

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

**REBIDDING FOR THE CONSTRUCTION OF STREETLIGHTS AND PAVEMENT  
MARKINGS ALONG MCKINLEY PARKWAY, BGC**

**RESOLUTION NO. 2024-016  
DECLARATION OF LOWEST CALCULATED AND RESPONSIVE BID (LCRB)**

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA), through the CY2024 BCDA Corporate Funds, has put on bid the **REBIDDING FOR THE CONSTRUCTION OF STREETLIGHTS AND PAVEMENT MARKINGS ALONG MCKINLEY PARKWAY, BGC** with an Approved Budget for the Contract (ABC) in the sum of **Pesos: Twenty-four Million Four Hundred Thirty-Nine Thousand Two Hundred Fifty-One Pesos and 79/100 Centavos (Php 24,439,251.79)**, inclusive of all applicable taxes and fees.

**WHEREAS**, the BAC-I, through its Secretariat, advertised the Invitation to Bid on 27 July 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, six (6) prospective bidders bought the bid documents, namely:

1. LAK-K BUILDERS CO.
2. S&P CONSTRUCTION TECHNOLOGY AND DEVELOPMENT CO.
3. EUS CONSTRUCTION
4. MARCPHIL CONSTRUCTION
5. ROMA CONSTRUCTION AND DEVELOPMENT CORPORATION
6. MONRIO INDUSTRIAL CORP.

**WHEREAS**, out of the aforementioned interested bidders, six (6) submitted their bids prior to the set deadline of submission of bids for the project on 02 September 2024 at 9:00AM:

1. EUS CONSTRUCTION;
2. LAK-K BUILDERS CO.;
3. MARCPHIL CONSTRUCTION;

4. ROMA CONSTRUCTION;
5. S&P CONSTRUCTION TECHNOLOGY AND DEVELOPMENT CO.; AND
6. MONRIO INDUSTRIAL CORP.

**WHEREAS**, after the preliminary evaluation and after checking the sufficiency of the required documents as regards their presence or absence, the BAC declared that the bidders were declared “Eligible” for the opening of the Financial Bids:

1. EUS CONSTRUCTION;
2. LAK-K BUILDERS CO.;
3. ROMA CONSTRUCTION; AND
4. MONRIO INDUSTRIAL CORP.

**WHEREAS**, after opening the second envelopes, which contained the financial proposals, the table below shows the ranking and bid amounts of the 4 bidders (as read):

BIDDERS	BID AMOUNT (AS READ)	RANKING
EUS CONSTRUCTION	₱ 20,000,000.00	1
ROMA CONSTRUCTION	₱ 20,040,186.47	2
MONRIO INDUSTRIAL CORP.	₱ 20,106,618.19	3
LAK-K BUILDERS CO.	₱ 20,495,229.76	4

**WHEREAS**, Section 32.2 of the RIRR of R.A. 9184 provides that, “For the procurement of Goods and Infrastructure Projects, the BAC shall evaluate the financial component of the bids to determine the Lowest Calculated Bid. xxx.” The below shows the ranking and bid amounts of the 4 bidders (as calculated) (Please see attached “Annex A” Resolution on the Declaration of the Lowest Calculated Bid):

BIDDERS	BID AMOUNT (AS READ)	BID AMOUNT (AS CALCULATED)	RANKING
EUS CONSTRUCTION	₱ 20,000,000.00	₱ 20,000,016.72	1
ROMA CONSTRUCTION	₱ 20,040,186.47	₱ 20,040,207.11	2

MONRIO INDUSTRIAL CORP.	₱ 20,106,618.19	₱ 20,106,625.05	3
LAK-K BUILDERS CO.	₱ 20,495,229.76	₱ 20,495,234.87	4

**WHEREAS**, from 10 September to 23 September 2024, the BAC-I TWG conducted the Post-Qualification of **EUS Construction Corporation** pursuant to Section 34 of the RIRR of R.A. 9184;

**WHEREAS**, on 23 September 2024, the BAC-I deliberated the Post-Qualification Report of BAC-I TWG. The results of Post-Qualification show that **EUS Construction Corporation** was post-disqualified due to its non-compliance with the following requirements provided under the bidding documents for the project, to wit:

