

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

**CONSULTING SERVICES FOR THE CONSTRUCTION
MANAGEMENT AND SUPERVISION (CMS) OF THE CONSTRUCTION OF
VARIOUS STRUCTURES AND FACILITIES WITHIN THE 100-HECTARE AREA
AT BATAAN TECHNOLOGY PARK, MORONG BATAAN (PHASE 1-PACKAGE 3)**

**RESOLUTION NO. 038
(Declaration of SRRB)**

WHEREAS, the Bases Conversion and Development Authority, through the 2021 General Appropriations Act, approved the procurement of the Consulting Services for the Construction Management and Supervision (CMS) of the Construction of Various Structures and Facilities within the 100-hectare area at Bataan Technology Park, Morong Bataan (Phase 1-Package 3), with an Approved Budget for the Contract (ABC) in the amount of **Pesos: Seventy Six Million Five Hundred Thirty Five Thousand Two Hundred and 00/100 (PhP 76,535,200.00)**, inclusive of applicable taxes and fees;

WHEREAS, the BAC-C, through its Secretariat, advertised the Request for Expression of Interest (REI) on 19 October 2021 in a newspaper of nationwide circulation, and on 18-25 October 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, in response to the said advertisements of REI, three (3) prospective bidders submitted their Eligibility Documents prior to the set deadline for the submission of the Eligibility Documents for the Project on 05 November 2021 at 12:00 noon. On the same day, the submitted Eligibility Documents were opened and subjected to a preliminary evaluation by determining the presence or absence of the required documents using a non-discretionary “pass/fail” criterion;

WHEREAS, on 05-06 November 2021, the BAC-C TWG conducted the Eligibility Check and Shortlisting of the 3 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 item number 9.2 of Eligibility Data Sheet (EDS) for the project;

WHEREAS, on 08 November 2021, the BAC-C deliberated the results of the said Eligibility Check and Shortlisting. The said results show that the two (2) prospective bidders were rated “**Failed**” due to the absence of the required documents 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
Joint Venture of Filipinas Dravo Corporation and Design Science, Inc.	1. Failed to meet the requirement for the nominated Sr. Fire & Safety Engineer which should be a <u>licensed engineer for at least 10</u>

	<p><u>years</u> and 5 years of experience as Fire and Safety Engineer.</p> <p>The submitted PRC ID/License of the nominated Sr. Fire & Safety Engineer shows that his practice of profession as Professional Electronics Engineer covers only two (2) years and 11 months which is from the date he was registered with PRC as a Professional Electronics Engineer on 13 November 2018 up to the deadline for the submission of the Eligibility Documents on 05 November 2021. Thus, failed to meet the required number of years of practice of profession which is at least 10 years as Licensed Engineer. (In violation of Clause 1.2 of the Eligibility Data Sheet and Item no. 2 of Bid Bulletin No. 1)</p> <p>2. Failed to submit a valid Eligibility Form No. 1 (EF1). The EF1 in its submitted Eligibility Documents is not notarized. (In violation of Bid Bulletin No. 1 which officially issued the PDF copy of Presentation during the Pre-Eligibility Conference in which the notarization of EF1 was emphasized).</p>
<p>Joint Venture of Meinhardt Philippines, Inc and Rhodium 688 Builders, Inc.</p>	<p>1. Failed to meet the requirement for the nominated Sr. Fire & Safety Engineer which should be a licensed engineer for at least 10 years and <u>5 years of experience as Fire and Safety Engineer</u>.</p> <p>The submitted CV of the nominated key personnel Jeremias C. Cillo, specifically under the Projects Undertaken/Completed and Employment Record, does not show a proof of experience as Fire & Safety Engineer. Thus, failed to meet the required experience of at least 5 years as Fire and Safety Engineer. (In violation of Eligibility Data Sheet Clause 1.2, item no. 2 of Bid Bulletin No. 1, and Clause 9 of the Terms of Reference-9 Manning Requirement)</p>

