMPLIANCE
S.D. Platon Construction, Inc.	The attached Certificate of Final Acceptance as a supporting document for its Single Largest Completed Contract (SLCC) was signed by the bidder's

	<p>representative and not by the Project Owner, resulting in non-compliance with ITB Clause 5.2 of the Bid Data Sheet (BDS) and Section 23.4.2.5 of the RIRR of R.A. No. 9184, both of which provide that:</p> <p><i><u>"The SLCC shall be supported by an Owner's Certificate of Final Acceptance issued by the project owner other than the contractor or a final rating of at least "Satisfactory" in the Constructors Performance Evaluation System (CPES). In case of contracts with the private sector, an equivalent document shall be submitted."</u></i></p>
<p>FFJJ Construction</p>	<p>The bidder failed to attach a proof of ownership for the 150 KVA Generator Set that is under lease agreement as required under ITB Clause 10.5 of the BDS, which states that:</p> <p><i>"The bidder must accomplish the prescribed form in "Annex E" and shall submit the following acceptable proofs as attachments to the list of equipment, as applicable: certification of availability using the prescribed form in "Annex B-1 to B-3" of the Bid Forms and shall submit the following acceptable proofs as attachment to the list of equipment, as applicable:</i></p> <p>xxx</p> <p><i>b. If leased, supported by all of the following:</i></p> <ul style="list-style-type: none"> • <i>lease agreement between lessor and lessee,</i> • <i><u>proof of ownership of the lessor,</u> and</i> • <i>certification of availability of equipment from the equipment lessor for the duration of the project using the prescribed form in Annex "B-2" xxx"</i>
<p>Almana Construction and Development Corporation</p>	<p>The bidder failed to submit a List of Key Technical Personnel to be assigned to the Project as required under Section 25.2 (b)(viii)(2) of the RIRR) of RA No. 9184. The said requirement was reiterated in the Checklist of Technical and Financial Documents provided under Section IX (I)(f)(ii) of the Bidding Documents, to wit:</p>



	<p><i>“Technical Documents</i></p> <p><i>xxx</i></p> <p><i>(f) Project Requirements, which shall include the following:</i></p> <p><i>xxx</i></p> <p><i>(ii) <u>List of contractor’s key personnel to be assigned to the contract to be bid</u>, with their complete qualification and experience data (including the prescribed curriculum vitae and photocopy of applicable license/accreditation); xxx”</i></p>
<p>GSMAXX Construction Corp.</p>	<p>The bidder failed to update Annex “A” of its PHILGEPS registration. The Tax Clearance as indicated in Annex A of the PHILGEPS Certificate expired on 12 July 2024.</p> <p>This is non-compliant with Section 8.5.2 of the RIRR of R.A. 9184 which provides that:</p> <p><i>“<u>All bidders shall upload and maintain in PhilGEPS a current and updated file</u> of the following Class “A” eligibility documents under Sections 23.1(a) and 24.1(a):</i></p> <ul style="list-style-type: none"><i>a. Registration Certificate;</i><i>b. Mayor’s/Business Permit or its Equivalent Document;</i><i>c. <u>Tax Clearance;</u></i><i>d. Philippine Contractors Accreditation Board (PCAB) license and registration; and</i><i>e. Audited Financial Statements”</i><p><i>xxx</i></p><p><i>The failure by the prospective bidder to update its Certificate with the current and updated Class “A” eligibility documents shall result in the automatic suspension of the validity of its Certificate until such time that all of the expired Class “A” eligibility documents has been updated.”</i></p>