REQUIREMENTS	BIDDER'S NON-COMPLIANCE	FINDINGS
Documents per ITB Clause 20 of the Bid Data Sheet and submission of one (1) softcopy of its original bid in pdf format in USB flash drive.	<p>The documents were submitted beyond the given deadline and were not certified as true copies.</p> <p>The bidder also failed to submit One (1) softcopy of its original bid in PDF format and Detailed As-Built Quantities of Single Largest Completed Contract (e-copy) in a flash drive.</p>	<p>With adverse findings.</p> <p>Section 34.2 of the 2016 Revised IRR provides that:</p> <p><i>“Within five (5) calendar days from receipt by the bidder of the notice from the BAC that the bidder has the Lowest Calculated Bid or Highest Rated Bid, the bidder shall submit to the BAC its latest income and business tax returns, and other appropriate licenses and permits required by law and</i></p>



		<p>stated in the Bidding Documents</p> <p>Failure to submit any of the post qualification requirements on time, or a finding against the veracity thereof, shall disqualify the bidder for award. xxx."</p>
<p>Section 34.3 of the Revised IRR of RA9184 provides that:</p> <p><i>"The post-qualification shall verify, validate and ascertain the veracity, authenticity and validity of all the Class "A" eligibility documents supporting the PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of this IRR."</i></p>	<p>EUS Construction was not able to present the original documents of the following:</p> <ul style="list-style-type: none"> <li>a. Registration Certificate from the Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or CDA for cooperatives;</li> <li>b. Philippine Contractors Accreditation Board (PCAB) License and Registration;</li> <li>c. Audited Financial Statement; and</li> <li>d. Certificate of accomplishments signed by the Owner or Owner's Project Engineer for on-going projects</li> </ul>	<p>With adverse findings.</p> <p>Section 34.3 of the Revised IRR of RA9184 provides that:</p> <p><i>"The post-qualification shall verify, validate and ascertain the veracity, authenticity and validity of all the Class "A" eligibility documents supporting the PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of this IRR."</i></p>

<p>Section 23.1 (a)(iv) of the RIRR of RA 9184 provides 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>iv) <i>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”</i></p>	<p>Non declaration of ongoing government projects.</p> <p>EUS Construction has two (2) verified undeclared projects to wit:</p> <ol style="list-style-type: none"><li>1. DPWH Project ID 24FC0049 - Construction of Sta. Rosa Norte - San Rafael - Sitio Sugsugin Parang Road to Barangay Nakalaya, Jose, Panganiban, Camarines Norte; and</li><li>2. DPWH Project ID 23FC0048 - Construction of Bypass and Diversion Roads Construction of Concrete Road, Labo Bypass Road, Camarines Norte, Brgy. Bulhao and Brgy. Bautista Labo, Camarines Norte</li></ol>	<p>With adverse findings.</p> <p>Section 23.1(a)(iv) of the 2016 revised IRR provides that, one of the documents required for purposes of determining the eligibility of bidders is the Statement of all its ongoing contracts.</p> <p>This was reinforced by the Government Procurement Policy Board (GPPB), in its Board Resolution No. 29-2012 dated 23 November 2012, which provides that:</p> <p>xxx</p> <p><i>“2. To interpret that <u>failure to include an immaterial ongoing contract or failure to disclose complete information in the statement of contracts</u> shall result in the following:</i></p> <p>a. <i><u>Disqualification of the bidder</u> for non-compliance</i></p>
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		<p>with the eligibility requirement under Sections 23.1 or 24.1 of the revised IRR”</p> <p>xxx</p> <p>In addition, GPPB NPM No. 006-2018 explained that “<u>if the bidder fails to declare an ongoing government and private contracts</u> in its ‘Statement of all on-going 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, including immaterial contract, <u>is a ground for disqualification.</u>”</p>
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<p>Section 25.1 (b)(viii) (2) of the RIRR provides that:</p> <p><i>The first envelope shall contain the following technical information/documents, at the least:</i></p> <p>xxx</p> <p>b) For the procurement of Infrastructure Projects:</p> <p>xxx</p> <p>2) List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be"</p>	<p>The Backhoe is non-operational/unserviceable. The original of the Deed of Sale of the Generator Set from the Lessor was also not presented.</p>	<p>With adverse findings.</p> <p>Section 34.3 of the Revised IRR of RA 9184 provides that:</p> <p><i>"Verification of availability and commitment, and/or inspection and testing for the required capacities and operating conditions, of equipment units to be owned/leased/under purchase by the bidder for use in the contract under bidding xxx</i></p> <p>Xxx</p> <p><i>If the BAC verifies any of these deficiencies to be due to the contractor's fault or negligence, the agency shall disqualify the contractor from the award, for the procurement of Infrastructure Projects."</i></p>
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**WHEREAS**, pursuant to Section 34.8 of the 2016 RIRR of RA 9184, the BAC-I approved and issued the Notice of Post Qualification to **Roma Construction and Development Corp.**, being the bidder with the next lowest calculated bid.

