

Bids and Awards Committee for Consulting Services (BAC-C)

**CONSULTING SERVICES FOR THE DETAILED ARCHITECTURAL AND
ENGINEERING DESIGN (DAED) OF THE SECOND RUNWAY INFRASTRUCTURE
PROJECT OF THE CLARK INTERNATIONAL AIRPORT**

**RESOLUTION NO. 031
(Declaration of Failure of Bidding)**

WHEREAS, the Bases Conversion and Development Authority, through the 2021 General Appropriations Act, approved the procurement of the Consulting Services for the Detailed Architectural and Engineering Design (DAED) of the Second Runway Infrastructure Project of the Clark International Airport, with an Approved Budget for the Contract (ABC) in the amount of **Pesos: One Hundred Ninety-Nine Million Eight Hundred Thirty-One Thousand Six Hundred Seventy-Five and 00/100 Pesos (PhP199,831,675.00)**, inclusive of applicable taxes and fees;

WHEREAS, the BAC-C, through its Secretariat, advertised the Request for Expression of Interest (REI) on 03 July 2021 in newspaper of nationwide circulation, and on 03-08 July 2021 in the following:

1. DBM Philippine Government Electronic Procurement System (PhilGEPS);
2. BCDA Website; and
3. In a conspicuous place reserved for the purpose within the premises of BCDA.

WHEREAS, pursuant to the pronouncements of the national government on the implementation of Enhanced Community Quarantine (ECQ) and Modified Enhanced Community Quarantine (MECQ) in the National Capital Region (NCR), the BAC-C issued Bid Bulletin Nos. 4 and 5 dated 16 August 2021 and 30 August 2021, respectively, suspending the bidding activities for the project from 23 August to 07 September 2021. Further, in a Bid Bulletin No. 6 dated 08 September 2021, the BAC-C moved the deadline of the submission and opening of the Eligibility Documents for the Project to 20 September 2021 due to the MECQ which was then extended until 15 September 2021 in NCR;

WHEREAS, in response to the aforementioned advertisements of REI, eight (8) prospective bidders submitted their Eligibility Documents prior to the set deadline for the submission of the Eligibility Documents for the Project on 20 September 2021 at 12:00 noon. The submitted Eligibility Documents of the 8 bidders were opened and subjected to preliminary evaluation on the same day by determining the presence or absence of the required documents using a non-discretionary “pass/fail” criterion;

WHEREAS, on 21-23 September 2021, the BAC-C TWG conducted the Eligibility Check and Shortlisting of the aforementioned prospective bidders in accordance with Section 24 of the revised IRR of R.A. 9184, and using the criteria and rating system for shortlisting as provided under Section 14 of the TOR for the project;

WHEREAS, on 24 September 2021, the BAC-C deliberated the results of the said Eligibility Check and Shortlisting. The said results show that four (4) prospective bidders were rated “Failed” due to the absence of the required document or non-compliance with the requirements provided under the Eligibility Documents for the project, and RIRR of R.A. 9184, to wit:

PROSPECTIVE BIDDERS	NON-COMPLIANCE
Meinhardt Philippines, Inc.	<ul style="list-style-type: none"> Failed to nominate a Sr. Sanitary/ Drainage Engineer. <p>In the submitted EF5 - Summary of Key Personnel, Erwin M. Robles was listed as Sr. Sanitary/Drainage Engineer. However, his proposed position in his EF-6 – Curriculum Vitae (CV) is Senior Civil Engineer. His professional experience likewise indicates that he is a Civil Engineer.</p> <p>[In violation of Clause 1.2 of the Eligibility Data Sheet (EDS) and Section 17-Manning Requirement of the Terms of Reference (TOR)]</p>
Setec International, Archetype Construction Holding, Ltd. and Asyana Construction Consultancy and Trading (Joint Venture)	<ul style="list-style-type: none"> The nominated key personnel for Sr. Architect failed to sign the EF 6 – CV. (In violation of the Bidding Form EF6)
Gulf Canary Construction Development Inc.	<ul style="list-style-type: none"> All nominated key personnel failed to sign their submitted EF 6-CVs. (In violation of EF6-CVs Bidding Form) Failed to submit a similar contract -- at least one (1) Detailed Architectural and Engineering Design of airports or airfields contract which is equivalent to 50% of the ABC for the last fifteen (15) years. (In violation of Section 24.5.1 of the RIRR of R.A. 9184 and Section 13 of the TOR)
WTA Design + Architecture Studio	<ul style="list-style-type: none"> Failed to nominate key personnel for the following positions: <ul style="list-style-type: none"> - Project Manager - Deputy Project Manager/Sr. Aerodrome Engineer - Sr. Airspace Planner - Sr. Transport Planner - Sr. Civil Engineer/Pavement Engineer - Sr. Navaids Specialist - Sr. Geodetic Engineer - Sr. Geotechnical Engineer - Sr. Quantity/Cost Engineer - Sr. Environmental Specialist - Sr. Document Specialist