	<ol style="list-style-type: none">2. Failed to submit the required BIM Training/Certification from any private or government training centers for the nominated Sr. BIM Specialist Francisco C. Caragatan. (In violation of Item 1.e of Bid Bulletin No. 1)3. Failed to meet the required contract amount of at least PhP38.5 million on the declared project in the EF9 based on the supporting documents of the billing invoices. The declared project is the Engineering Design Services and Construction Management Services at Lipa Factory for Project Arete (Malt Plant) which has a total contract amount of PhP26,320,000.00 based on the submitted billing invoices dated 17 and 20 March 2017. (In violation of Clause 13.2 of the Terms of Reference)4. Failed to submit a valid Tax Clearance. The validity of the submitted Tax Clearance Certificate is only until 30 October 2021, thus already expired on 31 October 2021. The proof of payment via eFPS and Tax compliance forms submitted are not acceptable because the Tax Clearance Certificate must be valid and existing at the time it is submitted to the Bids and Awards Committee (BAC), that is, on or before the deadline for the submission of bids, per GPPB Non-Policy Opinion (NPM No. 134-2016). (In violation of Sec. 24.1.a.iii of the Revised IRR of RA 9184)5. Failed to meet the required minimum score of 70% to be shortlisted. Per the results, the total score for the eligibility check is 54.70%. (In violation of Item 9.2 of the Eligibility Data Sheet and Clause 14 of the Terms of Reference)6. Failed to submit a valid Eligibility Form No. 1 (EF1). The EF1 in its submitted Eligibility Documents is not notarized. (In violation of Bid Bulletin No. 1 which officially issued the
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	PDF copy of Presentation during the Pre-Eligibility Conference in which the notarization of EF1 was emphasized).
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WHEREAS, the results of the Evaluation/Eligibility Check and Shortlisting likewise show that one (1) prospective bidder was rated “Passed”, and garnered a total score above the required minimum score of 70%, to wit:

PROSPECTIVE BIDDER	TOTAL SCORE (%)
Asyana Construction Consultancy and Trading	77.15%

WHEREAS, consequent to the above results of Eligibility Check and Shortlisting, the BAC-C issued BAC Resolution no. 030 on 08 November 2021 declaring the sole prospective bidder, Asyana Construction Consultancy and Trading as “Shortlisted and Eligible” to proceed to the next stage of the bidding for the project pursuant to Section 24.5.4 of RIRR of R.A. 9184. Thereafter, the Notice of Eligibility was sent to the said bidder on 11 November 2021 inviting the shortlisted bidder to bid/participate in the bidding for the project;

WHEREAS, Asyana Construction Consultancy and Trading submitted its Technical and Financial Proposals prior to the deadline set for the submission of Bids for the project on 02 December 2021 at 9:00AM. On the same day, the Technical Proposal of the sole bidder was opened and subjected to a preliminary examination by determining the presence or absence of the required documents using a non-discretionary “pass/fail” criterion;

WHEREAS, from 02 to 05 December 2021, the BAC-C TWG conducted the detailed evaluation of Technical Proposal of the sole bidder. On 06 December 2021, the BAC-C deliberated the Report of TWG on the results of the said detailed evaluation. The results show that the Technical Proposal of the sole bidder was rated “passed”. Thereafter, the BAC-C issued the Notice to Open the Financial Proposal of the sole bidder Asyana Construction Consultancy and Trading on the same day;

WHEREAS, on 07 December 2021, the Financial Proposal of Asyana Construction Consultancy and Trading was opened and subjected to a preliminary examination by determining the presence or absence of the required documents using a non-discretionary “pass/fail” criterion. Thereafter, the detailed evaluation of the Financial Proposal of the sole bidder was conducted from 07 to 08 December 2021. The BAC-C deliberated the TWG Report on the results of the said detailed evaluation on 09 December 2021. The table below shows the results of the said evaluation of Financial Proposal:

BIDDER	FINANCIAL BID		TOTAL SCORE (%)
	As Read	As Calculated	
Asyana Construction Consultancy and Trading	76,300,000.00	76,320,316.07	100.00%

The results of the detailed evaluation of Technical and Financial Proposals of Asyana Construction Consultancy and Trading showed that the sole bidder had no non-compliance in its Technical and Financial Proposals, and the combined numerical ratings for both components are as follows:

BIDDER	TECHNICAL SCORE (70%)	FINANCIAL SCORE (30%)	TOTAL SCORE (%)
Asyana Construction Consultancy and Trading	51.54%	30.00%	81.54%

WHEREAS, on 09 December 2021, in its BAC Resolution No. 036 dated 09 December 2021, the BAC-C resolved to declare Asyana Construction Consultancy and Trading (ACCT) as the bidder with the Single Rated Bid (SRB) for the Project, and to proceed to the negotiations with and conduct of post-qualification of the SRB in accordance with Section 33.2.5 and 34 of the Revised IRR of RA 9184, respectively. The said BAC Resolution was approved by the BCDA Officer-in-Charge of the Office of the President and CEO on 10 December 2021;

WHEREAS, on 14 December 2021, the Negotiation between BCDA and the sole bidder Asyana Construction Consultancy and Trading (ACCT) was conducted in which ACCT agreed to the terms and conditions, and committed to its obligations set forth by BCDA in accordance with the TOR for the Project and 2016 Revised IRR of RA 9184. Thereafter, the BAC-C TWG conducted the post-qualification on the sole bidder on 14 to 21 December 2021 pursuant to Rule X – Post-Qualification of the 2016 Revised IRR of RA 9184.

