



PHILIPPINE
PORTS
AUTHORITY



BAGONG PILIPINAS

BIDS AND AWARDS COMMITTEE

Head Office-Engineering Projects

Resolution No. 028-2023

Series of 2023

**RESOLUTION DECLARING FAILURE OF BIDDING FOR THE
CONSTRUCTION OF TWO-STOREY TMO BUILDING,
PORT OF BAUAN, BATANGAS**
HO-INFRA-PPDD-23-0026

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Construction of Two-Storey TMO Building, Port of Bauan, Batangas, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila, on 07 July 2023, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 30,381,626.54**;

WHEREAS, in response to the said advertisement, two (2) bidders secured the Bid Documents in the amount of ₱ 25,000.00 and submitted their Technical and Financial Proposals, namely:

1. W. Rivera Const. and Equipt. Rentals, Inc.
2. Orani Construction and Supply Corporation

WHEREAS, during the opening of bids on 01 August 2023 at 10:00 a.m., the two (2) bidders were declared "failed" with the requirements of the First Envelope. W. Rivera Const. and Equipt. Rentals, Inc. failed to submit Certificate of Equipment Availability issued by the equipment lessors for one (1) unit Crawler Crane (30T), one (1) unit Crawler Crane (20T), one (1) unit Pile Diesel Hammer (12,250 kg.m.), and two (2) units Transit Mixers (10 cu.m.) while Orani Construction and Supply Corporation was declared failed, for the following reasons:

1. Failed to submit the Notice to Proceed and Contract as supporting documents for the Statement of all on-going government and private contracts, including contracts awarded but not yet started.
2. No detail/information for the capacity of two (2) units Concrete Vibrator, two (2) units Bar Bender, two (2) units Bar Cutter, two (2) units Plate Compactor, and one (1) unit Water Tank with pump.

3. Expired LTO registration for one (1) unit Dump Truck, two (2) units Transit Mixer, one (1) unit Water Truck, and one (1) unit Cargo Truck, and the equipment are not registered in the name of the company,
4. Failed to submit a notarized Secretary's Certificate as proof that the Affiant is the duly authorized and designated representative of the Corporation.

WHEREAS, W. Rivera Const. and Equipt. Rentals, Inc. and Orani Construction and Supply Corporation signified their intentions to file a request for reconsideration on their "failed" rating, hence, the unopened Second Envelopes were retained by the BAC, until the requests for reconsideration have been resolved by the Committee;

WHEREAS, W. Rivera Const. and Equipt. Rentals, Inc. and Orani Construction and Supply Corporation filed their respective requests for reconsideration on their "failed" rating, and the BAC, in a meeting held on 08 August 2023, after due deliberation, denied the requests for reconsideration;

WHEREAS, considering that the W. Rivera Const. and Equipt. Rentals, Inc. and Orani Construction and Supply Corporation were both declared "failed," the BAC, after a motion duly made and properly seconded, declared the bidding for the Construction of Two-Storey TMO Building, Port of Bauan, Batangas, 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 Construction of Two-Storey TMO Building, Port of Bauan, Batangas, 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 09 August 2023.



DANAH S. JARAMILLO
Regular Member



JOSEPHINE M. NAPIERE
Regular Member



DIANE STEFFIT. GUILLAMON
Regular Member



CARLITO M. CASTILLO
Provisional Member



REYNAND C. PARAFINA
Provisional Member



ANGELINA A. LLOSE
Vice-Chairperson



MARK JON S. PALOMAR
Chairperson, BAC

BAU



10 August 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 Construction of Two-Storey TMO Building, Port of Bauan, Batangas**
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This has reference to the Opening of Bids for the Construction of Two-Storey TMO Building, Port of Bauan, Batangas held on 01 August 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: b) All prospective bidders are declared ineligible xxx xxx xxx." The two (2) bidders, W. Rivera Construction and Equipment Rentals, Inc. and Orani Construction and Supply Corporation were both declared "failed."

In view thereof, we are submitting herewith BAC-PGCS Resolution 028-2023 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, 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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