

## BAC RESOLUTION NO. 2019-06-161

BAC Reference No.: BAC19-01-004

Name of Project : Procurement of Site Development Works for the NDC Industrial Estate (NDCIE) Project in Brgy. Langkaan, Dasmariñas City, Cavite

Approved Budget : ₱190,375,000.00

WHEREAS, the National Development Company (NDC) advertised the Invitation to Bid for the public bidding of the above-mentioned project in the Philippine Daily Inquirer (PDI) on February 4, 2019 and posted the same in the Philippine Government Electronic Procurement System (PhilGEPS), NDC website and at conspicuous places within the premises of the NDC Building from February 4 to March 25, 2019;

WHEREAS, in response to the said advertisements, six (6) prospective bidders purchased Bidding Documents, attended the Pre-Bid Conference conducted by the Bids and Awards Committee (BAC) on March 4, 2019 and submitted the applications for eligibility and bids, namely:

1. C.T. Consigna Construction Corp.
2. Montevista Construction Corporation
3. Verzontal Builders, Inc.
4. Davao Rock Mixer Enterprises
5. Werr Corporation International
6. PERRC Construction and Development Corp.

WHEREAS, the results of the Eligibility Check and Preliminary Examination of Bids conducted by BAC on March 25, 2019 were as follows:

1. The following bidders were rated "passed" by the BAC and the bids were recorded as follows:

Name of Bidder	Bid Amount (As Read)	% Variance from ABC
Werr Corporation International	₱ 162,952,750.56	14.40%
Davao Rock Mixer Enterprises	₱ 188,824,500.96	0.80%
C.T. Consigna Construction Corp.	₱ 172,499,584.11	9.39%
Verzontal Builders Inc.	₱ 170,569,596.86	10.40%

2. PERRC Construction and Development Corp. was rated "failed" by the BAC for failure to comply with the minimum list of equipment for the project as

required in the Bidding Documents and the Supplemental/Bid Bulletin No. 1, dated March 15, 2019.

3. Montevista Construction Corporation was rated "failed" by the BAC for failure to comply with the required eight percent (8%) multiplier for Overhead, Contingencies and Miscellaneous (OCM) in the Detailed Financial Bid Form of the Bidding Documents.

WHEREAS, Notice of Eligibility dated April 2, 2019 were issued by the BAC to the bidders whose bids were rated "passed", and were received and acknowledged by Davao Rock Mixer Enterprises on April 2, 2019, WERR Corporation International and C.T. Consigna Construction Corp. on April 3, 2019, and Verzontal Builders, Inc. on April 4, 2019.

WHEREAS, Notice of Ineligibility dated April 2, 2019 were issued by the BAC to the bidders whose bids were rated "failed", and were received and acknowledged by Montevista on April 2, 2019, and PERCC Construction and Development Corp. on April 3, 2019.

WHEREAS, the results of the detailed evaluation of bids conducted by the Technical Working Group (TWG) on March 26 to April 1, 2019, showed that the bid of WERR Corporation International amounting to ₱162,952,750.56 was found non-responsive for failing to include the following items in the Bill of Quantities:

- a. Item D.3 Fire Hydrant assembly
- b. Item D.4 Mother Meter assembly, 200 mm dia.
- c. Item O.7 Generator Set 70 KVA, 460v, 3 Phase, 60 Hz, Soundproof, with Automatic Transfer Switch 150A, 3-pole lugs with mechanical interlock, main feeder 3-38mm@ THHN & 1-14mm@ THHN in 40mm dia. PVC Conduits

WHEREAS, under Section 32.2.1 of the Revised Implementing Rules and Regulations (IRR) of R.A. 9184, *"The BAC shall immediately conduct a detailed evaluation of all bids using non-discretionary criteria in considering the following: a) Completeness of the bid. Unless the Instructions to Bidders specifically allow partial bids, bids not addressing or providing all of the required items in the Bidding Documents including, where applicable, bill of quantities, shall be considered non-responsive and, thus, automatically disqualified x x x;"*

WHEREAS, a Notice of Disqualification dated April 3, 2019 was issued by the BAC and received and acknowledged by WERR Corporation International on April 4, 2019.

