

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

RESOLUTION NO. 006 SERIES OF 2021

Approved on July 1, 2021 at 11:00 o'clock in the morning, Port Management Office of SOCSARGEN (PMO-SOCSARGEN), Makar Wharf, General Santos City

**"A RESOLUTION DECLARING 2ND FAILURE OF BIDDING AND RECOMMENDING
APPROVAL TO CONDUCT NEGOTIATED PROCUREMENT FOR THE PROJECT:
ROUTINE MAINTENANCE OF PORT PHYSICAL FACILITIES PROJECT 2021, PORT OF
GENERAL SANTOS, MAKAR WHARF, GENERAL SANTOS CITY (RMP-SSG-01-2021)"**

BAC - Chair

For info and
appropriate action, per
instruction from PM.

[Signature]
7/1/21

June 7, 2021, the first bidding was declared FAILURE by the PMO the project: Routine Maintenance of Port Physical Facilities Project General Santos, Makar Wharf, General Santos City, per 02 series of 2021 where a Re-Invitation to Bid was immediately issued;

July 1, 2021, 9:30 a.m., the PMO-SOCSARGEN Bids and Awards Committee (BAC) conducted the scheduled Opening and Evaluation of the Bid of above project;

Two (2) bidders namely, the RRJ BEM CONSTRUCTION and NRT Inc., dropped their bid in a single outer envelope containing two (2) copies of the Technical and Financial Component of their bid;

The PMO SOCSARGEN BAC, conducted the Opening and Preliminary Examination of Bids of the first envelope and checked the required documents to ascertain if they are present, and apply "pass/fail criterion" as stated in the Instruction to Bidders;

Section 30.1 of the 2016 Revised Implementing Rules and Regulations states "that if a bidder submit the required document, it shall be rated as "passed". In this regard, bids that fail to include any required document or are incomplete or presently insufficient shall be considered as "failed". Otherwise, the BAC shall rate the said bid envelope as "passed";

Let us try for the
3rd Bidding.

Preliminary Examination of Bids of the first envelope of bid submitted by first bidder, RRJ BEM CONSTRUCTION, the PMO SOCSARGEN BAC, rated the following on the requirement of Technical and Financial Requirements under Item No. (m)-c - List of

Bidder	Submitted Proof of Ownership/Lease/Purchase Agreement	With Photo of Equipment?	RATING
RRJ BEM CONSTRUCTION	Notarized Certificate of Availability of Leased Equipment with No attached Proof of Ownership of Lessor	Yes	FAILED
NRT Inc.	<p>Required Documents: Item No. (m)-c (R-18B-2), which are owned, leased, and/or under leasehold (OR and CR/Deed of Absolute Sale); Certification of the equipment lessor/vendor for the duration of the lease agreement as well as proof of ownership of the lessor (OR CR/Deed of Absolute Sale)</p>		FAILED

On the opening of the Technical Component of the bids, the PMO SOCSARGEN BAC rated the Preliminary Checklist of Technical and Financial Requirements Item No. (c) - Largest Completed Contract (SLCC) similar to the project provided under the rules, supported with: 1. Certificate of Completion; and 3. Certificate of

[Signature]
207/16
CESAR M. DATAYA
Port Manager

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

RESOLUTION NO. 006 SERIES OF 2021

Approved on July 1, 2021 at 11:00 o'clock in the morning, Port Management Office of SOCSARGEN (PMO-SOCSARGEN), Makar Wharf, General Santos City

**"A RESOLUTION DECLARING 2ND FAILURE OF BIDDING AND RECOMMENDING
APPROVAL TO CONDUCT NEGOTIATED PROCUREMENT FOR THE PROJECT:
ROUTINE MAINTENANCE OF PORT PHYSICAL FACILITIES PROJECT 2021, PORT OF
GENERAL SANTOS, MAKAR WHARF, GENERAL SANTOS CITY (RMP-SSG-01-2021)"**

WHEREAS, on June 7, 2021, the first bidding was declared FAILURE by the PMO SOCSARGEN BAC for the project: Routine Maintenance of Port Physical Facilities Project 2021, Port of General Santos, Makar Wharf, General Santos City, per BAC Resolution No. 002 series of 2021 where a Re-Invitation to Bid was immediately conducted for said project;