<p>Joint Venture of C.T. Leoncio Construction and Trading and Two Degrees Construction and Supply</p>	<p>The bidder failed to submit its Organizational Chart for the Contract to be Bid which is required under Section 25.2 (b)(viii)(1) of the RIRR of R.A. No. 9184, to wit:</p> <p><i>"25.2 <u>The first envelope shall contain</u> the following technical information/documents xxx</i></p> <p><i>b) For the procurement of Infrastructure Projects:</i></p> <p><i>xxx</i></p> <p><i>viii) Project Requirements, which shall include the following:</i></p> <p><i>(1) <u>Organizational chart for the contract to be bid:</u> "</i></p> <p>The said requirement was also reiterated in the Checklist of Technical and Financial Documents provided under Section IX (I)(f)(i) of the Bidding Documents.</p>
<p>Trass Construction Co., Inc.</p>	<p>1. The bidder failed to submit the required proof of ownership of equipment that are under lease agreement as provided under ITB Clause 10.5 of the BDS, which states that:</p> <p><i>"The bidder must accomplish the prescribed form in "Annex E" and shall submit the following acceptable proofs as attachments to the list of equipment, as applicable: certification of availability using the prescribed form in "Annex B-1 to B-3" of the Bid Forms and shall submit the following acceptable proofs as attachment to the list of equipment, as applicable:</i></p> <p><i>xxx</i></p> <p><u>b. If leased, supported by all of the following:</u></p> <ul style="list-style-type: none"><i>• lease agreement between lessor and lessee,</i><i>• <u>proof of ownership of the lessor,</u> and</i><i>• certification of availability of equipment from the equipment lessor for the duration of the project using the prescribed form in Annex "B-2" xxx"</i>

	<p>2. The Curriculum Vitae (CV) of Mr. Reynold C. Articono who is nominated as Site Engineer does not bear the signature of the bidder's authorized representative. Annex D of the Bidding Documents clearly requires the signature of the bidder's Authorized Representative, viz:</p> <p><i>[Signature over printed name of nominated key technical personnel]</i></p> <p><i>[Signature over printed name of authorized representative]</i></p>
<p>21th Construction Development Corporation</p>	<p>The bidder failed to submit the Certificate of Final Acceptance as a supporting document for its SLCC, resulting in non-compliance with ITB Clause 5.2 of the BDS and Section 23.4.2.5 of the RIRR of R.A. No. 9184, both of which provide that:</p> <p><i><u>"The SLCC shall be supported by an Owner's Certificate of Final Acceptance issued by the project owner other than the contractor or a final rating of at least "Satisfactory" in the Constructors Performance Evaluation System (CPES). In case of contracts with the private sector, an equivalent document shall be submitted."</u></i></p>
<p>Aguila Simbulan Plus Partners Construction And Development Co.</p>	<p>The submitted Statement of Availability of Leased Equipment was signed by the bidder's representative instead of the equipment lessor as required under ITB Clause 10.5 of the BDS, which states that:</p> <p><i>"The bidder must accomplish the prescribed form in "Annex E" and shall submit the following acceptable proofs as attachments to the list of equipment, as applicable: certification of availability using the prescribed form in "Annex B-1 to B-3" of the Bid Forms and shall submit the following acceptable proofs as attachment to the list of equipment, as applicable:</i></p> <p>xxx</p> <p><u>b. If leased, supported by all of the following:</u></p> <ul style="list-style-type: none"> • <i>lease agreement between lessor and lessee,</i>



	<ul style="list-style-type: none"> • <i>proof of ownership of the lessor, and</i> • <i><u>certification of availability of equipment from the equipment lessor</u> for the duration of the project using the prescribed form in Annex "B-2" xxx"</i> <p>Anent thereto, Annex B-2 of the Bidding Documents clearly requires the signatory to be the equipment lessor, viz:</p> <p style="text-align: center;"><i>[Name and signature of <u>Equipment Lessor</u>]</i></p> <p style="text-align: center;"><i>[Position]</i></p> <p style="text-align: center;"><i>[Name of Company]</i></p>
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WHEREAS, the second envelopes which contained the financial proposals of the eleven (11) proponents, who "passed" the preliminary examination of the eligibility/technical requirements, were opened and were likewise subjected to a preliminary evaluation of the financial proposals. After checking the sufficiency of the required documents as regards its presence or absence, the BAC-I declared the Financial Bids of two (2) bidders as "failed" due to the absence of the required documents or non-compliance with the requirements provided under the bidding documents for the project, R.A. No. 9184 and its RIRR, to wit:

