



PORO POINT MANAGEMENT CORPORATION

A Member of the BCDA Group

BAC RESOLUTION DECLARING THE FAILURE OF PUBLIC BIDDING OF THE CONTRACT FOR THE CONSTRUCTION OF PPMC OFFICE/MULTI-PURPOSE ROOMS

BAC RESOLUTION PB 2023-09-01

WHEREAS, the Poro Point Management Corporation (PPMC) Bids and Awards Committee (BAC) for the Procurement of Infrastructure Projects conducted a Public Bidding of the Contract for the Construction of PPMC Office/Multi-Purpose Rooms;

WHEREAS, the Invitation to Bid of the Public Bidding of the Contract for the Construction of PPMC Office/ Multi-Purpose Rooms was posted for 7 consecutive days at the PPMC Website, the Philippine Government Electronic Procurement System (PhilGEPS) and procurement bulletin board in the premises of PPMC on August 14, 2023 to August 21, 2023;

WHEREAS, a Pre-bid Conference was held on August 22, 2023;

WHEREAS, the following prospective bidder participated in the Pre-bid Conference:

- Sapitola Construction;

WHEREAS, in response to the Invitation to Bid, Armerad Cornerstone Construction Corporation purchased the bidding documents;

WHEREAS, Armerad Cornerstone Construction Corporation submitted its bid through electronic submission on September 4, 2023 before the deadline for submission of bids on September 4, 2023;

WHEREAS, immediately after the deadline of submission of bids on September 4, 2023, the BAC convened to open the bid of Armerad Cornerstone Construction Corporation;

WHEREAS, the technical component of the bid of Armerad Cornerstone Construction Corporation in password-protected/encrypted file was opened. The technical component of the bid was unanimously rated by the BAC as “failed” for the following reasons:

- Under the List of contractor’s minimum personnel, the bidder did not submit Form 6, Key Personnel Individual Resume;
- Under the List of contractor’s major equipment units, the bidder did not attach proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of the project;

WHEREAS, on September 4, 2023, Armerad Cornerstone Construction Corporation filed a Request for Reconsideration submitting the following additional documents:

- Form 6, Key Personnel Individual Resume of your nominated personnel proposed to be assigned to the contract; and
- Proof of ownership of equipment;

WHEREAS, on September 6, 2023 the BAC deliberated on the said Request for Reconsideration;

WHEREAS, the BAC found that the Materials Engineer failed to meet the requirement of at least two (2) years general work experience and one (1) year relevant work experience in the technical eligibility of the bidder, while for the list of major equipment, the BAC observed the absence of the following: water truck (1000 gal.); Concrete vibrator, 5.5 hp; Plate Compactor, 5 hp; Concrete Mixer, 1 bagger; Bar Cutting machine, 1500 w; electric grinder, 600 watts.

WHEREAS, in addition, Section 30.1. of the Updated 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (R.A.) No. 9184 states that:

“Section 30.1. The BAC shall open the first bid envelopes in public to determine each bidder’s compliance with the documents required to be submitted for eligibility and for the technical requirements, as prescribed in this IRR. For this purpose, the BAC shall check the submitted documents of each bidder against a checklist of required documents to ascertain if they are all present, using a non-discretionary “pass/fail” criterion, as stated in the Instructions to Bidders. If a bidder submits 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.” *(underscoring supplied for emphasis)*

Further, Section 55.1 of the Updated 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (R.A.) No. 9184 states that:

“Section 55.1. Decisions of the BAC at any stage of the procurement process may be questioned by filing a request for reconsideration within the three (3) calendar days upon receipt of written notice or upon verbal notification. The BAC shall decide on the request for reconsideration within seven (7) calendar days from receipt thereof. **The bidder shall not be allowed to submit additional documents to correct any defects in the bid submitted.** *(underscoring supplied for emphasis)*

WHEREAS, the BAC voted 5-1 to deny the Request for Reconsideration filed by Armerad Cornerstone Construction Corporation;

WHEREAS, the BAC notified Armerad Cornerstone Construction Corporation, regarding the denial of its Request for Reconsideration. (See attached Letter dated 7 September 2023);



NOW, THEREFORE, we, the Members of the Bids and Awards Committee for the Procurement of Infrastructure Projects, **RESOLVE** as it is hereby **RESOLVED** to declare a Failure of Public Bidding of the Contract for the Construction of PPMC Office/Multi-Purpose Rooms;

RESOLVED, FURTHER, to recommend the conduct of **Negotiated Procurement After Two Failed Biddings** pursuant to Section 53.1 of the Updated 2016 Revised IRR of Republic Act No. 9184 and to conduct a mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents, including its cost estimates pursuant to Section 35 of the Updated 2016 Revised IRR of Republic Act No. 9184;


RESOLVED, FINALLY, to recommend the aforesaid findings to the Head of the Procuring Entity for approval.

