

**PHILIPPINE PORTS AUTHORITY
PMO SURIGAO**

**BIDS AND AWARDS COMMITTEE
BAC RESOLUTION NO. 155- 2022**

“A RESOLUTION ON CANCELLATION OF PROCUREMENT ACTIVITIES”

**PROJECT: NRP SUR 01-22 REPAIR OF PASSENGERS, ADMINISTRATIVE
AND PORT OPERATIONS FACILITIES DAMAGED BY TYPHOON ODETTE,
PORT OF SURIGAO**

WHEREAS, the Philippine Ports Authority, PMO Surigao received a Notice of Budget Allocation (NBA) for the Repair of Passengers, Administrative and Port Operation’s Facilities Damaged by Typhoon Odette, Port of Surigao with an Approved Budget for the Contract (ABC) inclusive of all applicable taxes and fees, in the amount of Php27,538,529.28 as an additional Repair and Maintenance (R/M) program approved by the Officer-in-Charge, Port Construction and Maintenance Department on October 12, 2022;

WHEREAS, on October 17, 2022, the Bids and Awards Committee (BAC) received a Hand-Written Note (HWN) from the Head of Procuring Entity (HOPE) to proceed with the procurement process per memorandum request of the Acting ESD Manager dated October 17, 2022;

WHEREAS, on October 19, 2022 at 2:30 in the afternoon, the Bids and Awards Committee (BAC) conducted the Pre-Procurement Conference for the subject procurement in compliance with Section 20.1, Rule VII of the 2016 R-IRR of RA No. 9184 and conducted the following procurement activities:

Procurement Activity	Date/Time
1. Advertisement	October 25, 2022
2. Pre-Bid Conference	November 2, 2022 @ 9:30 A.M.
3. Opening of Bids	November 14, 2022 @ 9:30 A.M.
4. Bid Evaluation	November 15-17, 2022

WHEREAS, on November 22, 2022, the Bids and Awards Committee (BAC) received a memorandum dated November 21, 2022 from the Head of Procuring Entity (HOPE) advising the BAC to extend the post qualification process to comply with the memorandum of the Assistant General Manager for Engineering (AGME) dated November 15, 2022 to suspend the tendering proceedings until such time the management will issue further notice regarding its status but in no case shall the aggregate period of extension exceed forty five (45) calendar days;

WHEREAS, on December 13, 2022, the Bids and Awards Committee (BAC) received a copy of memorandum dated December 1, 2022 from the Assistant General Manager for Engineering Office regarding the Procurement Process of Various PMOs New Projects for CY 2022, furnished by the HOPE with a hand-written note addressed to the BAC for information, guidance and compliance;

WHEREAS, in the aforementioned memorandum, the following repair projects, namely Repair of Passengers, Administrative and Port Operations Facilities Damaged by

Typhoon Odette, Port of Surigao and Repair of PM's Quarter and Perimeter Fence Damaged by Typhoon Odette, Port of Surigao were among the projects which procurement activities are deferred in line with COA's directive on the classification of expenditures for repair program;

WHEREAS, Section 35.6 of the 2016 Revised Implementing Rules and Regulations (IRR) of RA 9184, otherwise known as the Government Procurement Reform Act, states that:

"Without prejudice to Sec. 35.1 hereof, the BAC is authorized upon consultation with the end-user unit, to cancel or terminate the conduct of procurement activities, for any justifiable reason, such as but not limited to:

- a) 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 end-user unit;
- b) the project is no longer necessary as determined by the end-user unit;
- c) ***the source of funds for the project has been withheld or reduced through no fault of the PE; or***
- d) brought about by the declaration of a State of Calamity, or implementation of community quarantine or similar restrictions."

WHEREFORE, all premises considered, the Committee resolves as it is hereby resolved, to cancel or terminate the conduct of procurement activities pursuant to Section 35.6 (c) of the 2016 Revised IRR of RA 9184.

RESOLVED, Philippine Ports Authority, PMO Surigao, this 21st day of December 2022.


BIDS AND AWARDS COMMITTEE


ATTY. ROLDAN G. CALEJESAN
Chairperson


ENGR. LAWRENCE LYLE E. CAGAS
Vice Chairperson


YOLANDA F.A. TAN
Member


ENGR. ALLAN P. YAP
Member


EVANGELINE M. ROCOLCOL
Provisional Member