BIDDERS	NON-COMPLIANCE
Fabula Construction Corporation	<p>The bidder failed to submit Daywork Rates for Materials as required under ITB Clause 11.1 of the BDS, which states that:</p> <p style="text-align: center;"><i>"In addition to the Bid Form and Bill of Quantities, the following shall be included in the Financial Component:</i></p> <ol style="list-style-type: none"> 1. <i>Detailed Cost Estimates prescribed in "Annex N"</i> 2. <i><u>Dayworks Schedule using the prescribed forms under "Annex O-1, O-2, O-3, indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid considering 12% VAT; xxx"</u></i>



BIDDERS	NON-COMPLIANCE
R.A. Moya Construction And Trading Corp.	<p>The bidder left the discount portion of the bid form blank. ITB Clause No. 11.1 of the BDS is clearly instructive that, in case the bidder will offer no discount, the word "None" shall be written. The pertinent clause states as follows:</p> <p><i><u>"In filling out the bid form, bidders shall provide a discount offer in the form of amount, in figures and in words, including its application and methodology. In case of no discount offered, bidders shall write "None."</u></i></p> <p>It was also reiterated in the Bid Bulletin No. 4, that in case no discount is offered, the words "None", "zero (0)" or "dash" shall be indicated.</p>

WHEREAS, after the preliminary evaluation of the Financial Proposals, only the bids of nine (9) bidders were considered for detailed evaluation and comparison of financial bids. The table below shows the bid amount of the nine (9) proponents (as read):

BIDDERS	BID AMOUNT (AS READ)	RANKING
Protech Construction & Development Corp.	P 171,744,369.79	1
SBR Center Builders, Inc.	P 176,842,678.90	2
RR Ricafort Construction and Supplies	P 181,139,445.21	3
Ron Mark Construction and MMTB Construction Services	P 186,959,046.31	4
Marcphil Construction	P 190,178,143.63	5
R.V. Rieta Trading & General Construction	P 191,544,592.39	6
St. Gabriel Builders and LCRUZ Construction, Inc.	P 204,980,888.00	7
DWD Construction and Services, and BLC Construction and Aggregates	P 206,195,648.71	8
M.E. Sicat Construction, Inc.	P 210,000,000.00	9

WHEREAS, Section 32.2 of the RIRR of R.A. 9184 provides that, "For the procurement of xxx Infrastructure Projects, the BAC shall evaluate the financial component of the bids to determine the Lowest Calculated Bid xxx."

WHEREAS, on 23 to 29 July 2024, in accordance with Section 32.2 of the RIRR of R.A. 9184 mentioned above, the BAC Technical Working Group (TWG) conducted the detailed evaluation of the Financial Component of the bids of the aforementioned nine (9) proponents. After the said detailed evaluation of the Financial Component, the BAC declared the Financial Bid of two (2) bidders as "failed" due to non-compliance with the requirements provided under the bidding documents for the project, to wit:

BIDDERS	NON-COMPLIANCE
SBR Center Builders, Inc.	<p>The bidder failed to provide the following required pay items in the Bill of Quantities (BOQ):</p> <p><i>Relocation of BNS Motorpool to PMC Motorpool Area</i></p> <p><u>Part C - Structural Works</u></p> <ul style="list-style-type: none"> • Item 803(1) a - Structure Excavation, Common Soil (including hauling & disposal) • Item 803 (3) a - Foundation Fill, Gravel Bedding, 100mm thk • Item 515 (3) - Structural Backfill (Using Excavated Materials) <p><u>Part B - Plain and Reinforced Concrete Work</u></p> <ul style="list-style-type: none"> • Item 900 (1) c1 - Structural Concrete, Class A (24MPa) @ 28 days • Item 902 (1) a - Reinforcing Steel (Deformed), Grade 40 • Item 903 (2) a - Formworks and Falseworks (Footings, Pedestal and Slab on Fill) <p><u>Metal Structures</u></p> <ul style="list-style-type: none"> • Item 1047 (2) a - Structural Steel, Purlins, 2" x 4"x 1.50mm (LC Sections) • Item 1047 (2) b.1 - Structural Steel, Steel Column (Steel Pipe Sections), GI Pipe • Item 1047 (2) d-1 - Structural Steel, Steel (Angle Bar Sections)

