

BIDS AND AWARDS COMMITTEE

Head Office-Engineering Projects

Resolution No. 011-2020

Series of 2020



RESOLUTION DECLARING THE POST-DISQUALIFICATION OF RCDG CONSTRUCTION CORPORATION AND DECLARATION OF FAILURE OF BIDDING FOR THE PROPOSED RC PIER EXTENSION, PORT OF SAN JOSE, CAMINAWIT, SAN JOSE, OCCIDENTAL MINDORO

LFP MDO No. 046-2019

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila on 10 December 2019, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be bid as posted/advertised is **₱ 86,869,006.29**;

WHEREAS, in response to the said advertisement, two (2) bidders secured the Bid Documents in the amount of **₱ 50,000.00**, namely:

1. RCDG Construction Corporation
2. Khan Kon Chi Construction & Development Corporation

WHEREAS, only RCDG Const. Corp. dropped its Technical and Financial Proposals in the bid boxes located at the BAC Office, 5th Floor, PPA Building while Khan Kon Chi Const. & Dev't. Corp. submitted its bid documents at 1:55 p.m. or after the prescribed deadline of 1:00 p.m. on 03 January 2020, hence the same were not accepted by the BAC Secretariat, pursuant to the 2016 Revised IRR of R.A. 9184 on late submission of bids;

WHEREAS, during the opening of bids on 03 January 2020 at 2:00 p.m., the lone bidder, RCDG Const. Corp. was declared "failed" in the requirements of the First Envelope, for the following reasons:

- No submitted application for Renewal and Official Receipt for the expired Mayor's Permit.
- No attached Secretary's Certificate for the Omnibus Sworn Statement.

WHEREAS, RCDG Const. Corp. filed a request for reconsideration on their "failed" rating, and the BAC, in a meeting held on 10 January 2020, after due deliberation, agreed to grant said request for reconsideration;

WHEREAS, on 17 January 2020 at 10:00 a.m., the Financial Proposal of RCDG Const. Corp. was opened and declared "passing" with the requirements of the Second Envelope, hence its financial bid was read by the Chairperson, as follows:

NAME OF BIDDER	BID AMOUNT (As Read)
1. RCDG CONST. CORP.	85,788,086.84

WHEREAS, Bid Evaluation was conducted on 23 January 2020 to determine if there were arithmetical or computational errors on the submitted bid, and the Bid Evaluation Report, as approved by the BAC on 24 January 2020, showed no discrepancies between the Total Bid Prices and Unit Bid Prices of RCDG Const. Corp.;

WHEREAS, RCDG Const. Corp. was declared as the Single Calculated Bidder in the amount of ₱ 85,788,086.84;

WHEREAS, post-qualification was conducted on 30 January 2020 and 03 February 2020 to examine, validate and verify the eligibility, technical and financial requirements submitted by RCDG Const. Corp. and in the Post-Qualification Report, as approved by the BAC on 12 February 2020, RCDG Const. Corp. was declared post-disqualified for the following reasons:

1. The on-going project, Busuanga Port Development Project, Port of Busuanga, Palawan incurs a negative slippage of (-) 38.146%.
2. Failure to present the original copies of MARINA Certificate of Ownership and MARINA Cargo Ship Safety Certificate for the one (1) unit barge "Barge HLI-222," (owned).

WHEREAS, considering the post-disqualification of the lone bidder, RCDG Const. Corp., the BAC after a motion duly made and properly seconded, declared the bidding for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, a failure, pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184, which provides to wit:

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

- c) All bids fail to comply with all the bid requirements or fail post-qualification, xxx xxx xxx;

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 declare RCDG CONSTRUCTION CORPORATION to be post-disqualified, for the following grounds:
 - a. The on-going project, Busuanga Port Development Project, Port of Busuanga, Palawan incurs a negative slippage of (-) 38.146%.
 - b. Failure to present the original copies of MARINA Certificate of Ownership and MARINA Cargo Ship Safety Certificate for the one (1) unit barge "Barge HLI-222," (owned).
2. To immediately notify RCDG CONSTRUCTION CORPORATION in writing of its post-disqualification and the grounds for it.
3. To recommend to the Head of the Procuring Entity that the bidding for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, be declared a failure, pursuant to Section 35.1 (c) of the 2016 Revised IRR of R.A. 9184; and
4. 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, considering that the Single Calculated Bidder was post-disqualified.

ADOPTED AND APPROVED by the BAC on 12 February 2020


DANAH S. JARAMILLO
Regular Member


JOSEPHINE M. NAPIERE
Regular Member


DIANE STEFFI T. GUILLAMON
Regular Member

CARLITO M. CASTILLO
Provisional Member

(O.B.)
REYNAND C. PARAFINA
Provisional Member


ANGELINA A. LLOSE
Vice-Chairperson


MARK JON S. PALOMAR
Chairperson, BAC



19 February 2020

MEMORANDUM

F O R : The General Manager

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

S U B J E C T : **BAC-EP Resolution No. 011-2020 Series of 2020 on the Post-Disqualification of RCDG Construction Corporation and Declaration of Failure of Bidding for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro**

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This has reference to the Bidding for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, held on 03 January 2020, where the Single Calculated Bidder, RCDG Construction Corporation was declared post-disqualified for incurring a negative slippage of -38.146% and for failure to present the original copies of MARINA Certificate of Ownership and MARINA Cargo Ship Safety Certificate for the one (1) unit "Barge HLI-222" (owned)

Considering that the Single Calculated Bidder was declared post-disqualified, the BAC declared a "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 c) All bids fail to comply with all the bid requirements or fail post-qualification xxx xxx."

In view thereof, we are submitting herewith BAC Resolution No. 011-2020 Series of 2020 Declaring the Post-Disqualification of RCDG Construction Corporation and Declaration of Failure of Bidding for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, 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