	<ul style="list-style-type: none"> • Failed to submit the CVs of the nominated key personnel for the following positions: <ul style="list-style-type: none"> - Sr. Electronics and Communication Engineer - Sr. Security/Safety Specialist <p>[In violation of Clause 1.2 of the Eligibility Data Sheet (EDS) and Section 17-Manning Requirement of the TOR]</p> <ul style="list-style-type: none"> • Failed to submit a similar contract -- at least one (1) Detailed Architectural and Engineering Design of airports or airfields contract which is equivalent to 50% of the ABC for the last fifteen (15) years. (In violation of Section 24.5.1 of the RIRR of R.A. 9184 and Section 13 of the TOR) • Failed to submit a valid Tax Clearance. The submitted Tax Clearance expired on 24 August 2021. (In violation of Section 24.1 of the RIRR of R.A. 9184) • The Authorized Representative failed to sign the Summary of CVs (In violation of the Checklist of Requirements)
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WHEREAS, the evaluation of the Eligibility Documents were based on the presence or absence of the documents and, primarily on the face of such documents, assessing compliance with the Eligibility Requirements and qualifications as set forth under the EDS and Terms of Reference (TOR). However, the TOR did not as yet require supporting documents for the Eligibility Documents that were submitted. Thus, the qualifications of the firm/JV and the nominated key personnel are subject to further evaluation and verification during the evaluation of Technical Proposals as provided for in EF 4 – Consultant’s References, and EF 6- CVs as well as No. 9 in Bid Bulletin No. 1 dated 13 July 2021.

WHEREAS, the results of the Evaluation/Eligibility Check and Shortlisting likewise show that four (4) prospective bidders were rated “Passed” and garnered a total score above the required minimum score of 70%, to wit:

PROSPECTIVE BIDDERS	TOTAL SCORE (%)
1. Enrique O. Olanan and Associates/Korea Engineering Consultants Corporation Joint Venture	97.46%
2. Schema Konsult, Inc/Yooshin Engineering Corporation/TCGI Engineers/Spacem Design and Associates/Engineering and Development	88.11%

Corporation of the Philippines Joint Venture	
3. Egis International S.A. – Philippine Branch Office/DCCD Engineering/Egis Avia Joint Venture	82.29%
4. Ove Arup & Partners H.K. Ltd. (Philippine Branch)/Urban Integrated Consultants, Inc./Philipp’s Technical Consultants Corporation Joint Venture	79.64%

Consequent to the above results of evaluation and shortlisting, the BAC-C issued BAC Resolution No. 026 dated 24 September declaring the aforementioned 4 prospective bidders as Shortlisted and Eligible to proceed to the next stage of the bidding for the Project. The BAC-C then issued the Notice of Eligibility to the Shortlisted Bidders inviting them to bid for the Project;

WHEREAS, on 04 October 2021, the Pre-Bid Conference for the Project was held in which the 4 Shortlisted Bidders for the Project attended. During the said Pre-Bid Conference, the shortlisted bidders requested the extension of the deadline of submission of Bids for the Project. Hence, in Bid Bulletin No. 8 issued on the same day, the deadline of the submission of Bids and opening of Technical Proposals were moved to 26 October 2021;

WHEREAS, on 19 October 2021, the BAC-C received a letter from the Joint Venture of Egis International S.A. – Philippine Branch Office/DCCD Engineering/Egis Avia informing of its non-participation in the bidding for the Project with the stated reason therein, “One of our proposed key staff will not be available anymore for the assignment because of COVID and associated difficulties to travel which are most likely to remain for the coming months”.

WHEREAS, on 22 October 2021, the BAC-C likewise received a letter from the Joint Venture of Ove Arup & Partners H.K. Ltd. (Philippine Branch), Urban Integrated Consultants, Inc., Philipp’s Technical Consultants Corporation informing of its non-participation in the bidding for the Project with the reason stated therein, “due to several contributing factors with the principal factor being that there is effectively no cap on any liability of the Consultant”;

WHEREAS, on 26 October 2021, only two (2) bidders from the shortlist submitted their Technical and Financial Proposal prior to the set deadline for the submission of Bids for the Project, to wit:

1. Joint Venture of Schema Konsult, Inc/Yooshin Engineering Corporation/TCGI Engineers/Spacem Design and Associates/Engineering and Development Corporation of the Philippines
2. Joint Venture of Enrique O. Olonan and Associates/Korea Engineering Consultants Corporation;

The Technical Proposals of the 2 bidders were opened and subjected to preliminary evaluation on the same day by determining the presence or absence of the required documents using “pass/fail” criterion;

WHEREAS, from 27 October to 02 November 2021, the BAC-C TWG conducted the detailed evaluation of the Technical Proposals of the 2 bidders. Also on 02 November 2021, the BAC-C, as part of the evaluation of Technical Proposals, heard the oral presentations of the 2 bidders of their Plan of Approach and Methodology to be utilized for the Project;

WHEREAS, on 03 November 2021, the BAC-C deliberated the Report of TWG on the results of the detailed evaluation of the submitted Technical Proposals including the oral presentations by the bidders of their Plan of Approach and Methodology. Tables below show the results of the said evaluation:

CRITERIA	WT.	JV of Schema Konsult, Inc., Yooshin Engineering Corporation, TCGI Engineers, Spacem Design and Associates, and Engineering and Development Corporation of the Philippines	JV of Enrique O. Olonan and Associates and Korea Engineering Consultants Corporation
Applicable Work Experience of the Consultant	30%	28.50%	28.50%
Qualification & Experiences of Key Personnel	50%	42.13%	36.86%
Plan of Approach and Methodology	20%	16.83%	15.47%
TOTAL	100.00%	87.46%	80.83%

Based on the above ratings, the total score garnered by the 2 Bidders are above the required minimum score of 70%. However, these 2 Bidders were rated **“failed”** due to the absence of the required documents or non-compliance with the requirements provided under the bidding documents for the Project and revised IRR of R.A. 9184, to wit:

BIDDERS	NON-COMPLIANCE
Joint Venture of Schema Konsult, Inc., Yooshin Engineering Corporation, TCGI Engineers, Spacem Design and Associates, and Engineering and Development Corporation of the Philippines	<ul style="list-style-type: none"> Failed to submit a valid Technical Proposal Form 1 (TPF1). The TPF1 in its submitted Technical Proposal is not notarized. (In violation of Item 7.4 of the Bidding Documents, and Bid Bulletin No. 9 which officially issued the Presentation during Pre-Bid Conference in which the notarization of TPF1 was emphasized) Failed to submit a professional License or proof of profession for the nominated foreign Deputy Project Manager/Senior Aerodrome Engineer.

	<p>The requirement for the Deputy Project Manager /Senior Aerodrome Engineer is a Licensed Civil/Mechanical/Electrical Engineer but the Joint Venture submitted only the Training Certificates of its nominated Deputy Project Manager/Senior Aerodrome Engineer and not a License. (In violation of Clause 10.1 (c) of the BDS)</p>
<p>Joint Venture of Enrique O. Olanan and Associates and Korea Engineering Consultants Corporation</p>	<ul style="list-style-type: none"> • Failed to submit a DENR-EMB Accreditation Certificate with EIS Preparer for the nominated Senior Environmental Specialist. [In violation of Clause 10.1(c) of the Bid Data Sheet (BDS) and Section 17 - Manning Requirement of the Terms of Reference (TOR)] • Failed to submit authenticated supporting documents for the CVs of all the nominated foreign key personnel. The submitted supporting documents of the CVs of all the nominated key personnel are not apostilled. [In violation of Section II. Item 9. - Language of Bids of the Instructions to Bidders and Section 8.5.2 of the Revised IRR of RA9184]

WHEREAS, Section 30.1 of the 2016 Revised IRR of R.A. 9184 provides:

“xxx.. the BAC shall check the submitted documents of each bidder against a checklist of required documents to ascertain if they are all present, using a non-discretionary “pass/fail” criterion , as stated in the Instructions to Bidders. If a bidder submits the required document, it shall be rated “passed” for that particular requirement. In this regard, bids that fail to include any requirement or are incomplete or patently insufficient shall be considered as “failed.” xxx”.

WHEREAS, Section 35.1 of the 2016 Revised IRR of R.A. 9184 provides:

“The BAC shall declare the bidding a failure when:

Xxx

- b) All prospective bidders are declared ineligible;*
- c) All bids fail to comply with all the bid requirements ..., xxx. ”*

NOW, THEREFORE, foregoing considered and after careful evaluation and thorough deliberation of the results of the detailed evaluation of the submitted Technical Proposals for the project, the members of the Bids and Awards Committee for Consulting Services (BAC-C), hereby RESOLVE, as it is hereby RESOLVED to recommend the following:

1. To declare the Technical Proposals of the **Joint Venture of Schema Konsult, Inc.**,

Yooshin Engineering Corporation, TCGI Engineers, Spacem Design and Associates, and Engineering and Development Corporation of the Philippines, and the Joint Venture of Enrique O. Olonan and Associates and Korea Engineering Consultants Corporation as FAILED, and to declare the said bidders as DISQUALIFIED to proceed to the next stage of the Bidding for the Detailed Architectural and Engineering Design (DAED) of the Second Runway Infrastructure Project of the Clark International Airport, based on the aforementioned grounds;

2. To declare a **FAILURE OF BIDDING** for the Bidding for the Project;
3. For the user department to conduct a mandatory review and evaluation of the terms, conditions, and specification in the Eligibility and Bidding Documents, including its cost estimates, pursuant to Section 35.2 of the Revised IRR of RA 9184; and
4. To proceed with the rebidding of the Project based on the results of the aforementioned mandatory review pursuant to Section 35.3 of the Revised IRR of RA 9184.

RESOLVED, at the BCDA Corporate Center Office, this 8th day of November 2021.

BIDS AND AWARDS COMMITTEE FOR CONSULTING SERVICES (BAC-C)


AILEEN ANUNCIACION R. ZOSA
Chairperson


FERNANDO T. GALLARDO, JR.
Vice Chairperson


MADONNA M. CINCO
Member


ARISTOTLE E. GUERRERO
Member


VIRGIL M. ALVAREZ
Member

Approved by:


ARISTOTLE B. BATUHAN
Officer-In-Charge *MA*
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