WHEREAS, as a result of the Detailed Bid Evaluation, the BAC declared Verzontal Builders, Inc. as the eligible bidder with the Lowest Calculated Bid and to undergo Post-qualification.

WHEREAS, the BAC declared C.T. Consigna and Davao Rocks as the eligible bidders with the 2<sup>nd</sup> Lowest Calculated Bid and 3<sup>rd</sup> Lowest Calculated Bid, respectively.



WHEREAS, on April 3, 2019, the BAC furnished all eligible bidders letter informing the declaration of the Lowest Calculated Bid.

WHEREAS, the TWG conducted Post-Qualification of Verzontal Builders, Inc. on April 8–17, 2019 and presented their findings and recommendations to the BAC.

WHEREAS, the BAC declared that the bid submitted by Verzontal Builders, Inc. has **failed** to comply with, and be responsive to the requirements and conditions specified in the Bidding Documents.

WHEREAS, the Notice of Post-Disqualification dated on April 17, 2019, was issued by the BAC, and received and acknowledged by Verzontal Builders Inc. on April 22, 2019.

WHEREAS, on April 22, 2019, the BAC instructed the TWG to proceed with the Post-Qualification of C.T. Consigna Construction Corp., the 2<sup>nd</sup> Lowest Calculated bidder.

WHEREAS, on April 25, 2019 a Request for Reconsideration from Verzontal Builders, Inc. was received by the BAC.

WHEREAS, on April 29, 2019, the BAC and TWG members convened to deliberate the merit of such request and thereafter decided to **DENY** the Request for Reconsideration of Verzontal Builders, Inc.

WHEREAS, TWG conducted the Post-Qualification of C.T. Consigna Construction Corp. on April 22 – May 10, 2019 and presented their findings and recommendations to the BAC. The BAC declared that the bid submitted by C.T. Consigna has **failed** to comply with, and be responsive to the requirements and conditions specified on **Section 23.6** of the Revised IRR of R.A. 9184.

WHEREAS, on May 11, 2019, the BAC instructed the TWG to proceed with the Post-Qualification of Davao Rock Mixer Enterprises, the 3<sup>rd</sup> Lowest Calculated bidder.

WHEREAS, Notice of Post-Disqualification dated on May 17, 2019, was issued by the BAC and received and acknowledged by C.T. Consigna on May 22, 2019.

WHEREAS, TWG conducted the Post-Qualification of Davao Rock Mixer Enterprises on May 11 - 22, 2019 and presented their findings and recommendations to the BAC. The BAC declared that the bid submitted by Davao Rock Mixer Enterprises has **failed** to comply with, and be responsive to the requirements and conditions specified on **Section 34.3a** and **Section 34.2** of the Revised IRR of R.A. 9184.

WHEREAS, the Notice of Post-Disqualification dated on May 27, 2019, was issued by the BAC, and received and acknowledged by Davao Rock Mixer on May 27, 2019.

WHEREAS, on May 29, 2019 a Request for Reconsideration from Davao Rock Mixer Enterprises was received by the BAC.

WHEREAS, on June 3, 2019, the BAC and TWG members convened to deliberate the merit of such request and thereafter decided to **DENY** the Request for Reconsideration of Davao Rock Mixer Enterprises.


WHEREAS, Section 35.1 of the Revised IRR of R.A. 9184 requires that *"The BAC shall declare the bidding a failure when: x x x c) All bids fail to comply with all the bid requirements or fail post-qualification x x x;"*


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

1. To declare the **FAILURE OF BIDDING** for the Procurement of Site Development Works for the NDC Industrial Estate (NDCIE) Project in Brgy. Langkaan, Dasmariñas City, Cavite; and
2. To recommend for approval by the General Manager of NDC the foregoing findings and the conduct of rebidding for the above-mentioned project.

RESOLVED, at the Makati City, this 4<sup>th</sup> day of June 2019

  
**JONATHAN C. EUGENIO**  
BAC Member

  
**VELAYDA M. BUENAVENTURA**  
BAC Member

  
**ATTY. CHERYL P. ANN**  
BAC Member

  
**ATTY. RHOEL Z. MABAZZA**  
Vice-Chairman

  
**AGM SATURNINO H. MEJIA**  
Chairman

**APPROVED:**

  
**MA. LOURDES F. REBUENA**  
General Manager