BIDDERS	NON-COMPLIANCE
	<ul style="list-style-type: none"> • Item 1047 (2) d-3 - Structural Steel, Steel (Round Bar) • Item 1047 (6) b-1 - Checkered Plate Steel, 3mm thk • Item 1047 (2) b1 - 20 footer container van fully furnish/ supply & delivery incl. steel door (6 x 3 x 2.70m) <p>This is non-compliant with Section 32.2.1.a of the RIRR of RA 9184, which provides that:</p> <p><i><u>"Completeness of the bid. xxx bids not addressing or providing all of the required items in the Bidding Documents including, where applicable, bill of quantities, shall be considered non-responsive and, thus, automatically disqualified. xxx"</u></i></p>
<p>R.V. Rieta Trading & General Construction</p>	<p>The bidder failed to provide the following required pay items in the BOQ:</p> <p><i>Five (5) Units 2-Storey Prefabricated Modular Facility (43.8x 13.0M)</i></p> <p><u>Fire Protection Works</u></p> <ul style="list-style-type: none"> • Item 1208 (3) - Heat Detector Fixed Temp with base • Item 1208 (4) - Fire Alarm Bell • Item 1208 (6) - Manual Push Button • Item 1100 (4) a - Electrical Metallic Tubing (EMT), 15 mm dia • Item 1100 (3) b - Flexible Metal Conduit, 20 mm dia • Item 1100 (8)a - Utility Box, 101mm x 54mm x 54mm, Ga. 16 • Item 1100 (8) b - Metal Junction Box with cover • Item 1100 (10) a1 - PullBox, 150mm x 150mm • Item 1100 (10) a2 - PullBox, 300mm x 300mm • Item 1101 (2) a2 - Electric Wire, Solid (2.0 mm dia. TW/THHN/THWN²)

BIDDERS	NON-COMPLIANCE
	<ul style="list-style-type: none"> Item 1100 (5) b - TF Wire 1.25 sq.mm Item 1208 (13) a1 -Programming, Testing & Commissioning <p>This is non-compliant with Section 32.2.1.a of the RIRR of RA 9184, which provides that:</p> <p><i>“Completeness of the bid. xxx <u>bids not addressing or providing all of the required items in the Bidding Documents including, where applicable, bill of quantities, shall be considered non-responsive and, thus, automatically disqualified.</u> xxx”</i></p>

Thus, only the bids of the seven (7) proponents were ranked in ascending order based on their financial bids or total bid price as calculated, evaluated, and/or corrected for computational errors, to identify the bidder with the Lowest Calculated Bid (LCB) who shall undergo the post-qualification. The table below shows the bid amount of the seven (7) proponents (as calculated):

BIDDERS	BID AMOUNT (AS CALCULATED)	RANKING
Protech Construction & Development Corp.	PhP 171,744,004.01	1
R.R. Ricafort Construction and Supplies	PhP 181,139,240.44	2
Ronmark Construction / MMTB Construction Services (Joint Venture)	PhP 186,959,455.65	3
Marcphil Construction	PhP 190,178,134.01	4
St. Gabriel Builders / L.Cruz Construction, Inc. (Joint Venture)	PhP 204,980,888.23	5
DWD Construction and Services / BLC Construction and Aggregates (Joint Venture)	PhP 206,195,739.23	6
M.E. Sicat Construction, Inc.	PhP 209,992,495.92	7

WHEREAS, based on the above results of the detailed evaluation conducted by the BAC-I TWG, the BAC-I found **PROTECH CONSTRUCTION & DEVELOPMENT CORP.** as the

bidder with the Lowest Calculated Bid (LCB) who shall undergo the Post-Qualification process pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, the following bidders submitted a request for reconsideration, pursuant to Section 55.1 of the 2016 RIRR of RA 9184, and upon deliberation, the BAC-I has reached the following decisions:

BIDDERS	BAC-I Decision
Joint Venture of C.T. Leoncio Construction and Trading and Two Degrees Construction and Supply	Denied due to non-compliance with Section 25.2 (b)(viii)(1) of the Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184.
FFJJ Construction	Denied due to non-compliance with ITB Clause 10.5 of the Bid Data Sheet and the Checklist of Technical and Financial Documents provided under Section IX (I)(f)(iii) of the Bidding Documents.
Almana Construction and Development Corporation	Denied due to non-compliance with Section 25.2 (b)(viii)(2) of the RIRR of R.A. No. 9184 which was reiterated in the Checklist of Technical and Financial Documents provided under Section IX (I)(f)(ii) of the Bidding Documents.

