

**PHILIPPINE PORTS AUTHORITY  
PORT MANAGEMENT OFFICE-SOCSARGEN  
Bids and Awards Committee**

**RESOLUTION NO. 022 SERIES OF 2022**

Approved on September 6, 2022 at 10:30 o'clock in the morning, Port Management Office of  
SOCSARGEN (PMO-SOCSARGEN), Makar Wharf, General Santos City

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**“A RESOLUTION DECLARING FAILURE OF NEGOTIATED PROCUREMENT FOR  
THE PROJECT: ROUTINE MAINTENANCE OF PORT PHYSICAL FACILITIES  
PROJECT 2022, PORT OF GENERAL SANTOS, MAKAR WHARF, GENERAL  
SANTOS CITY (RMP-SSG-01-2022)”**

**WHEREAS**, on June 30, 2022, the second bidding was declared FAILURE by PMO-SOCSARGEN Bids and Awards Committee (PMO SOCSARGEN BAC) under Section 35 (a) of the 2016 Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184 per BAC Resolution No. 012-2022 dated June 30, 2022 for the project: Routine Maintenance of Port Physical Facilities Project 2022, Port of General Santos, Makar Wharf, General Santos City with Project Identification Number: RMP-SSG-01-2022

**WHEREAS**, in view of the second failure of bidding for the project, the BAC resorted to Negotiated Procurement as provided in Section 53.1 of RA 9184;

**WHEREAS**, on the scheduled deadline for the submission of proposal on September 6, 2022, 9:00 a.m., **no bids were received** by the BAC;

**WHEREAS**, Section 35.1 of RA 9184 states that *“The BAC shall declare the bidding a failure when: (a) no bids are received..”*;

**WHEREAS**, Section 35.2 of RA 9184 also requires that *“In order to determine the reason for the failed bidding, the BAC shall conduct a mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents, its cost estimates”*;

**WHEREAS**, under Item IV General Guidelines of Annex “H” of RA 9184, provides that *“if the original mode of procurement in the Annual Procurement Plan cannot be ultimately pursued, the BAC assisted by its Secretariat, the Technical Working Group, by the appropriate End-User or the case may be, shall justify and recommend through BAC Resolution such change in the mode of procurement to be approved by the Head of Procuring Entity (HOPE)”*.

**WHEREAS**, upon review of the bidding documents and with the premises of continuous failure in competitive bidding and the absence of interested bidders, the BAC recognizes the necessity to cluster the original project to various projects which are similar in nature and resort to (a) Competitive Bidding for the clustered projects with the amount exceeding the threshold of One Million Pesos (P1,000,000) and to (b) Small Value Procurement where the amount of the clustered projects do not exceed the threshold of One Million Pesos (P1,000,000);

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

- a) To **DECLARE the failure of Negotiated procurement** under Section 35.1 (a) for the project: Routine Maintenance of Port Physical Facilities Project 2022. Port of General Santos, Makar Wharf, General Santos City;
- b) To **Recommend to the Head of the Procuring Entity that the original project be clustered into various projects which are similar in nature and resort to (a ) Competitive Bidding** for the clustered projects with the amount exceeding the threshold of One Million Pesos (P1,000,000) and to **(b) Small Value Procurement** where the amount of the clustered projects do not exceed the threshold of One Million Pesos (P1,000,000);.

**RESOLVED** at the PMO-SOCSARGEN, Makar Wharf, General Santos City, this 6<sup>th</sup> of September 2022.

**PMO SOCSARGEN BAC 2021**  
(PPA SPECIAL ORDER NO. 036-2021)



**JONAS L. EBITA**  
Provisional Member



**MARIA VIVIEN M. TANCO**  
Provisional Member



**JAMESON L. LEE**  
Regular Member



**FERNANDO B. MAPALO, JR.**  
Vice-Chairperson



**DEOLITO B. TORREFIEL**  
Chairperson

APPROVED:



**ATTY. CESAR M. DATAYA**  
Head of the Procuring Entity