**WHEREAS**, from 24 September to 07 October 2024, the BAC-I TWG conducted the Post-Qualification of **Roma Construction and Development Corp.** pursuant to Section 34 of the RIRR of R.A. 9184;

**WHEREAS**, on 07 October 2024, the BAC-I deliberated the Post-Qualification Report of BAC-I TWG. The results of Post-Qualification show that **Roma Construction and Development Corp.** was post-disqualified due to its non-compliance with the following requirements provided under the bidding documents for the project, to wit:



REQUIREMENTS	BIDDER'S NON-COMPLIANCE	FINDINGS									
<p>ITB Clause 10.4 of the BDS provides that:</p> <p>The list of nominated personnel with the minimum required years of experience for the project are as follows:</p> <p>xxx</p> <table border="1" data-bbox="177 869 582 1541"> <thead> <tr> <th>Position</th> <th>Required Profession</th> <th>Required Experience</th> </tr> </thead> <tbody> <tr> <td>Electrical Engineer</td> <td>Registered Electrical Engineer for at least 5 years or Professional Electrical Engineer for at least 2 years</td> <td>At least 5 years of experience as Electrical Engineer</td> </tr> <tr> <td>Health and Safety Officer</td> <td>DOLE Accredited Safety and Health Officer for at least 5 years</td> <td>At least 5 years of experience as DOLE Accredited Safety and Health Officer</td> </tr> </tbody> </table>	Position	Required Profession	Required Experience	Electrical Engineer	Registered Electrical Engineer for at least 5 years or Professional Electrical Engineer for at least 2 years	At least 5 years of experience as Electrical Engineer	Health and Safety Officer	DOLE Accredited Safety and Health Officer for at least 5 years	At least 5 years of experience as DOLE Accredited Safety and Health Officer	<p>Two (2) of the nominated key personnel lack the required experience relative to the position, to wit:</p> <p>1. Key Personnel, Engr. Daniel R. Balingit:</p> <p>Based on the submitted Curriculum Vitae, the nominated key personnel for Electrical Engineer did not meet the minimum required experience of at least 5 years.</p> <p>Engr. Balingit only has 4 years and 10 months of experience as an Electrical Engineer as cited in the Relevant Work Experience portion of the Curriculum Vitae</p> <p>2. Key Personnel, Mr. Ian Benjamin B. Prieto:</p> <p>Based on the submitted Curriculum Vitae, the nominated key personnel for Health and Safety</p>	<p><b>With adverse findings</b></p> <p>Section 34.3 of the RIRR of RA 9184 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>Xxx</p> <p>b) <i>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</i></p>
Position	Required Profession	Required Experience									
Electrical Engineer	Registered Electrical Engineer for at least 5 years or Professional Electrical Engineer for at least 2 years	At least 5 years of experience as Electrical Engineer									
Health and Safety Officer	DOLE Accredited Safety and Health Officer for at least 5 years	At least 5 years of experience as DOLE Accredited Safety and Health Officer									





