

**BIDS AND AWARDS COMMITTEE FOR THE PROCUREMENT OF GOODS AND
CONSULTANCY SERVICES AND FOR ENGINEERING PROJECTS
(PMO-PALAWAN-BAC)**

Resolution No. 19
Series of 2021

A Resolution declaring a Second Failure of Bidding for the Project NRP-PLW-02-2021 Repair of Damaged R.C. Pier, Concrete Pavement Approach, Slope Protection, Back-up Area, and Removal of Sunken Derelicts/Logs, Port of Rizal, Punta Baja, Rizal, Palawan and Recommending to the Port Manager to conduct Negotiated Procurement

WHEREAS, on September 04, 2021, the Philippine Ports Authority- Port Management Office of Palawan advertised/ posted the Invitation to Bid for the project NRP-PLW-02-2021 Repair of Damaged R.C. Pier, Concrete Pavement Approach, Slope Protection, Back-up Area, and Removal of Sunken Derelicts/Logs, Port of Rizal, Punta Baja, Rizal, Palawan in the PhilGEPS and PPA websites, and at bulletin board of PMO-Palawan in the PhilGEPS and PPA websites, and at bulletin board of PMO- Palawan continuously for seven (7) days;

WHEREAS, in response to said advertisement, only one (1) prospective bidder/contractor secured and purchased bid documents, namely:

1. CARINA ELECTRICAL CONSTRUCTION AND SUPPLY

WHEREAS, per Resolution No. 18-2021 dated October 18, 2021, the PMO Palawan-BAC declared a failure of bidding and recommended to the Port Manager of PMO Palawan, as the Head of Procuring Entity, to conduct a re-bidding with re-advertisement and/or posting of the subject project, as provided for in RA 9184 and its 2016 Revised IRR;

WHEREAS, on October 26, 2021, PPA, PMO-Palawan re-posted the Invitation To Bid for the re-bidding of the project NRP-PLW-02-2021 Repair of Damaged R.C. Pier, Concrete Pavement Approach, Slope Protection, Back-up Area, and Removal of Sunken Derelicts/Logs, Port of Rizal, Punta Baja, Rizal, Palawan in the PPA Website, the PhilGEPS and at a conspicuous place at the premises of the Philippine Ports Authority-PMO Palawan, continuously for seven (7) days;

WHEREAS, on November 15, 2021, Maintin Construction and Supply purchased bid documents and submitted their bids in a sealed envelope;

WHEREAS, at 9:30 A.M. on November 15, 2021, the Technical Bids of Maintin Construction and Supply was opened and passed the preliminary examination. After which, the Financial Bid was opened and also passed the preliminary examination, and the result of its Financial Bid is tabulated as follows:

Bidders	Total Bid as Read during Bid Opening	Approved Budget for the Contract	% Variance from ABC
MAINTIN CONSTRUCTION AND SUPPLY	₱ 14,831,470.55 with discount of 17.2% of ABC (₱ 2,629,910.24) = ₱ 12,201,560.31	₱ 15,290,175.82	20.20% Lower than ABC



WHEREAS, the detailed evaluation of bid, conducted at 2:00 P.M. on November 16, 2021 resulted in the following:

Rank	Bidder Identification/Name	Bid as Calculated Amount (₱)
1	MAINTIN CONSTRUCTION AND SUPPLY	₱ 14,832,101.62 with discount of 17.2% of ABC (₱ 2,629,910.24) = ₱ 12,202,191.38

WHEREAS, upon evaluation and ascertainment of all statements and representations made, including all documents submitted, the Technical Working Group (TWG) found that the bidder failed to comply with, and be responsive to, the requirements and conditions specified in the Bidding Documents, based on the following grounds:

