PHILIPPINE PORTS AUTHORITY

BAC RESOLUTION DECLARING LOWEST CALCULATED AND RESPONSIVE BID AND RECOMMENDING AWARD OF THE CONTRACT FOR THE PROJECT: MAINTENANCE REPAIR OF SASA PORT CONTAINER YARD INSTALLED WITH PAVING BLOCKS (Phase-1), SASA WHARF, DAVAO CITY

RESOLUTION NO. 14, SERIES OF 2019

WHEREAS, the **Philippine Ports Authority – Port Management Office of Davao** continuously advertised for seven (7) calendar days an Invitation to Bid for the project: **Repair of Sasa Port Container Yard Installed with Paving Blocks (Phase-1), Sasa Wharf, Davao City** in a newspaper of general circulation, in the PPA website, PhilGEPS and at the PPA Bulletin Board located at the lobby of the PMO-Davao on August 22, 2019;

WHEREAS, during the Pre-Bid Conference on 29 August 2019; 10:00 A.M. which was attended by the following prospective bidders, to wit:

1. ALJAF LIMSART;
2. KHAN KON CHI Construction and Development Corporation;
3. Golden Vido Builder and Supply;
4. FFJJ Construction;
5. RR & B Finest Construction and Development Corporation / Dan Mariano Maldia (DMM) Corporation – Joint Venture; and
6. KXBG Construction

WHEREAS, several interested bidders purchased the bidding documents and submitted their respective bid proposals to the BAC Secretariat before the deadline of the submission of bids on 13 September 2019 8:00 A.M., to wit:

1. Corics Construction;
2. RR and B Finest Construction and Development Corporation and Dan Mariano Maldia (DMM) Corporation Joint Venture;
3. KHAN KON CHI Construction and Development Corporation;
4. Hi-Tone Construction and Development Corporation;
5. Teddie Construction Development, Inc.; and
6. ZET Construction

WHEREAS, the results of the preliminary examination of bids of the interested bidders are as follows:

Name of Bidders	Remarks
1. Corics Construction	PCAB license for Ports and Harbour and Offshore Engineering is Small B but the requirement stated in the Invitation to Bid is Medium A. Hence, Corics Construction was rated: **"Failed"** on this document. Other remaining documents were not examined after the majority vote of the BAC Members decided not to push through with the examination.
2. RR and B Finest Construction and Development Corporation and Dan Mariano Maldia (DMM) Corporation Joint Venture	The technical and financial documents are carefully examined and rated: "**Passed"** with a bid price of P26,788,197.54 which is lower than the Approved Budget of the Contract (ABC).
3. Hi-Tone Construction and Development Corporation	Engr. Acosta issued a Special Power of Attorney to Ms. Shiony Mae Capara as the

	authorized representative to submit the bid proposal. Further, the Board of Directors of the said corporation issued a Secretary's Certificate to Engr. Acosta as the authorized representative for the Project: Proposed Dredging of North Harbor Inner Basin, Port Area, Manila, hence, the BAC decided not to open the Bid Proposal due to misrepresentation.
4. KHAN KON CHI Construction and Development Corporation	The BAC rejected the bid proposal because it was not accompanied by a Secretary's Certificate authorizing the concerned representative to submit the bid.
5. Teddie Construction and Development Corporation	The technical document was rated '**Failed"** due to the absence of Statement of Time Elapsed for the two (2) on-going projects.
6. Zet Construction	The BAC rated the Technical and Financial documents as "**Passed"** through a majority vote but it was noted that the Experience Record on Similarly Completed Project was in **"pesos" and not in area** as required. However, the Project Accomplishment Report stated an area of 5,601.59 sq. m. but it will be subjected to bid evaluation. Further, the bid price is P23,766,145.03**,** which is lower than the Approved Budget of the Contract (ABC) but it was noted that the financial bid includes an indirect cost of ten (10) percent of the Overhead, Contingencies and Miscellaneous for the Construction, Health and Safety Program, the absolute requirement is **0%.**

WHEREAS, the Technical Working Group (TWG) submitted the bid evaluation of ZET Construction where it was rated **"Failed"** and BAC confirmed the findings, as stated below:

"Zet Construction was rated **"Failed"** due to non-compliance of ITB Clause 19.2 which states that "Forms mentioned in ITB Clause 19.1 must be complete without any alterations in the format and no substitute Form shall be accepted". In addition it was rated failed due to non-compliance of the Overhead, Contingencies and Miscellaneous (OCM) for the item XIII, Construction of Safety and Health Program as per DPWH Order No. 22, Series of 2015 of Section 2(5) of Government Procurement Manual Volume (GPM) Volume 3**";**

WHEREAS, the BAC sent a letter to ZET Construction dated 18 September 2019 informing them of the status of their bid proposal and in response received a letter reply dated 23 September 2019 addressed to the BAC with the information that they will refrain from requesting for reconsideration because their cost is below the industry level based on recent logistics cost of the paving blocks and the cost itself and other construction materials;

WHEREAS, the BAC denied the letter of reconsideration of Khan Kon Chi Construction and Development Corporation dated 16 September 2019 as per BAC Resolution 011-2019 (copy attached);

WHEREAS, the BAC concurred the Bid Evaluation Report of TWG for RR & B Finest Construction & Development Corporation / Dan Mariano Maldia (DMM) Corporation – Joint Venture and was rated "Passed" and directed the conduct of

post-qualification at the Cities of Manila and Zamboanga for RR & B Finest Construction and Development Corporation and Dan Mariano Maldia (DMM) Corporation, respectively;

WHEREAS, the Technical Working Group submitted the two (2) Post-Qualification Reports of RR & B Finest Construction and Development Corporation and Dan Mariano Maldia (DMM) Corporation dated September 25 & October 2, 2019, respectively, and were carefully evaluated and approved by the Bids and Awards Committee.

NOW, THEREFORE, we, the members of the Bids and Awards Committee, hereby **RESOLVE** as it is hereby **RESOLVED**:

a) To declare RR & B Finest Construction & Development Corporation / Dan Mariano Maldia (DMM) Corporation – JV as the **Lowest Calculated and Responsive Bidder** for the **Repair of Sasa Port Container Yard Installed with Paving Blocks (Phase-1), Sasa Wharf, Davao City; and**

b) To recommend to the Head of the Procuring Entity, the Port Manager of the Philippine Ports Authority - Port Management Office of Davao the award of the contract to the Lowest Calculated and Responsive Bid.

RESOLVED, at the Philippine Ports Authority, Port Management Office of Davao, Km. 10, Sasa, Davao City, this 2nd day of October 2019.

BIDS AND AWARDS COMMITTEE FOR ENGINEERING PROJECTS, PROCUREMENT OF GOODS AND SERVICES CONSULTANCY:

ELISHA V. ANO-OS
BAC Chairperson

ASTERIO C. GALLARDO, JR.
BAC Vice Chairperson

HELEN TERESITA T. LUGA
BAC-EP Member

NANCY A. PRIETO
Provisional Member

ALEX A. INGENTE
Provisional Member

GEMMA G. CESAR
Provisional Member

LARA SIMONE L. ABA
Provisional Member

APPROVED/DISAPPROVED:

ANALEE G. AGUILA
Port Manager