WHEREAS, from 30 July to 12 August 2024, the BAC-I TWG conducted the Post-Qualification of **PROTECH CONSTRUCTION & DEVELOPMENT CORP.** pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, SBR Center Builders, Inc. submitted its request for reconsideration pursuant to Section 55.1 of the 2016 RIRR of RA 9184, which the BAC-I denied upon deliberation, to wit:

BIDDERS	BAC-I Decision
SBR Center Builders, Inc.	Denied due to non-compliance with Section 32.2.1.a of the RIRR of R.A. No. 9184.

WHEREAS, on 12 August 2024, the BAC-I deliberated the Post-Qualification Report of BAC-I TWG. The results of Post-Qualification show that **PROTECH CONSTRUCTION & DEVELOPMENT CORP.** was post-disqualified due to its non-compliance with the requirements provided under the bidding documents, specifically on the following:

REQUIREMENTS	BIDDER'S NON-COMPLIANCE
<p>Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid.</p>	<p>Protech Construction & Development Corporation failed to declare five (5) ongoing contracts:</p> <ol style="list-style-type: none"> 1. 24D00089 - Sta. Rosa-Ulat-Tagaytay Road <ol style="list-style-type: none"> a. Owner: DPWH Region IV-A b. Contract Value at Award: PhP 19,113,204.95 c. Notice To Proceed: 28 February 2024 d. Date of Completion: 26 July 2024 2. 24DH0011 - Construction of River Control Along Pagsanjan River, Lumban Section, Lumban, Laguna <ol style="list-style-type: none"> a. Owner: DPWH Region IV-A Laguna 1st District Engineering Office b. Contract Value at Award: PhP 75,495,342.00 c. Notice to Proceed: 22 February 2024 d. Date of Completion: 05 January 2025 3. 24DH0019 - Construction of River Control Along Sta. Cruz River, Sta. Cruz, Laguna <ol style="list-style-type: none"> a. Owner: DPWH Region IV-A Laguna 1st District Engineering Office b. Contract Value at Award: PhP 77,888,755.64 c. Notice to Proceed: 22 February 2024 d. Date of Completion: 05 January 2025 4. 24DH0035 - Construction of Flood Control Structure Along Balanac River, Barangay Sampaloc Dos, Pagsanjan, Laguna <ol style="list-style-type: none"> a. Owner: DPWH Region IV-A Laguna 1st District Engineering Office b. Contract Value at Award: PhP 96,499,165.86 c. Notice to Proceed: 14 March 2024 d. Date of Completion: 28 February 2025 5. 24DQ0016 - Rehabilitation/ Reconstruction/ Upgrading of Damaged Paved Roads - Secondary Roads -Cavite-Batangas Rd (K0046 + 000 - K0046 + 223) <ol style="list-style-type: none"> a. Owner: DPWH Region IV-A Cavite 3rd District Engineering Office



REQUIREMENTS	BIDDER'S NON-COMPLIANCE
	<p>b. Contract Value at Award: PhP 30,407,937.58 c. Notice to Proceed : 01 March 2024 d. Date of Completion: 01 December 2024</p> <p>Section 23.1 of the RIRR states that:</p> <p><i>“For purposes of determining the eligibility of bidders using the criteria stated in Section 23.4 of this IRR, only the following documents shall be required by the BAC, using the forms prescribed in the Bidding Documents:</i></p> <p>a) Class “A” Documents</p> <p>xxx</p> <p><i>Technical Documents</i></p> <p>iv) <i>Statement of the bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid.” (emphasis and underscoring supplied)</i></p> <p>NPM No. 006-2018 expressly states that:</p> <p><i>“<u>[Failure to declare an ongoing government and private contract, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid is a ground for disqualification.</u> These contracts, as reflected in the [“]Statement of all on-going contracts[“], are vital to the computation of the Net Financial Contracting Capacity of the bidder, and they are necessary information during the post-qualification stage to verify, validate and ascertain the technical qualification of the Lowest Calculated Bidder for the ultimate determination whether it is the Lowest Calculated and Responsive Bidder.”</i></p> <p>Thus, the failure of the bidder to disclose five (5) of its ongoing contracts violates Section 23.1 of R.A. 9184 and its RIRR and is a ground for disqualification as reiterated in</p>



