



**BIDS AND AWARDS COMMITTEE**  
Port Terminal Management Contract (BAC-PTMC)  
Resolution No. 02-2021  
Series of 2021

**Award of Contract**  
**PORT TERMINAL MANAGEMENT CONTRACT FOR PORT OF ORMOC**  
**BAC-PTMC-02-2020**

WHEREAS, the Philippine Ports Authority (PPA) advertised an Invitation to Bid for the Port Terminal Management Contract for Port of Ormoc in the Manila Times, PPA website and in conspicuous places in the PPA premises on 3 November 2020;

WHEREAS, the Minimum Concession Fee for the fifteen (15) year PTMC as posted is Php 849,647,979.17;

WHEREAS, in response to the said advertisement, four (4) bidders secured the Bid Documents in the amount of Php 150,000.00, namely:

1. Prudential Customs Brokerage Services, Inc.
2. Philippine Archipelago Ports and Terminal Services, Inc.
3. New Eagle Arrastre Services, Inc.
4. Premium Megastructures, Inc.;

WHEREAS, during the Opening of Bids on 4 December 2020 at 2:00 p.m., Prudential Customs Brokerage Services, Inc. was declared "passed" in the requirements of the First Envelope, while Philippine Archipelago Ports and Terminal Services, Inc. was declared "failed" due to the following grounds:

1. The paid-up capital is less than thrice the minimum first year concession fee of the port subject of the bidding; and
2. The Technical Bid Submission Form was for Philports and Archipelago Ports and Terminal Management Business Venture and not for PAPTSl;

WHEREAS, the Second Envelope of Prudential Customs Brokerage Services, Inc. was opened, hence its Proposed Concession Fee was read as follows:

Bidder	Proposed Concession Fee
Prudential Customs Brokerage Services, Inc.	Eight Hundred Fifty Million Pesos (P850,000,000.00), net of all taxes

WHEREAS, on 10 December 2020, PAPTSl, Archipelago Philippine Ferries Corporation and Philports and Archipelago Ports and Terminal Management Business Venture filed a Motion for Reconsideration, and the BAC-PTMC in a meeting held on 17 December 2020, after due deliberation, denied the same;

WHEREAS, Bid Evaluation was conducted to determine compliance with the requirements of PPA Administrative Order No. 12-2018, and the Bid Evaluation Report was approved on 21 December 2020, declaring Prudential Customs Brokerage Services, Inc. at its Proposed Concession Fee of Eight Hundred Fifty Million Pesos (Php 850,000,000.00), exclusive of all taxes, as the Single Calculated Bidder;

WHEREAS, Philports and Archipelago Ports and Terminal Management Business Venture wrote a letter dated 30 December 2020 to the Board of Directors of the Philippine Ports Authority, contesting the decision of the BAC-PTMC to declare it ineligible to participate in the bidding;

WHEREAS, Section 32, Article VII of PPA Administrative Order No. 12-2018 provides that if the motion for reconsideration is denied, decisions of the BAC-PTMC may be protested in writing to the Approving Authority;

WHEREAS, Philports and Archipelago Ports and Terminal Management Business Venture's remedy went beyond the ambit of the governing law for port terminal management contract, and thus, should not stay or delay the bidding process;

WHEREAS, post-qualification was conducted on 5 January 2021 to determine compliance with all the requirements, terms and conditions for eligibility and the bidding, and in the Post-Qualification Report, as approved by the BAC-PTMC on 15 February 2021, Prudential Customs Brokerage Services, Inc. was declared as the Single Responsive Bidder;

NOW, THEREFORE, for an in consideration of the foregoing premises, the BAC-PTMC hereby RESOLVE as it is hereby RESOLVED to declare Prudential Customs Brokerage Services, Inc. at its Proposed Concession Fee of Eight Hundred Fifty Million Pesos (Php 850,000,000.00), exclusive of all taxes, as the Single Calculated and Responsive Bidder and to recommend the award of contract for the Port Terminal Management Contract for Port of Ormoc.

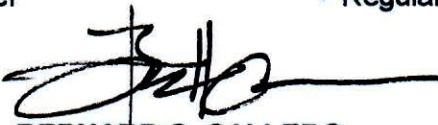
APPROVED AND ADOPTED by the BAC-PTMC on 15 February 2021.

  
**ELVIS R. MEDALLA**  
Regular Member

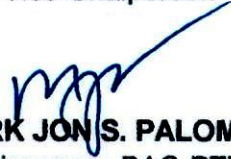
  
**PRIMO ELVIN L. SIOSANA**  
Regular Member

  
**RIGEL L. CAABAY**  
Regular Member

  
**M.A. HIYASMIN L. DELOS SANTOS**  
Regular Member

  
**BERNARD C. CALLEDO**  
Provisional Member

  
**LEILA L. MARTINEZ**  
Vice-Chaiperson

  
**MARK JON S. PALOMAR**  
Chairperson, BAC-PTMC