	<p>Officer did not meet the minimum required experience of at least 5 years.</p> <p>Mr. Prieto only has 3 years and 11 months of experience as a Health and Safety Officer.</p>	<p><i>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><i>Relative thereto, ITB Clause 10.4 of the BDS provides that:</i></p> <p><i>The list of nominated personnel with the minimum required years of experience for the project are as follows:</i></p> <p><i>Xxx</i></p> <table border="1" data-bbox="1013 1086 1425 1691"> <thead> <tr> <th>Position</th> <th>Required Profession</th> <th>Required Experience</th> </tr> </thead> <tbody> <tr> <td>Electrical Engineer</td> <td>Registered Electrical Engineer for at least 5 years or Professional Electrical Engineer for at least 2 years</td> <td>At least years experience Electrical Engineer</td> </tr> <tr> <td>Health and Safety Officer</td> <td>DOLE Accredited Safety and Health Officer for at least 5 years</td> <td>At least years experience DOLE Accredited Safety Health Officer</td> </tr> </tbody> </table> <p>Two (2) of the nominated key personnel lack the required experience</p>	Position	Required Profession	Required Experience	Electrical Engineer	Registered Electrical Engineer for at least 5 years or Professional Electrical Engineer for at least 2 years	At least years experience Electrical Engineer	Health and Safety Officer	DOLE Accredited Safety and Health Officer for at least 5 years	At least years experience DOLE Accredited Safety Health Officer
Position	Required Profession	Required Experience									
Electrical Engineer	Registered Electrical Engineer for at least 5 years or Professional Electrical Engineer for at least 2 years	At least years experience Electrical Engineer									
Health and Safety Officer	DOLE Accredited Safety and Health Officer for at least 5 years	At least years experience DOLE Accredited Safety Health Officer									

		thus the bidder is non-compliant with the existing labor laws and standards.
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**WHEREAS**, pursuant to Section 34.8 of the 2016 RIRR of RA 9184, the BAC-I approved and issued the Notice of Post Qualification to **Monrio Industrial Corp.**, being the bidder with the next lowest calculated bid.

**WHEREAS**, from 08 October to 16 October 2024, the BAC-I TWG conducted the Post-Qualification of **Monrio Industrial Corp.** pursuant to Section 34 of the RIRR of R.A. 9184;

**WHEREAS**, on 21 October 2024, the BAC-I deliberated the Post-Qualification Report of BAC-I TWG. The results of Post-Qualification show that **Monrio Industrial Corp.** was post-disqualified due to its non-compliance with the following requirements provided under the bidding documents for the project, to wit:

REQUIREMENTS	BIDDER'S NON-COMPLIANCE	FINDINGS
<p>ITB Clause 10.4 of the Bid Data Sheet (BDS), which provides that:</p> <p>The list of nominated personnel with the minimum required years of experience for the project are as follows:</p> <p>xxx</p>	<p>Two (2) of the nominated key personnel lack the required experience relative to the position, to wit:</p> <ol style="list-style-type: none"> <li>As to Key Personnel, Engr. Rachelle S. Lorenzo</li> </ol> <p>Based on the submitted Curriculum Vitae, the nominated key personnel for Quantity Surveyor did not meet the minimum required experience of at least 5 years.</p>	<p><b>With adverse findings</b></p> <p>Section 34.3 of the RIRR of RA 9184 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</i></p>



		<p>relative to the position, to wit:</p> <ol style="list-style-type: none"><li>1. The nominated Electrical Engineer only has 4 years and 10 months of experience as an Electrical Engineer based on the relevant Work Experience in the submitted CV.</li><li>2. The nominated Health and Safety Officer only has 3 years and 11 months of experience as Health and Safety Officer based on the relevant Work Experience in the submitted CV.</li></ol>
<p>Item 7 of the Omnibus Sworn Statement requiring bidder's compliance with the existing labor laws and standards.</p>	<p>In Pag-Ibig reply dated 13 September 2024, the Agency was unable to issue a clearance because the employer is inactive with last remittance for the month of April 2024 dated April 29, 2024.</p>	<p>As verified by the TWG, the ROMA Construction and Development Corp. only paid the Pag-Ibig contributions covering the months of May to August 2024 only on 11 September 2024 after the opening of Bid on 02 September 2024.</p>
<p>Section 25.3 (f) of the Omnibus Sworn Statement executed by the bidder, or its duly authorized representative of its compliance with existing labor laws and standards.</p>	<p>In Pag-Ibig reply dated 13 September 2024, the Agency was unable to issue a clearance because the employer is inactive with last remittance for the month of April 2024 dated April 29, 2024.</p>	<p>As verified by the TWG, the ROMA Construction and Development Corp. only paid the Pag-Ibig contributions covering the months of May to August 2024 only on 11 September 2024 after the opening of Bid on 02 September 2024,</p>



