



PHILIPPINE
PORTS
AUTHORITY



BAGONG PILIPINAS
BIDS AND AWARDS COMMITTEE

Head Office-Engineering Projects

Resolution No. 065-2023

Series of 2023

**RESOLUTION DECLARING FAILURE OF BIDDING FOR THE
RESTORATION OF DAMAGED CONCRETE PAVEMENT AT POB PARKING AREA
AND SECTION OF MARSHALLING AREA NEAR GATE 3 AT
PORT OF MASBATE CITY, PORT OF MASBATE CITY, MASBATE
HO-INFRA-PPDD-23-0075**

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Restoration of Damaged Concrete Pavement at POB Parking Area and Section of Marshalling Area near Gate 3 at Port of Masbate City, Port of Masbate City, Masbate, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila, on 17 November 2023, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 6,729,336.02**;

WHEREAS, in response to the said advertisement, four (4) bidders secured the Bid Documents in the amount of ₱ 10,000.00, namely:

1. Algimar Construction Corporation
2. Arky Construction and Supply
3. 3R3M Construction and Supply
4. NBCDC Corporation (formerly New Bilrey Construction & Development Corporation)

WHEREAS, only three (3) bidders dropped their Technical and Financial Proposals before the deadline for the submission of bid documents on 13 December 2023. NBCDC Corporation submitted its bid documents at 1:20 p.m. or after the prescribed deadline for submission thereof, hence the documents were stamped "LATE" and 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 13 December 2023 at 2:00 p.m., Algimar Construction Corporation, Arky Construction and Supply, and 3R3M Construction and Supply were declared "failed" with the requirements of the First Envelope;

WHEREAS, Algimar Construction Corporation, Arky Construction and Supply, and 3R3M Construction and Supply failed to comply with the Technical requirements, for the following reasons:

Algimar Construction Corporation:

- a. Failed to meet the minimum work experience similar in nature and complexity to the project to be bid for the Project Manager, Project Engineer and Foreman.
- b. No capacity was indicated in the supporting documents (sales invoice) for the pledged one (1) unit Concrete Vibrator, one (1) unit Concrete Saw and one (1) unit Bar Cutter.

Arky Construction and Supply:

- a. Failed to meet the required capacity for the pledged one (1) unit Water Truck, the requirement is 16,000 liters or equivalent to 4,226 gallons. What was submitted was 1,500 gallons.

3R3M Construction and Supply:

- a. Failed to meet the minimum work experience similar in nature and complexity to the project to be bid for the Project Manager, Project Engineer, Materials Engineer I, Construction Safety & Health Officer and Foreman.
- b. Failed to meet the required capacity for the pledged one (1) unit Dump Truck, the requirement is 15cu.yds or equivalent to 11.46cu.m. What was submitted was 9cu.m.
- c. Failed to submit proof of ownership for the pledged one (1) unit road Roller. Only Delivery Receipt was submitted, which is not an acceptable as proof of ownership.
- d. No capacity was indicated in the supporting documents (Deed of Absolute Sale) for the pledged one (1) unit Road Grader.
- e. No capacity was indicated in the supporting documents (sales invoice) for the pledged one (1) unit Concrete Vibrator, one (1) unit Concrete Saw and one (1) unit Bar Cutter.

WHEREAS, considering that there is no representative from Algimar Construction Corporation who attended the opening of bids, the BAC presumed that the bidder will file a request for reconsideration. Arky Construction and Supply, and 3R3M Construction and Supply signified their intentions to file a request for reconsideration. The unopened Second Envelopes were retained by the BAC, until the requests for reconsideration have been resolved by the Committee;

WHEREAS, Algimar Construction Corporation and 3R3M Construction and Supply did not file their respective requests for reconsideration within the prescribed deadline for filing thereof, while Arky Construction and Supply filed a request for reconsideration on their "failed" rating, and the BAC, in a meeting held on 20 December 2023, after due deliberation, denied the request for reconsideration;

WHEREAS, considering that Algimar Construction Corporation, Arky Construction and Supply, and 3R3M Construction and Supply were declared "failed," the BAC, after a motion duly made and properly seconded, declared the bidding for the Restoration of Damaged Concrete Pavement at POB Parking Area and Section of Marshalling Area Near Gate 3 at Port of Masbate City, Port of Masbate City, Masbate, a failure, pursuant to Section 35.1 (b) of the 2016 Revised IRR of R.A. 9184, which provides, to wit:

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

xxx xxx xxx

b) All prospective bidders are declared ineligible;

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 recommend to the Head of the Procuring Entity that the bidding for the Restoration of Damaged Concrete Pavement at POB Parking Area and Section of Marshalling Area Near Gate 3 at Port of Masbate City, Port of Masbate City, Masbate, be declared a “failure” pursuant to Section 35.1 (b) of the 2016 Revised IRR of R.A. 9184 considering that “all prospective bidders are declared ineligible.”
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.

APPROVED AND ADOPTED by the BAC on 20 December 2023.


DANAH S. JARAMILLO
Regular Member


JOSEPHINE M. NAPIERE
Regular Member

DIANE STEFFI T. GUILLAMON
Regular Member


CARLITO M. CASTILLO
Provisional Member

REYNAND C. PARAFINA
Provisional Member


fr. **ANGELINA A. LLOSE**
Vice-Chairperson


MARK JON S. PALOMAR
Chairperson, BAC



27 December 2023

MEMORANDUM

F O R : The General Manager

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

SUBJECT : **Resolution Declaring Failure of Bidding for the Restoration of Damaged Concrete Pavement at POB Parking Area and Section of Marshalling Area Near Gate 3 at Port of Masbate City, Port of Masbate City, Masbate**

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This has reference to the Opening of Bids for the Restoration of Damaged Concrete Pavement at POB Parking Area and Section of Marshalling Area Near Gate 3 at Port of Masbate City, Port of Masbate City, Masbate, held on 13 December 2023, which was declared by the BAC as "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 a) All prospective bidders are declared ineligible. xxx xxx."

In view thereof, we are submitting herewith BAC-PGCS Resolution No. 065-2023 Series of 2023, recommending that the bidding for the above project be declared a "failure" pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184 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.


MARK JON S. PALOMAR

APPROVED DISAPPROVED


JAY DANIEL R. SANTIAGO
General Manager