



BIDS AND AWARDS COMMITTEE

Head Office-Engineering Projects
Resolution No. 001-2023
Series of 2023

**RESOLUTION DECLARING FAILURE OF BIDDING FOR THE
IMPROVEMENT/EXPANSION OF EXISTING PORT OPERATIONAL AREA AND
CONSTRUCTION OF TERMINAL MANAGEMENT OFFICE, PASSENGER SHED,
PUMPHOUSE, POWERHOUSE AND GUARD HOUSE, PORT OF SAN JUAN,
SOUTHERN LEYTE
LFP ELS NO. 021-2022**

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Improvement/Expansion of Existing Port Operational Area and Construction of Terminal Management Office, Passenger Shed, Pumphouse, Powerhouse and Guard House, Port of San Juan, Southern Leyte, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila, on 03 June 2021, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 51,256,030.95**;

WHEREAS, in response to the said advertisement, only R.A. Bensig Construction & General Services secured the Bid Document in the amount of ₱ 50,000.00 and submitted its Technical and Financial Proposals;

WHEREAS, during the opening of bids on 18 January 2023 at 2:00 p.m., the lone bidder, R.A. Bensig Construction & General Services was "automatically disqualified" for its failure to comply with the bid submission required under Clause 16 of the Bid Data Sheet of the Bidding Documents, which states that "xxx Each bidder shall submit one (1) original and six (6) copies of the Technical and Financial Proposals, properly labelled, book-bound, with hard cover and corresponding index tab". R.A. Bensig Construction & General Services submitted its Technical Proposals with Plastic cover, not book-bound, and without index tabs;

WHEREAS, considering that the lone bidder was declared disqualified, the BAC, after a motion duly made and properly seconded, declared the bidding for the Improvement/Expansion of Existing Port Operational Area and Construction of Terminal Management Office, Passenger Shed, Pumphouse, Powerhouse and Guard House, Port of San Juan, Southern Leyte, 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 Improvement/Expansion of Existing Port Operational Area and Construction of Terminal Management Office, Passenger Shed, Pumphouse, Powerhouse and Guard House, Port of San Juan, Southern Leyte, 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 January 2023.


DANAH S. JARAMILLO
Regular Member



JOSEPHINE M. NAPIERE
Regular Member


DIANE STEFF T. GUILLAMON
Regular Member


JAMES J. GANTALAO
Provisional Member


REYNAND C. PARAFINA
Provisional Member


ANGELINA A. LLOSE
Vice-Chairperson


MARK JON S. PALOMAR
Chairperson, BAC

23 January 2023

PHILIPPINE
PORTS
AUTHORITY



MEMORANDUM

F O R : The General Manager

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

SUBJECT : **BAC RESOLUTION DECLARING FAILURE OF BIDDING FOR THE IMPROVEMENT/EXPANSION OF EXISTING PORT OPERATIONAL AREA AND CONSTRUCTION OF TERMINAL MANAGEMENT OFFICE, PASSENGER SHED, PUMPHOUSE, POWERHOUSE AND GUARD HOUSE, PORT OF SAN JUAN, SOUTHERN LEYTE**
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This has reference to the Opening of Bids for the Improvement/Expansion of Existing Port Operational Area and Construction of Terminal Management Office, Passenger Shed, Pumphouse, Powerhouse and Guard House, Port of San Juan, Southern Leyte, held on 18 January 2023 at 2:00 p.m. The bidding was declared by the BAC as "failure of bidding" considering that the lone bidder for the project, R.A. Bensig Construction & General Services was declared disqualified for its failure to comply with the bid submission required under Clause 16 of the Bid Data Sheet of the Bidding documents. Pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184, "The BAC shall declare the bidding a failure when: xxx xxx b) All prospective bidders are declared ineligible; xxx xxx."

In view thereof, we are submitting herewith BAC Resolution No. 001-2023 Series of 2023, recommending that the bidding for the Improvement/Expansion of Existing Port Operational Area and Construction of Terminal Management Office, Passenger Shed, Pumphouse, Powerhouse and Guard House, Port of San Juan, Southern Leyte, be declared a "failure" pursuant to Section 35.1 (a) of the 2016 Revised IRR of RA 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, 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