WHEREAS, on 21 December 2021, the BAC-C deliberated the TWG Report on the results of post-qualification on ACCT. The results of post-qualification show that there is a need to further verify and validate some details on the qualification of the sole bidder. Thus, the BAC-C issued Bid Bulletin no. 03 dated 21 December 2021 extending the post-qualification of the sole bidder until 29 December 2021;

WHEREAS, on 29 December 2021, the BAC-C deliberated again the TWG Report on the results of post-qualification on ACCT. After careful examination, validation and verification of all the submitted eligibility, legal, technical and financial documents, the BAC-C TWG found the bid of ACCT as compliant with and responsive to the requirements stipulated in the bidding documents, and recommended to declare ACCT as the bidder with the Single Rated and Responsive Bid (SRRB) for the Project in its Post-Qualification Report.

WHEREAS, in a BCDA Board Resolution no. 2021-12-167, the Senior Vice President (SVP) for Corporate Services Group, in the absence of the Officer-in-Charge of Office of the President and Chief Executive Officer, was given the authority to sign and approve the BAC Resolution on the award of contract for the CMS for the Construction of Various Structures and Facilities within 100-hectare area in Bataan Technology Park, Morong, Bataan (Phase 1-Package 3), and other documents in relation to the procurement of the Project.

NOW, THEREFORE, the foregoing considered and after careful evaluation and thorough deliberation of the bid submitted for the Project, we, 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 award the contract to **Asyana Construction Consultancy and Trading**, as the bidder with the **Single Rated and Responsive Bid (SRRB)** for the **Consulting Services for the**

BACC2021-0268

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*BAC Reso no. 038 – SRRB for CMS of Package 3
December 2021/version 1*

Construction Management and Supervision (CMS) for the Construction of Various Structures and Facilities within 100-hectare area in Bataan Technology Park, Morong, Bataan (Phase 1-Package 3) pursuant to Section 36 of the 2016 Revised IRR of RA 9184, in the amount of Pesos: **Seventy-Six Million Three Hundred Thousand (PhP 76,300,000.00)**, pursuant to Section 34.4 of the same RIRR; and

2. To issue the corresponding Notice of Award (NOA) to **Asyana Construction Consultancy and Trading (ACCT)**, being the bidder with SRRB.

RESOLVED, at the BCDA Corporate Center Office, this 29 December 2021.

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

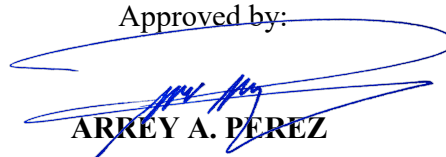

AILEEN ANUNCIACION R. ZOSA
Chairperson

on leave
FERNANDO T. GALLARDO, JR.
Vice Chairperson


MADONNA M. CINCO
Member


ARISTOTLE E. GUERRERO
Member


VIRGIL M. ALVAREZ
Member

Approved by:

ARREY A. PEREZ
SVP for Corporate Services Group

NOTICE OF AWARD

31 December 2021

MR FERNANDO L. BALLASIO

General Manager

Asyana Construction Consultancy & Trading

Unit 201, Anaheim The Levels, Pacific Rim Road,

Filinvest Alabang, Muntinlupa City, Metro Manila

Dear **Mr. Ballasio**:

The Bases Conversion and Development Authority (BCDA) hereby awards the Contract for the Consulting Services for the Construction Management and Supervision (CMS) for the Construction of Various Structures and Facilities within 100-hectare area at Bataan Technology Park (BTP), Morong, Bataan (Phase 1-Package 3) to **Asyana Construction Consultancy & Trading**, being the bidder with the Single Rated and Responsive Bid (SRRB) in the amount of **PESOS: Seventy-Six Million Three Hundred Thousand (PhP76,300,000.00)**, inclusive of all applicable taxes, fees and other charges.

You are therefore required, within ten (10) calendar days from receipt of this Notice to:

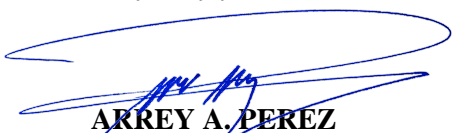
- 1) Formally enter into contract with BCDA, provided that all the documentary requirements which shall form part of the Contract for the aforementioned project are complied with.
- 2) Post a Performance Security denominated in Philippine Pesos in the form and in the amount stipulated in Section 39.2 of the revised IRR of R.A. 9184, which shall be posted in favor of BCDA and which shall remain valid until the issuance of Certificate of Final Acceptance.

Failure to enter into said contract and/or provide the performance security shall constitute sufficient ground for cancellation of the award and forfeiture of the bid security.

Please indicate your concurrence by signing on the space below in the "Conforme" and return the same upon signing.

Thank you.

Very truly yours,



ARREY A. PEREZ

SVP for Corporate Services Group

Conforme:

FERNANDO L. BALLASIO

General Manager

Date: _____

Notice of Award re CMS for Various Structures and Facilities in BTP Ph1-Pkg3
December 2021/version 1

BACC2021-0270