

PHILIPPINE PORTS AUTHORITY  
Port Management Office of SOCSARGEN  
Bids and Awards Committee  
Makar Wharf, General Santos City

RESOLUTION NO.016 SERIES of 2023

Approved on June 19, 2023 at 11:00 o'clock in the morning, Port Management Office of SOCSARGEN (PMO-SOCSARGEN), Makar Wharf, General Santos City

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**“A RESOLUTION DECLARING 2<sup>nd</sup> FAILURE OF BIDDING AND RECOMMENDING APPROVAL TO CONDUCT NEGOTIATED PROCUREMENT FOR THE PROJECT ROUTINE MAINTENANCE OF PORT PHYSICAL FACILITIES PROJECT 2023 PACKAGE 4: (1) REPAINTING OF RC CURBS, BOLLARDS AND MARKING OF CALIBRATION POINTS FROM 000 TO 090 AT THE PORT OF GLAN; (2) REPAIR OF DAMAGED CONCRETE PAVEMENT INCLUDING REPAIR OF CRACKS ON CAUSEWAY OF PORT OF GLAN; (3) REPAINTING OF GATES, GUARHOUSE, CHB FENCE AND CYCLONE FENCE AT THE PORT OF GLAN, GLAN, SARANGANI PROVINCE”**

**WHEREAS**, On May 25, 2023, the first bidding was declared FAILURE by the PMO-SOCSARGEN BAC for the project *ROUTINE MAINTENANCE OF PORT PHYSICAL FACILITIES PROJECT 2023 PACKAGE 4: (1) REPAINTING OF RC CURBS, BOLLARDS AND MARKING OF CALIBRATION POINTS FROM 000 TO 090 AT THE PORT OF GLAN; (2) REPAIR OF DAMAGED CONCRETE PAVEMENT INCLUDING REPAIR OF CRACKS ON CAUSEWAY OF PORT OF GLAN; (3) REPAINTING OF GATES, GUARHOUSE, CHB FENCE AND CYCLONE FENCE AT THE PORT OF GLAN*, per BAC Resolution No. 013 series of 2023 where an invitation to re-bid was conducted for the said project;

**WHEREAS**, on May 29, 2023, 9:30AM, an Invitation to Re-Bid the above project was posted at the PhilGEPS website in accordance with Section 21.2 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184;

**WHEREAS**, on the date of the deadline for the submission of bids, two (2) bidders namely, **LEIGHCHEEN CONSTRUCTION CORPORATION** and **WINCH MECHANICAL INNOVATIONS AND GENERAL CONSTRUCTION, INC.**, successfully dropped their bids on time in a duly sealed single outer envelope containing two (2) separate envelopes of the Technical and Financial Components of their bid;

**WHEREAS**, on June 19, 2023, 9:30AM, the PMO-SOCSARGEN BAC conducted the Opening and Preliminary examination of Bids against the checklist of required documents to ascertain its presence, using the non-discretionary “pass/fail criterion” as stated in the Instruction to Bidders;

**WHEREAS**, Section 30.1 of the IRR of RA 9184, states that “...*If a bidder submits the required document, it shall be rated “passed” for that particular requirement. In this regard, bids that fail to include any requirement or are incomplete or patently insufficient shall be considered as “failed”. Otherwise, the BAC shall rate the said first bid envelope as “passed”;*”

**WHEREAS**, Section 10.1 of the Instruction to Bidders states that “The first envelope shall contain the eligibility and technical documents of the Bid as specified in Section IX: Checklist of Technical and Financial Documents”;

**WHEREAS**, in accordance with Section 30.1 of RA 9184 and Section 10.1 of Instruction to Bidders, the PMO-SOCSARGEN BAC, completed the Preliminary Examination of Bids of two (2) bidders, to wit:

Bidders	1 <sup>st</sup> Envelope (Technical Component)	Rating	2 <sup>nd</sup> Envelope (Financial Component)
Leighcheen Construction Corporation	Statement of Availability of Key Personnel SF-INFR-18A-1 is NOT PRESENT	<b>FAILED</b>	Remained Unopened pending decision to file a request for reconsideration
Winch Mechanical Innovations and General Constructions, Inc.	The PERT-CPM did not coincide with the details in its Construction Schedule and S-curve and the Critical Path exceeded the required number of days, thus, is PATENTLY INSUFFICIENT	<b>FAILED</b>	

**WHEREAS**, Section 35.1(c) of the IRR of RA 9184, provides that the BAC shall declare the bidding failure when “all bids fail to comply with all the bid requirements”;

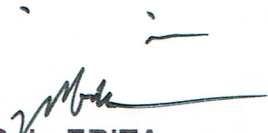
**WHEREAS**, Section 48.1 of the IRR of RA 9184, the Procuring Entity may resort to any of the alternative methods of procurement to promote economy and efficiency;

**WHEREAS**, Section 53.1 of the IRR of RA 9184 allows the conduct of an alternative method of procurement through Negotiated Procurement under “Two (2) Failed Biddings”;


**NOW, THEREFORE**, We the members of the Bids and Awards Committee hereby **RESOLVE** as it is hereby **RESOLVED**:

- a) To **DECLARE SECOND FAILURE OF BIDDING** under Section 35.1 (c) of the IRR of RA 9184 for the project ROUTINE MAINTENANCE OF PORT PHYSICAL FACILITIES PROJECT 2023 PACKAGE 4: (1) REPAINTING OF RC CURBS, BOLLARDS AND MARKING OF CALIBRATION POINTS FROM 000 TO 090 AT THE PORT OF GLAN; (2) REPAIR OF DAMAGED CONCRETE PAVEMENT INCLUDING REPAIR OF CRACKS ON CAUSEWAY OF PORT OF GLAN; (3) REPAINTING OF GATES, GUARHOUSE, CHB FENCE AND CYCLONE FENCE AT THE PORT OF GLAN, GLAN, SARANGANI PROVINCE.
- b) To recommend to the Head of the Procuring Entity (HOPE) the conduct of **NEGOTIATED PROCUREMENT** under Section 53.1 of the IRR of RA 9184 for the above-named project.

**RESOLVED**, at the Philippine Ports Authority, PMO SOCSARGEN this 19<sup>th</sup> day of June 2023.

  
**JONAS L. EBITA**  
 Provisional Member, BAC

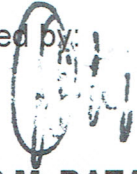
*ON TRAVEL (O.B)*  
**MA. VIVIEN M. TANCO**  
 Provisional Member, BAC

  
**JAMESON L. LEE**  
Member, BAC

**FERNANDO B. MAPALO, Jr.**  
Vice Chairperson, BAC

  
**DEOLITO B. TORREFIEL**  
Chairperson, BAC

Approved by:

  
**CESAR M. DATAYA**  
Port Manager