

**BAC-C RESOLUTION NO. BC-2020-025**

**SUSPENSION OF BIDDING ACTIVITIES**

**Consulting Services for the Construction Management and Supervision (CMS) of ASCOM Facilities at  
Camp Aquino, Tarlac**

**WHEREAS**, On 18 October 2019, the Bids and Awards Committee for Consultancy (BAC-C) advertised the Request for Expression of Interest (REI) for the said consulting services in a newspaper of general nationwide circulation, in the BCDA Website, PhilGEPS Website and in a conspicuous place in the premises of BCDA continuously for seven (7) days;

**WHEREAS**, the consulting services has an Approved Budget for the Contract (ABC) amounting to **Pesos: Ninety Two Million One Hundred Ninety Eight Thousand Four Hundred and 00/100 (PhP92,198,400.00)**, inclusive of all applicable taxes and fees, to be completed within twenty-one (21) months;

**WHEREAS**, on 14 February 2020, the Bids and Awards Committee for Consulting Services (BAC-C) issued **BAC-C RESOLUTION NO. BC2020-006**, declaring **Filipinas Dravo Corporation** as the bidder with the **Highest Rated Bid (HRB)** for the above mentioned Consultancy Service. Likewise, the said resolution resolved to proceed with the negotiation with the HRB;

**WHEREAS**, negotiation with the HRB was conducted on 02 March 2020, pursuant to Section 22.2.5 of the revised IRR of RA 9184;

**WHEREAS**, after the conduct of successful negotiation, the BAC-C instructed the Technical Working Group (TWG) to conduct post-qualification activities to verify, validate and ascertain all statements made and the documents submitted by the HRB;

**WHEREAS**, on 06 March, 2020, the TWG undertook the following post qualification activities:

1. Conducted an ocular visit at the office of Filipinas Dravo Corporation, located at 5th Floor Aurora Milestone Bldg., 1045 Aurora Blvd., Quezon City
2. Validated the original copies of Class A legal documents, documents in compliance with labor law such as the latest payment to SSS, PhilHealth, and Pag-ibig Fund, and supporting documents for completed and on-going projects.
3. Conducted in person one-on-one interviews with the nominated key personnel to validate work experiences stated in their Curriculum Vitae. The key personnel will be available to perform the project because they don't have existing projects.

4. Verified positive feedback on the performance of services from their previous clients through phone calls.

**WHEREAS**, the CMS contract should have been awarded not later than 27 April 2020, following the three (3)-month period from opening of bids up to the award of the contract as prescribed by the IRR of RA 9184.

**WHEREAS**, the imposition of the Enhanced Community Quarantine by the National Government resulted in the postponement of all procurement activities undertaken by the Bids and Awards Committee for Consulting Services.

**WHEREAS**, the award of the CMS contract should be simultaneous to the award of the construction project because there is nothing to manage and supervise if there is no construction yet.

**WHEREAS**, the BAC for Infrastructure has already declared failure of bidding for the construction project thru Bids and Awards Committee for Infrastructure Resolution No.001 dated 27 January 2020 due to the bidder's non-compliance with the requirements.

**WHEREAS**, in a letter to GPPB dated 20 April 2020, the BAC-C sought the GPPB's approval for extension of time to award the CMS contract until such time that the contract for the construction project is awarded.

**WHEREAS**, in an email received from GPPB dated 29 September 2020, GPPB affirmed the contents of their letter to BCDA dated 16 August 2019 which says that *"the mandatory procurement timeline may be recognized for justifiable causes, provided that the procuring entity explain the circumstances that would justify award of the contract beyond the required period and ensure that the bid security remains valid until the award of the contract"*. GPPB further noted that it is beyond their authority to grant exemptions from the application of Republic Act RA) No. 9184 and its Implementing Rules and Regulations (IRR) as it does not have the mandate to provide exemption, legislate, or limit the coverage of the law.

**WHEREAS**, the BAC-C finds it prudent to not award the CMS contract until such time that the bidding of the construction component of the project has successfully been awarded to the winning bidder to ensure compliance with the period, activities and deliverables of the contract.

**NOW, THEREFORE**, after deliberation and premises considered, we, the members of the Bids and Awards Committee for Consulting Services, hereby resolve to recommend the approval of the following:

1. Suspension of the award of the contract to **Filipinas Dravo Corporation (FILDRAVO)** for the Consulting Services for the Construction Management and Supervision (CMS) of ASCOM Facilities at Camp Aquino, Tarlac until such time that the bidding of the construction component of the project has successfully been awarded to the winning bidder.

2. DIRECT **Filipinas Dravo Corporation (FILDRAVO)** to submit an updated Bid Security;

Done in Taguig City this 21st day of October, 2020.

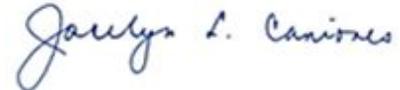
**BIDS AND AWARDS COMMITTEE FOR CONSULTING SERVICES**



**JOSHUA M. BINGCANG**  
Chairperson



**JOANNA EILEEN M. CAPONES**  
Vice-Chairperson



**JOCELYN L. CANIONES**  
Member



**VIRGIL M. ALVAREZ**  
Member



**MADONNA M. CINCO**  
Member

Recommended by:



**AILEEN ANUNCIACION B. ZOSA**  
Executive Vice President

Approved by:



**VIVENCIO B. DIZON**  
President and CEO

