



**BAGONG PILIPINAS**

**PHILIPPINE  
PORTS  
AUTHORITY**



## **BIDS AND AWARDS COMMITTEE**

Head Office-Engineering Projects

Resolution No. 064-2023

Series of 2023

### **RESOLUTION DECLARING FAILURE OF BIDDING FOR THE RESTORATION OF APPROACH SLAB, BACK-UP AREA, DEFLECTOR WALL AND CONCRETE FACING, PORT OF ESPERANZA, MASBATE HO-INFRA-PPDD-23-0072**

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Restoration of Approach Slab, Back-Up Area, Deflector Wall and Concrete Facing, Port of Esperanza, 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 27 November 2023, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 4,478,021.25**;

WHEREAS, in response to the said advertisement, two (2) bidders secured the Bid Documents in the amount of ₱ 50,000.00 and submitted their Technical and Financial Proposals, namely;

1. Algimar Construction Corporation
2. NBCDC Corporation (formerly New Bilrey Construction & Development Corporation)

WHEREAS, during the opening of bids on 12 December 2023 at 9:00 a.m., Algimar Construction Corporation and NBCDC Corporation were declared "failed" with the requirements of the First Envelope;

WHEREAS, both Algimar Construction Corporation and NBCDC Corporation were declared failed to comply with the Technical requirements, for the following reasons:

**Algimar Construction Corporation:**

- a. Failed to meet the required work experience for Rockworks. There was no indicated weight per piece of the rocks in the submitted supporting documents.
- b. Failure to submit proof of ownership for the pledged one (1) unit Backhoe with Concrete Breaker with a capacity 1.1cu.m, one (1) Road Roller with a capacity of 14T, one (1) unit Crawler Crane with a capacity of 55T and one (1) Payloader with a capacity of 3cu.m 220hp. The submitted Deeds of Absolute Sale were not under the name of the corporation but in the name of a certain Alejandro N. Lim, Jr..

- c. The submitted LTO OR/CR for the pledged one (1) Dump Truck with a capacity of 12cu.m, was not under the name of the corporation but in the name of certain Alejandro N. Lim, Jr..
- d. No capacity was indicated in the supporting documents (sales invoice) for the pledged one (1) unit Concrete Mixer, one (1) unit Concrete Vibrator and one (1) unit Bar Cutter.
- e. 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.
- f. Submitted an expired DPWH Accreditation ID Card for the Materials Engineer I.
- g. Failed to submit proof of authority of Alejandro N. Lim, Jr. to represent the corporation as required under paragraph 2 of the Omnibus Sworn Statement.

NBCDC Corporation:

- a. Failed to meet the required capacity for the pledged one (1) unit Payloader, the requirement is 125 hp. What was submitted was 115 hp.

WHEREAS, Algimar Construction Corporation signified no intention to file their request for reconsideration on their "failed" rating, hence, their Second Envelope was returned unopened and duly received by their authorized representative. NBCDC Corporation signified its intention to file a request for reconsideration, hence, the unopened Second Envelope was retained by the BAC, until the request for reconsideration have been resolved by the Committee;

WHEREAS, NBCDC Corporation did not file a request for reconsideration within the prescribed deadline for filing thereof;

WHEREAS, considering that Algimar Construction Corporation and NBCDC Corporation were both declared "failed," the BAC, after a motion duly made and properly seconded, declared the bidding for the Restoration of Approach Slab, Back-Up Area, Deflector Wall and Concrete Facing, Port of Esperanza, 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 Approach Slab, Back-Up Area, Deflector Wall and Concrete Facing, Port of Esperanza, 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

  
**ANGELINA A. LLOSE**  
Vice-Chairperson

  
**MARK JON S. PALOMAR**  
Chairperson, BAC



22 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 Approach Slab, Back-up Area, Deflector Wall and Concrete Facing, Port of Esperanza, Masbate**  
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This has reference to the Opening of Bids for the Restoration of Approach Slab, Back-up Area, Deflector Wall and Concrete Facing, Port of Esperanza, Masbate, held on 12 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. 064-2023 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