



BIDS AND AWARDS COMMITTEE
Head Office-Engineering Projects
Resolution No. 060-2019
Series of 2019

**RESOLUTION DECLARING FAILURE OF BIDDING FOR THE
PROPOSED RC PIER EXTENSION, PORT OF SAN JOSE
CAMINAWIT, SAN JOSE, OCCIDENTAL MINDORO**
LFP MDO No. 033-2019

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila on 05 November 2019, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be bid as posted/advertised is **₱ 86,869,006.29**;

WHEREAS, in response to the said advertisement, only RCDG Const. Corp. secured and submitted the Bid Documents;

WHEREAS, during the opening of bids on 27 November 2019 at 10:00 a.m., the lone bidder, RCDG Const. Corp. was declared "failed" in the requirements of the First Envelope, for the following reasons:

- The pledged one (1) unit crane barge has no submitted Cargo Ship Safety Certificate
- Pledged two (2) unit's tugboat are under capacity and no attached Cargo Ship Safety Certificate while the one (1) unit has an expired Cargo Ship Safety Certificate.
- No submitted Certificate of Registration for the pledged one (1) unit dump truck and transit mixer
- Invalid and not notarized Deed of Sale for the pledged one (1) unit cargo truck

WHEREAS, RCDG Const. Corp. signified its intention to file a request for reconsideration, however in a letter dated 29 November 2019, RCDG Const. Corp. informed the BAC that they will no longer file a Motion for Reconsideration on their "failed" rating;

WHEREAS, the BAC, after a motion duly made and properly seconded, declared the bidding for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, a failure, pursuant to Section 35.1 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 Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, be declared a "failure" pursuant to Section 35.1 (b) of the 2016 Revised IRR of R.A. 9184;
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.

ADOPTED AND APPROVED by the BAC on 03 December 2019


DANAH S. JARAMILLO
Regular Member

(O.B.)
JOSEPHINE M. NAPIERE
Regular Member

(O.B.)
JAN PEARL F. PORTUGAL
Regular Member


CARLITO M. CASTILLO
Provisional Member


REYNAND C. PARAFINA
Provisional Member

(O.B.)
ANGELINA A. LLOSE
Vice-Chairperson


MARK JON S. PALOMAR
Chairperson, BAC



03 December 2019

MEMORANDUM

F O R : The General Manager

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

SUBJECT : **BAC RESOLUTION DECLARING FAILURE OF BIDDING**

This has reference to the Opening of Bids for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, held on 27 November 2019 at 10:00 a.m. The bidding was declared by the BAC as "failure of bidding" considering that the lone bidder for the project was rated as "failed." 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 b) All prospective bidders are declared ineligible; xxx xxx",

In view thereof, we are submitting herewith BAC Resolution No. 060-2019 Series of 2019, recommending that the bidding for the Proposed RC Pier Extension, Port of San Jose, Caminawit, San Jose, Occidental Mindoro, 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 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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