Position	Required Profession	Required Experience	
Quantity Surveyor	Licensed Civil Engineer or Architect for at least 5 years	At least 5 years of experience as a Quantity Surveyor	<p>Ms. Lorenzo only has 4 years and 11 months of experience as a Quantity Surveyor as computed from the Relevant Work Experience portion of the Curriculum Vitae.</p> <p>2. As to Key Personnel, Mr. Bien Jasper P. Figueroa</p> <p>Based on the submitted Curriculum Vitae, the nominated key personnel for Materials Engineer I did not meet the minimum required experience of at least 5 years.</p> <p>Mr. Figueroa only has 2 years and 8 months of experience as a Materials Engineer I.</p>
Materials Engineer I	DPWH-accredited Materials Engineer I for at least 5 years	At least 5 years of experience as Materials Engineer I	

*shall consider, but shall not be limited to, the following:*

Xxx

*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) 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;"*

*Relative thereto, ITB Clause 10.4 of the BDS provides that:*

*The list of nominated personnel with the minimum required years of experience for the project are as follows:*

Xxx



Position	Required Profession	Required Experience
Quantity Surveyor	Licensed Civil Engineer or Architect for at least 5 years	At least 5 years of experience as a Quantity Surveyor
Materials Engineer I	DPWH-accredited Materials Engineer I for at least 5 years	At least 5 years of experience as Materials Engineer I

Two (2) of the nominated key personnel lack the required experience relative to the position, to wit:

1. The nominated Quantity Surveyor only has 4 years and 11 months of experience as an Quantity Surveyor based on the relevant Work Experience in the submitted CV.
2. The nominated Materials Engineer I only has 2 years and 8 months of experience as Materials Engineer I based on the relevant Work Experience in the submitted CV.

**WHEREAS**, pursuant to Section 34.8 of the 2016 RIRR of RA 9184, the BAC-I approved and issued the Notice of Post Qualification to **LAK-K Builders Co.** being the bidder with the next lowest calculated bid.

**WHEREAS**, from 22 October to 04 November 2024, the BAC-I TWG conducted the Post-Qualification of **LAK-K Builders Co.** pursuant to Section 34 of the RIRR of R.A. 9184;

**WHEREAS**, on 04 November 2024, the BAC-I deliberated the results of the Post-Qualification of **LAK-K Builders Co.** based on the following requirement with the following findings as shown hereunder:

RA 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 **LAK-K BUILDERS CO.** as the **Lowest Calculated and Responsive Bidder (LCRB)** for the **REBIDDING FOR THE CONSTRUCTION OF STREETLIGHTS AND PAVEMENT MARKINGS ALONG MCKINLEY PARKWAY, BGC**, 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 President and CEO the award of the contract to **LAK-K BUILDERS CO.** in the amount of **Pesos: Twenty Million Four Hundred Ninety-Five Thousand Two Hundred Twenty-Nine Pesos and 76/100 (Php20,495,229.76)**, 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, this **4th day of November 2024**.

**BIDS AND AWARDS COMMITTEE (BAC) FOR INFRASTRUCTURE PROJECTS**

*[Signature]*  
**ATTY. ELVIRA V. ESTANISLAO**  
Chairperson

*[Signature]*  
**ATTY. MARIA SOLEDAD C. SAN PABLO**  
Vice Chairperson

**VIRGIL M. ALVAREZ**  
Member

On leave  
**ATTY. MARIA CELINE ERIKA A. LABRADOR**  
Member

*[Signature]*  
**ENGR. RANDY S. VIACRUSIS**  
Member

*[Signature]*  
**MIA IRISH M. ZOTOMAYOR**  
Provisional Member

Approved by:

*[Signature]*  
**JOSHUA M. BINGCANG**  
President and CEO