WHEREAS, on July 1, 2021, 9:30 a.m., the PMO-SOCSARGEN Bids and Awards Committee (PMO SOCSARGEN BAC) conducted the scheduled Opening and Evaluation of Bids for the Re-Invitation to Bid of above project;

WHEREAS, Two (2) bidders namely, the RRJ BEM CONSTRUCTION and NRT Integrated Industries, Inc., dropped their bid in a single outer envelope containing two (2) separate envelopes of the Technical and Financial Component of their bid;

WHEREAS, the PMO SOCSARGEN BAC, conducted the Opening and Preliminary examination of Bids against checklist of required documents to ascertain if they are present, using the non-discretionary "pass/fail criterion" as stated in the Instruction to Bidders;

WHEREAS, Section 30.1 of the 2016 Revised Implementing Rules and Regulations (IRR) of RA 9184, states *"that if a bidder submit 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, on the Opening and Preliminary Examination of Bids of the first envelope containing the Technical Component of bid submitted by first bidder, RRJ BEM CONSTRUCTION, the PMO SOCSARGEN BAC, rated the following on the requirement under Checklist of Technical and Financial Requirements under Item No. (m)-c - List of Contractor's Major Equipment Unit:

Qty	Equipment Requirement	Declared Ownership	Submitted Proof of Ownership/Lease/Purchase Agreement	With Photo of Equipment?	RATING
1 unit	Bar Bender	Owned	Notarized Certificate of Availability of Leased Equipment with No attached Proof of Ownership of Lessor	Yes	FAILED
Section IX. Checklist of Technical and Financial Documents Item No.(m)-c (List of contractor's major equipment units (SF-INFR-18B-2), which are owned, leased, and/or under purchase agreements, supported by proof of ownership (OR and CR/Deed of Absolute Sale); Certification of Availability of Equipment (Proforma Attached) from the equipment lessor/vendor for the duration of the project, as the case may be; and Lease Contract Agreement as well as proof of ownership of the lessor (OR and CR/Deed of Absolute Sale - for leased equipment)					FAILED

WHEREAS, The BAC proceeded on the opening of the Technical Component of the second bidder, NRT Integrated Industries, Inc., the PMO SOCSARGEN BAC rated the following on the requirement under Checklist of Technical and Financial Requirements Item No. (g)- Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under condition provided under the rules, supported with: 1. Contract; 2. CPES rating sheets and/or Certificate of Completion; and 3. Certificate of Acceptance:

Section IX. Checklist of Technical and Financial Documents Item No.(g)	Absent/Present	RATING
Statement of the bidders Single Largest Completed Contract (SLCC) similar to the contract to be bid, supported by the following:	Present	FAILED
1. Contract	Absent	
2. CPES rating sheets and/or Certificate of Completion	Absent	
3. Certificate of Acceptance	Absent	

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, 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 53.1 of the IRR of RA 9184 allows the conduct 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 2021, Port of General Santos, Makar Wharf, General Santos City;
- 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 PMO-SOCSARGEN, Makar Wharf, General Santos City, this 1st day of July 2021.

PMO SOCSARGEN BAC 2021

(PPA SPECIAL ORDER NO. 036-2021)


Digitally signed by Jonas L. Ebita
Date: 2021.07.15 15:59:09 +08'00'
JONAS L. EBITA
Provisional Member


MARIA VIVIEN M. TANCO
Provisional Member


Digitally signed by Jameson L. Lee
Date: 2021.07.15 16:22:33 +08'00'
JAMESON L. LEE
Regular Member


Digitally signed by FERNANDO B. MAPALO JR.
Date: 2021.07.16 10:29:39 +08'00'
FERNANDO B. MAPALO, JR.
Vice-Chairperson


Digitally signed by Deolito B. Torrefiel
Date: 2021.07.16 10:41:44 +08'00'
DEOLITO B. TORREFIEL
Chairperson

APPROVED:

ATTY. CESAR M. DATAYA
Head of the Procuring Entity