

PHILIPPINE PORTS AUTHORITY
Head Office-Engineering Projects
Resolution No. 061-2018
Series of 2018



RESOLUTION DECLARING THE POST-DISQUALIFICATION OF L.N.R. CONSTRUCTION AND DECLARATION OF FAILURE OF BIDDING FOR THE CONSTRUCTION OF PORT OPERATIONS BUILDING & RORO RAMP, PORT OF MAASIN, SOUTHERN LEYTE
LFP WLB NO. 040-2018

WHEREAS, the Philippine Ports Authority (PPA) advertised an Invitation to Bid for the Construction of Port Operations Building & RoRo Ramp, Port of Maasin, Southern Leyte, in the Manila Standard, a newspaper of general nationwide circulation on 26 October 2018 and posted the same in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be bid as published/advertised is **₱ 48,544,352.27**;

WHEREAS, in response to the said advertisement, two (2) prospective bidders secured the Bid Documents in the amount of ₱ 25,000.00, namely:

1. L.N.R. Construction
2. E.U. Jingco Construction Corporation

WHEREAS, only L.N.R. Const. dropped its Technical and Financial Proposals in the bid boxes located at the BAC Office, 5th Floor, PPA Building while E.U. Jingco Const. Corp. did not submit their bid documents nor submitted a letter of withdrawal from participating in the bidding before the deadline for submission of bids;

WHEREAS, during the opening of bids on 21 November 2018 at 11:00 a.m., L.N.R. Const. was declared "passing" with the requirements of the First Envelope;

WHEREAS, the Financial Proposal of L.N.R. Const. 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. L.N.R. CONST.	48,435,350.85

1. To recommend to the Head of the Procuring Entity that the bidding for the Construction of Port Operations Building & RoRo Ramp, Port of Maasin, Southern Leyte, be declared a failure, pursuant to Section 35.1 (c) of the 2016 Revised IRR of R.A. 9184; and
2. 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.

NOW, THEREFORE, for and in consideration of the foregoing premises, the BAC hereby RESOLVE as it is hereby RESOLVED to recommend the following:

xxx xxx xxx

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

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

WHEREAS, the BAC, after a motion duly made and properly seconded, declared the bidding for the Construction of Port Operations Building & RoRo Ramp, Port of Maasin, Southern Leyte, a failure, pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184, which provides to wit:

WHEREAS, post-qualification was conducted on 28 November 2018 to examine, validate and verify the eligibility, technical and financial requirements submitted by L.N.R. Const. and in the Post-Qualification Report, as approved by the BAC on 04 December 2018, L.N.R. Const. was declared post-disqualified for the reasons that most of the original copies of the proof of ownership of the equipment were not available and cannot be presented by the contractor; some of the equipment were not available on site while some did not match with the pledged equipment in the bid documents;

WHEREAS, L.N.R. Const. was declared as the Single Calculated Bidder in the amount of ₱ 48,385,350.85, pursuant to Section 34.4 of the 2016 Revised IRR of R.A. 9184;

NAME OF BIDDER	BID AMOUNT (As Read)	DISCREPANCY	BID AMOUNT (As Calculated)
1. L.N.R. CONST.	₱ 48,435,350.85	₱ 50,000.00	₱ 48,385,350.85


WHEREAS, Bid Evaluation was conducted on 22 November 2018 to determine if there were arithmetical or computational errors on the submitted bid, and the Bid Evaluation Report, as approved by the BAC on 23 November 2018, showed discrepancies between the Total Bid Prices and Unit Bid Prices of L.N.R. Const.;

ADOPTED AND APPROVED by the BAC on 04 December 2018


DANAH S. JARAMILLO
Regular Member



JOSEPHINE M. NAPIERE
Regular Member


JAN PEARL F. PORTUGAL
Regular Member


CARLITO M. CASTILLO
Provisional Member


REYNAND C. PARAFINA
Provisional Member


ANGELINA A. LLOSE
Vice-Chairperson


MARK JON S. PALOMAR
Chairperson, BAC

BAC



19 October 2018

MEMORANDUM

F O R : The General Manager

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

S U B J E C T : **BAC RESOLUTION DECLARING THE POST-DISQUALIFICATION OF L.N.R. CONSTRUCTION AND DECLARATION OF FAILURE OF BIDDING FOR THE CONSTRUCTION OF PORT OPERATIONS BUILDING & RORO RAMP, PORT OF MAASIN, SOUTHERN LEYTE**

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This has reference to the Opening of Bids for the Construction of Port Operations Building & RORO Ramp, Port of Maasin, Southern Leyte, held on 21 November 2018 at 11:00 a.m. The bidding was declared a "failure" by the BAC considering that the Single Calculated Bidder, L.N.R. Construction was declared post-disqualified during the post-qualification conducted by the Technical Working Group. L.N.R. Construction failed to present the original copies of the proof of ownership of the equipment; some of the equipment was not available on site while some did not match with the pledged equipment in the bid documents. Section 35.1 of the 2016 Revised IRR of R.A. 9184 is explicit that the BAC shall declare the bidding a failure when "all bids fail to comply with all the bid requirements or fail post-qualification."

In view thereof, we are submitting herewith BAC Resolution No. 061-2018, Series of 2018, Declaring the Post-Disqualification of L.N.R. Construction and Declaration of Failure of Bidding for the Construction of Port Operations Building & RORO Ramp, Port of Maasin, Southern Leyte, and 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, 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

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