BAGONG PILIPINAS

PHILIPPINE PORTS AUTHORITY

BIDS AND AWARDS COMMITTEE

Head Office-Engineering Projects
Resolution No. 001-2025
Series of 2025

RESOLUTION RECOMMENDING THE CANCELLATION OF BIDDING FOR THE CAGAYAN DE ORO PORT EXPANSION PROJECT, PORT OF CAGAYAN DE ORO, CAGAYAN DE ORO CITY, MISAMIS ORIENTAL

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Cagayan de Oro Port Expansion Project, Port of Cagayan de Oro, Cagayan de Oro City, Misamis Oriental (HO-INFRA-PPDD-23-0021), in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila, on 27 July 2023, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 691,416,840.44;**

WHEREAS, the scheduled Submission and Opening of Bids for the project on 23 August 2023 at 8:00 a.m. and 9:00 a.m., respectively, was postponed until further notice, as per Supplemental Bid Bulletin No. 1, dated 11 August 2023;

WHEREAS, because of significant changes in the plans, design, costs of materials needed for the project due to physical and economic conditions, there is a need to Cancel the bidding and other procurement activities for the proposed project;

WHEREAS, to avoid prolonged postponement of the bidding and other procurement activities based on the afore-cited grounds, the Head Office Bids and Awards Committee for Engineering Projects (HO-BAC-EP) resolved to recommend to the Head of the Procuring Entity to exercise his right under Section 41 of the 2016 Revised IRR of R.A. 9184, to wit:

> "Section 41. Reservation Clause
>
> The HOPE reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract in the following situations:
>
> xxx xxx xxx

c) For any justifiable and reasonable ground where the award of the contract will not redound to the benefit of the GOP, as follows: (i) if the physical and economic conditions have significantly changed so as to render the project no longer economically, financially, or technically feasible, as determined by the HOPE; (ii) if the project is no longer necessary as determined by the HOPE; or (iii) if the source of funds for the project has been withheld or reduced through no fault of the Procuring Entity."

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 the Cancellation of the Bidding and other procurement activities for the Cagayan de Oro Port Expansion Project, Port of Cagayan de oro, Cagayan de Oro city, Misamis Oriental, by virtue of his powers granted under the Reservation Clause (Section 41 of the 2016 Revised IRR of R.A.9184

ADOPTED AND APPROVED by the BAC on 07 January 2025.

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

ANGELINA A. LLOSE
Vice-Chairperson

MARK JON S. PALOMAR
Chairperson, BAC

BAC

BAGONG PILIPINAS

PHILIPPINE PORTS AUTHORITY

07 January 2025

MEMORANDUM

F O R : The General Manager

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

SUBJECT : **Resolution Recommending for the Cancellation of Bidding for the Cagayan de Oro Port Expansion Project, Port of Cagayan de Oro, Cagayan de Oro City, Misamis Oriental**

This has reference to the scheduled Submission and Opening of Bids for the Cagayan de Oro Port Expansion Project, Port of Cagayan de Oro, Cagayan de Oro City, Misamis Oriental, which was postponed until further notice, per Supplemental Bid Bulletin No. 1, dated 11 August 2023. There is a need to cancel the bidding and other procurement activities of the project to avoid prolonged postponement considering the significant changes in the plans, design, costs of materials needed for the project due to physical and economic conditions..

In view thereof, we are submitting herewith BAC-PGCS Resolution No. 001-2025 Series of 2025, recommending to the Head of the Procuring Entity for the cancellation of the bidding and other procurement activities for the Cagayan de Oro Port Expansion Project, Port of Cagayan de Oro, Cagayan de Oro City, Misamis Oriental, pursuant to Section 41 of the 2016 Revised IRR of R.A. 9184.

MARK JON S. PALOMAR

APPROVED/~~DISAPPROVED~~:

JAY DANIEL R. SANTIAGO
General Manager

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