Requirements/Condition	Findings
<p>1. Omnibus Sworn Statement per Section 25.3 (b) of 2016 revised IRR of RA 9184 and GPPB Resolution 16-2020, dated 16 September 2020.</p> <p>Omnibus Sworn Statement</p> <p>3. (Name of Bidder) is not "blacklisted" or barred from bidding by the GoP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the GPPB; <u>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;</u></p>	<p>Item 3 of the Omnibus Sworn Statement form submitted does not include all the mandatory provisions required in Section 25.3 (b) of the 2016 revised IRR of RA No. 9184 and as identified in Item 6 of GPPB Resolution 16-2020.</p> <p>3. (Name of Bidder) is not "blacklisted" or barred from bidding by the GoP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the GPPB.</p> <p>Under GPPB Resolution 16-2020, Item 6.4 The PEs shall check compliance of the submitted forms with the mandatory provisions stated above. Non-submission of the Required Forms or non-inclusion of the mandatory provisions in any of the Required forms shall be a ground for disqualification.</p>
<p>2. List of contractor's major equipment units pledged to the contract to be bid per Section 25. viii) (3) of 2016 revised IRR of RA 9184.</p>	<p>A. Failure to present the following minimum major equipment as required on Item 10.5 of Bid Data Sheet</p> <ol style="list-style-type: none"> 1. Air Compressor with Jack Hammer, 250 cfm – Presented Jack Hammer only. 2. Welding Genset, Diesel Driven, 400 Amp – Presented Welding Machine only. The requirement is a portable welding machine equipped and powered by a built-in diesel generator. 3. Concrete Buggy – 4 units 4. Cut-off Machine, 14" Disc Ø – 1 unit 5. Diving Outfit – 2 units 6. Oxygen tank with fill- 2 units 7. Trailer with Tractor Head – 1 unit <p>B. Failure to execute proofs of ownership for one (1) unit Concrete Mixer, one (1) bagger, and one (1) unit Concrete Vibrator, 3.5 HP.</p> <p>C. Failure to specify the performance capacities of equipment pledge to the project to verify with the requirement.</p>

3. List of contractor's personnel to be assigned to the contract to be bid per Section 25. viii) (2) of revised 2016 IRR of RA 9184.	Failure to present experience data of the Safety and Health Officer to verify the relevant experience.

NOW, THEREFORE, We, the Members of the Bids and Awards Committee for the Procurement of Goods and Consultancy Services and for Engineering Projects (PMO-PALAWAN-BAC), hereby RESOLVE as it is hereby RESOLVED:

1. To declare a SECOND FAILURE OF BIDDING for the project NRP-PLW-02-2021 Repair of Damaged R.C. Pier, Concrete Pavement Approach, Slope Protection, Back-up Area, and Removal of Sunken Derelicts/Logs, Port of Rizal, Bgy. Punta Baja, Rizal, Palawan;
2. To RECOMMEND to the Port Manager/Head of the Procuring Entity (HOPE) of PMO- Palawan the conduct of **Negotiated Procurement** for the Infrastructure project NRP-PLW-02-2021 Repair of Damaged R.C. Pier, Concrete Pavement Approach, Slope Protection, Back-up Area, and Removal of Sunken Derelicts/Logs, Port of Rizal, Bgy. Punta Baja, Rizal, Palawan as provided for in Sub-Section 35.5 of the IRR of RA 9184 and its 2016 Revised IRR which states that, " Should there occur a second failure of bidding, the Procuring Entity concerned may resort to negotiated procurement, as provided for in Section 53.1 of this IRR;

RESOLVED, this 16th day of November 2021 at Puerto Princesa City, Palawan, Philippines.


JEMUEL B. APELLIDO
 Chairperson

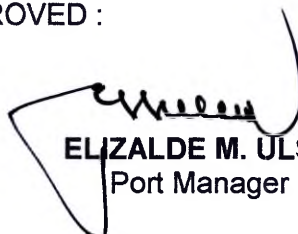

ERWIN S. GATPANDAN
 Vice-Chairperson


FRASY M. DE GUZMAN
 Member


MARITES C. COHEN
 Member


ALLAN S. MANUEL
 Member

APPROVED :


ELIZALDE M. ULSON
 Port Manager