REQUIREMENTS	BIDDER'S NON-COMPLIANCE														
<p>ITB Clause 10.5 of the BDS provides that:</p> <p><i>"The list of minimum equipment required for the Project is as follows:</i></p> <table border="1" data-bbox="209 707 568 1025"> <thead> <tr> <th>Equipment</th> <th>Minimum Capacity</th> </tr> </thead> <tbody> <tr> <td>1 Unit Mobile Crane</td> <td>50 Tons</td> </tr> <tr> <td>1 Unit Water Truck</td> <td>10,000 L</td> </tr> </tbody> </table> <p>Xxx</p> <p><i>"Details and particulars contained in all the supporting documents submitted for each offered equipment must be consistent as represented by the bidder in all other parts of their bid submission."</i></p>	Equipment	Minimum Capacity	1 Unit Mobile Crane	50 Tons	1 Unit Water Truck	10,000 L	<p>GPPB NPM No. 006-2018.</p> <p>The following pledged owned equipment of the Contractor did not meet the minimum required capacity:</p> <ol style="list-style-type: none"> Mobile Crane <table border="1" data-bbox="692 613 1305 748"> <tbody> <tr> <td>Required Capacity</td> <td>50 Tons</td> </tr> <tr> <td>Actual Capacity</td> <td>4.8 tons</td> </tr> </tbody> </table> Water Truck <table border="1" data-bbox="692 815 1305 949"> <tbody> <tr> <td>Required Capacity</td> <td>10,000 L</td> </tr> <tr> <td>Actual Capacity</td> <td>2,200 L</td> </tr> </tbody> </table> <p>Upon actual inspection of the mobile crane, the indicated lifting capacity in the plate of the equipment is only 4.8 tons which is below the required 50 tons capacity.</p> <p>The BAC finds that some of the contents in the submitted photocopied OR/CR for the water truck are glaringly different from the original OR/CR as verified by the TWG. The submitted OR/CR states that the capacity of the water truck is 16,000 L while the original OR/CR states that the capacity is only 2,200 L. The inconsistencies between the original OR/CR and photocopied document of the same, which was submitted by the bidder as part of its eligibility documents, are very apparent. The submitted document appears to be not a faithful reproduction of the original document.</p> <p>Moreover, upon actual inspection of the said equipment, the TWG finds that the capacity of the same is only 2,200 L. Thus, this results in non-compliance with ITB Clause No. 10.5 of the Bid Data Sheet which requires 10,000 L capacity for water truck.</p>	Required Capacity	50 Tons	Actual Capacity	4.8 tons	Required Capacity	10,000 L	Actual Capacity	2,200 L
Equipment	Minimum Capacity														
1 Unit Mobile Crane	50 Tons														
1 Unit Water Truck	10,000 L														
Required Capacity	50 Tons														
Actual Capacity	4.8 tons														
Required Capacity	10,000 L														
Actual Capacity	2,200 L														
<p>Verification and validation of the bidders</p>	<p>Eight (8) out of the twelve (12) nominated key personnel were not interviewed despite multiple requests for the</p>														



