



BAGONG PILIPINAS

**PHILIPPINE
PORTS
AUTHORITY**



BIDS AND AWARDS COMMITTEE

Head Office-Engineering Projects

Resolution No. 038-2023

Series of 2023

***RESOLUTION DECLARING FAILURE OF BIDDING FOR THE
RESTORATION OF ROCKBULKHEAD, PASSENGER TERMINAL BUILDING,
TMO BUILDING, AND PORT LIGHTING SYSTEM DUE TO TYPHOON KARDING
AT PORT OF DINGALAN, AURORA
HO-INFRA-PPDD-23-0051***

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Restoration of Rockbulkhead, Passenger Terminal Building, TMO Building and Port Lighting System due to Typhoon Karding at Port of Dingalan, Aurora, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila, on 27 September 2023, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 13,017,772.30**;

WHEREAS, in response to the said advertisement, three (3) bidders secured the Bid Documents in the amount of ₱ 25,000.00, namely:

1. Franco Construction Services
2. Delta Construction and Marine Services
3. FPF Construction

WHEREAS, only two (2) bidders dropped their Technical and Financial Proposals before the deadline for the submission of bid documents on 19 October 2023. FPF Construction submitted its letter of withdrawal, dated 19 October 2023 at 12:50 p.m. or before the prescribed deadline for submission thereof, from participating in the bidding, and the BAC, finding the reasons to be meritorious, accepted its withdrawal from participating in the bidding;

WHEREAS, during the opening of bids on 19 October 2023 at 2:00 p.m., Delta Construction and Marine Services and Franco Construction Services were declared "failed" with the requirements of the First Envelope;

WHEREAS, Delta Construction and Marine Services failed to comply with the Technical requirements, for the following reasons:

- a. Failed to submit all the required supporting documents for the Statement of the Bidder's all on-going government and private contracts, including contracts awarded but not yet started, which should be supported by a Notice of Award, Notice to Proceed, and Contract.

- b. The pledged one (1) unit Backhoe and one (1) unit Dump Truck are under lease agreement (Contract of Lease), the requirement is owned.
- c. No detail/information for the capacity of one (1) unit Concrete Vibrator and two (2) units Bar Bender.

WHEREAS, Franco Construction Services failed to comply with the Technical requirements, for the following reasons:

a. For the Key Personnel

The stated length of service and work experience of the key personnel pledged for the project cannot be verified from the submitted documents.

b. For the Pledged Equipment

Failure to submit proof of ownership for all pledged equipment. The submitted notarized Affidavit of Ownership is not an acceptable document to show proof of ownership of the equipment, as it is self-serving and signed by the owner himself.

c. Omnibus Sworn Statement

The submitted Omnibus Sworn Statement did not comply with the required format for the Statement. The form used for the Statement has already been amended. It lacks the mandatory provision in Item 2 stating that "by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting."

WHEREAS, Delta Construction and Marine Services and Franco Construction Services signified no intentions to file their respective requests for reconsideration on their "failed" rating, hence, their Second Envelopes were returned unopened and duly received by their authorized representatives;

WHEREAS, considering that Delta Construction and Marine Services and Franco Construction Services were both declared "failed," the BAC, after a motion duly made and properly seconded, declared the bidding for the Restoration of Rockbulkhead, Passenger Terminal Building, TMO Building and Port Lighting System due to Typhoon Karding at Port of Dingalan, Aurora, a failure, pursuant to Section 35.1 (b) of the 2016 Revised IRR of R.A. 9184, which provides, to wit:

"35.1 The BAC shall declare the bidding a failure when:

xxx xxx xxx

b) All prospective bidders are declared ineligible;

xxx xxx xxx."

NOW, THEREFORE, for and in consideration of the foregoing premises, the BAC hereby RESOLVE as it is hereby RESOLVED to recommend the following:

1. To recommend to the Head of the Procuring Entity that the bidding for the Restoration of Rockbulkhead, Passenger Terminal Building, TMO Building and Port Lighting System due to Typhoon Karding at Port of Dingalan, Aurora, be declared a "failure" pursuant to Section 35.1 (b) of the 2016 Revised IRR of R.A. 9184 considering that "all prospective bidders are declared ineligible."
2. To conduct a re-bidding with re-advertisement and/ or posting, as provided for in Section 21.2 of the 2016 Revised IRR of R.A. 9184.

APPROVED AND ADOPTED by the BAC on 23 October 2023.



DANAH S. JARAMILLO
Regular Member



JOSEPHINE M. NAPIERE
Regular Member



DIANE STEFFI T. GUILLAMON
Regular Member



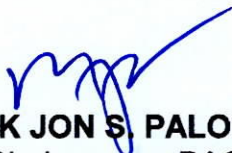
CARLITO M. CASTILLO
Provisional Member



REYNAND C. PARAFINA
Provisional Member



ANGELINA A. LLOSE
Vice-Chairperson



MARK JON S. PALOMAR
Chairperson, BAC



24 October 2023

MEMORANDUM

F O R : The General Manager

F R O M : The Chairperson, HO-BAC-EP

SUBJECT : **Resolution Declaring Failure of Bidding for the Restoration of Rockbulkhead, Passenger Terminal Building, TMO Building, and Port Lighting System Due to Typhoon Karding at Port of Dingalan, Aurora**
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This has reference to the Opening of Bids for the Restoration of Rockbulkhead, Passenger Terminal Building, TMO Building, and Port Lighting System Due to Typhoon Karding at Port of Dingalan, Aurora, held on 19 October 2023, which was declared by the BAC as "failure of bidding," pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184, which states that: "The BAC shall declare the bidding a failure when: "xxx xxx b) All prospective bidders are declared ineligible. xxx xxx."

In view thereof, we are submitting herewith BAC-PGCS Resolution 038-2023 Series of 2023, recommending that the bidding for the above project be declared a "failure" pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184 and to conduct a re-bidding with re-advertisement and/or posting, as provided for in Section 21.2 of the 2016 Revised IRR of R.A. 9184, for consideration and approval of the General Manager as Head of the Procuring Entity.


MARK JON S. PALOMAR

APPROVED/DISAPPROVED:


JAY DANIEL R. SANTIAGO
General Manager