DONE at PPMC Administration Building on September 7, 2023.

**BIDS AND AWARDS COMMITTEE (BAC) FOR PROCUREMENT OF
INFRASTRUCTURE PROJECTS**


ARCH. MARC LAWRENCE P. AQUINO
Vice Chairperson


MS. ELIZA M. MACONOCIDO
Member, BAC


MS. LASTINA L. BAGUYA
Member, BAC


ENGR. MENNEN C. MENDOZA
Member, BAC


MR. FRANKLIN C. VILLAREAL
Member, BAC


ENGR. EPIFANIO C. BALANGUE
Member, BAC


ATTY. MARLOU P. PACLEB
Chairperson

Approved by:


ATTY. FELIX S. RACADIO
President and CEO



PORO POINT MANAGEMENT CORPORATION

A Member of the Bases Conversion and Development Authority Group

September 7, 2023

MS. ELIZABETH C. MALABED

President

Armerad Cornerstone Construction Corporation

2nd Floor ABVCIM Building, Dahlia Street

Treelane 3, Imus, Cavite

Dear **Ms. Malabed:**

Greetings from the Poro Point Freeport Zone!

This has reference to your request for reconsideration dated September 4, 2023, which was received via e-mail by the Bids and Awards Committee (BAC) Secretariat on September 4, 2023, in relation to the Public Bidding of the Contract for the Construction of PPMC Office/Multi-Purpose Rooms.

This is to respectfully inform you that the electronic copy of your afore-cited request for reconsideration was furnished to the Bids and Awards Committee (BAC) for the Procurement of Infrastructure Projects and the Technical Working Group (TWG) on September 5, 2023. We observed that the request for reconsideration was not submitted by the authorized representative of Armerad Cornerstone Construction Corporation, nevertheless, the BAC for the Procurement of Infrastructure Projects deliberated on the said request for reconsideration on September 6, 2023.

In your electronic mail, you have submitted the following documents:

- Form 6, Key Personnel Individual Resume of your nominated personnel proposed to be assigned to the contract; and
- Proof of ownership of equipment.

Perusal of the documents attached in your electronic mail which was treated as a request for reconsideration reveal that:

- 1.The Materials Engineer failed to meet the requirement of at least two (2) years general work experience and one (1) year relevant work experience in your technical eligibility.
- 2.The same is true with the major equipment, the BAC observed the absence of the following: water truck (1000 gal.); Concrete vibrator, 5.5 hp; Plate Compactor, 5 hp; Concrete Mixer, 1 bagger; Bar Cutting machine, 1500 w; electric grinder, 600 watts.

The Bids and Awards Committee (BAC) for the Procurement of Infrastructure Projects underscores the following:



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(underscoring supplied for emphasis)

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Based on the foregoing, the request for reconsideration is hereby **DENIED** for lack of merit.

Thank you.

Very truly yours,

ATTY. MARIOU P. PACLEB

Chairperson, Bids and Awards Committee

ARCH. MARC LAWRENCE P. AQUINO

Vice Chairperson, Bids and Awards Committee

MS. ELIZA M. MACONOCIDO

Member, Bids and Awards Committee



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MR. FRANKLIN C. VILLAREAL
Member, Bids and Awards Committee

Response of BAC to Motion for Reconsideration

1 message

PPMC BAC SECRETARIAT <ppmcbacsecretariat@gmail.com>

Thu, Sep 7, 2023 at 2:12 PM

To: Ferdinand Malabed <ferdinand.malabed0505@gmail.com>, reysanpedro.accc@gmail.com, josiah_7777@yahoo.com.ph

Dear Maam/Sir:

This has reference to the Public Bidding of the Contract for the Construction of PPMC Office/Multi-Purpose Rooms.

This is to respectfully transmit the letter from the BAC in response to your email dated September 4, 2023.

Please acknowledge receipt of this email.

Thank you very much po.

Respectfully yours,

Charlotte C. Bandolin
Head, BAC Secretariat

 **BACs-Response-to-the-MR-Filed-by-Armerad-Signed.pdf**
148K