REQUIREMENTS	BIDDER'S NON-COMPLIANCE
<p>stated competence and experience, and the competence and experience of the bidder's key personnel to be assigned to the project, for the procurement of Infrastructure Projects.</p> <p>Presentation of valid original PRC License of the nominated key technical personnel.</p>	<p>schedule of interview from the TWG:</p> <ol style="list-style-type: none"> 1. Architect 2. Structural Engineer 3. Electrical Engineer 4. Mechanical Engineer 5. Quantity Surveyor 6. Materials Engineer 7. Health and Safety Officer 8. Site Engineer <p>Consequently, the PRC Licenses of the abovementioned key personnel were not presented. As such, the TWG was not able to verify its validity.</p> <p>The respective competence and relevant experiences of each of the aforementioned key personnel were not validated as required under Section 34.3 of the RIRR of RA 9184 which states that:</p> <p><i>"The post-qualification shall verify, validate and ascertain the veracity, authenticity and validity of xxx all the other statements made and documents submitted by the bidder with the Lowest Calculated Bid / Highest Rated Bid, using non-discretionary criteria, as stated in the bidding Documents. These criteria shall consider, but shall not be limited to, the following:</i></p> <p><i>Xxx</i></p> <p><i>b) Technical Requirements. To determine compliance of the goods, infrastructure projects, or consulting services offered with the requirements specified in the Bidding Documents, including, where applicable:</i></p> <p><i>i) Verification and validation of the bidder's stated competence and experience, and the competence and experience of the bidder's key personnel to be assigned to the project, for the procurement of Infrastructure Projects xxx;"</i></p> <p>Relative thereto, ITB Clause 20 of the BDS provides that:</p> <p><i>"2. The following original document (s) shall be presented</i></p>



REQUIREMENTS	BIDDER'S NON-COMPLIANCE
	<p>during the conduct of the Post-Qualification for the verification and validation:</p> <p>Xxx</p> <p>b. Valid PRC licenses and other professional accreditation certificates of the nominated key personnel</p>

WHEREAS, from 13 to 23 August 2024, the BAC-I TWG conducted the Post-Qualification of **R.R. RICAFORT CONSTRUCTION AND SUPPLIES** as the bidder with the second Lowest Calculated Bid (2nd LCB) who shall undergo the Post-Qualification pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 27 August 2024, the BAC-I TWG requested for an extension of three (3) calendar days to complete the Post-Qualification of **R.R. RICAFORT CONSTRUCTION AND SUPPLIES** due to the need to further validate the status of the ongoing projects of the said bidder, extending the Post-Qualification period until 30 August 2024.

WHEREAS, on 28 to 29 August 2024, the BAC-I TWG continued the Post-Qualification activities and coordinated with the project owner of the declared ongoing projects of **R.R. RICAFORT CONSTRUCTION AND SUPPLIES** to verify the actual and scheduled accomplishments of the said ongoing projects;

WHEREAS, on 30 August 2024, the BAC-I deliberated the results of the Post-Qualification of **R.R. RICAFORT CONSTRUCTION AND SUPPLIES** based on the following findings as shown in the table below:

R.A. 9184 REQUIREMENT	FINDINGS
Legal Documents	No adverse findings
Technical Documents	No adverse findings
Financial Documents	No adverse findings
Additional Documents Required per R.A. 9184	No adverse findings



NOW, THEREFORE, We, the Members of the Bids and Awards Committee for Infrastructure Projects, hereby **RESOLVE** as it is hereby **RESOLVED**, the following:

1. To declare **R.R. RICAFORT CONSTRUCTION AND SUPPLIES** as the Lowest Calculated and Responsive Bidder (LCRB) for the **CONSTRUCTION OF PN MODULAR FACILITIES AT BNS LOT 1**, subject to the resolution of request for reconsideration and/or Protest filed by the losing bidder/s, if any, and;
2. To recommend to the BCDA Board of Directors the award of the contract to **R.R. RICAFORT CONSTRUCTION AND SUPPLIES** in the amount of Pesos: **One Hundred Eighty-One Million, One Hundred Thirty-Nine Thousand, Two Hundred Forty and 44/100 (PhP 181,139,240.44)**, inclusive of VAT and all applicable government taxes and fees, subject to the resolution of request for reconsideration and/or Protest filed by the losing bidder/s, if any.

RESOLVED, at the BCDA Corporate Center Office, this **30th** day of **August 2024**.

BIDS AND AWARDS COMMITTEE (BAC) FOR INFRASTRUCTURE

on official business
GISELA Z. KALALO
Chairperson

MARK P. TORRES
Vice Chairperson

on official business
VERGEL Q. PARAS
Member

RYAN PAUL S. GALURA
Member

SAMUEL JOHN L. VIDALLON
Member

RANDY S. VIACRUSIS
Provisional Member

on leave
MARINELL R. PACLIBAR
Provisional Member

Approved by:

JOSHUA M. BINGCANG
President and CEO