

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

CONSULTING SERVICES FOR THE CONSTRUCTION MANAGEMENT AND SUPERVISION (CMS) OF VARIOUS STRUCTURES AND FACILITIES WITHIN THE 100-HECTARE AREA AT BATAAN TECHNOLOGY PARK (BTP), MORONG, BATAAN (PHASE 1-PACKAGE 2) - (SECOND REBIDDING)

**RESOLUTION NO. 039
(Declaration of Shortlisted Bidders)**

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 Various Structures and Facilities within the 100-Ha. Area at Bataan Technology Park (the "Project") (Second Rebidding), with an Approved Budget for the Contract (ABC) in the amount of **Pesos: Eighty-Eight Million Four Hundred Thirty-Five Thousand Two Hundred & 00/100 (Php88,435,200.00)**, inclusive of applicable taxes and fees;

WHEREAS, the BAC-C, through its Secretariat, advertised the Request for Expression of Interest (REI) on 11 December 2021 in a newspaper of nationwide circulation, and on December 11 to 18, 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, four (4) prospective bidders submitted their Eligibility Documents prior to the set deadline for submission on 14 January 2022 at 12:00 noon, to wit:

1. KMV Asia Development Corporation;
2. Joint Venture of Schema Konsult, Inc. and Filipinas Dravo Corporation;
3. E & R Builders and Management Services; and
4. Asyana Construction Consultancy and Trading

WHEREAS, the submitted Eligibility Documents of the said prospective 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, from 14 to 16 January 2022, the BAC-C Technical Working Group (TWG) conducted the Eligibility Check and Shortlisting of the Eligibility Documents 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 17 January 2022, 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 their non-submission of the required documents or non-compliance with the requirements provided under the Eligibility Documents and Terms of Reference (TOR) for the project, and revised IRR of R.A. 9184, to wit:

PROSPECTIVE BIDDERS	NON-COMPLIANCE
<p>Joint Venture of Schema Konsult, Inc. and Filipinas Dravo Corporation</p>	<p>1. Failed to submit a valid EF10 or the Certificate of Availability of Key Personnel.</p> <p>The prospective bidder submitted a wrong format of EF10 in which the required statements in the provided format for EF10 were not followed. Specifically, the statement required from the prospective bidder as provided in the format for EF10 which states, “We further certify that the following nominated Key Personnel will not be engaged in other projects for the duration of their engagement with this project that is being bid out” was not included or was omitted in the submitted EF10.</p> <p>[In violation of Section 30.1 of the RIRR of R.A. 9184 and Section IV – Eligibility Forms of the Eligibility Documents for the Project.]</p>
<p>E & R Builders and Management Services</p>	<p>1. Failed to submit valid EF6 or Curriculum Vitae (CV) of the nominated key personnel for the following positions:</p> <ul style="list-style-type: none"> a. Sr. Structural Engineer (Emilio Morales) b. Sr. Geotechnical/ Foundation Engineer (Mark Kalalo Morales) c. Sr. BIM Specialist (Jaime N. Espiritu) <p>The above nominated key personnel failed to sign their EF6 or CVs. It is required that the nominated key personnel should sign their CVs to certify/prove their commitment to the project, in accordance with the timetable of the project. Hence, the submitted CVs are patently incomplete.</p> <p>[In violation of Section 30.1 of the RIRR of R.A. 9184, Item 2(g)(vi) of the Bid Bulletin No. 01, and Section IV–Eligibility Forms of the Eligibility Documents for the Project.]</p> <p>2. Failed to submit the PRC IDs/Licenses of the nominated key personnel for the following positions:</p> <ul style="list-style-type: none"> a. Sr. Structural Engineer (Emilio Morales) b. Sr. Geotechnical/ Foundation Engr. (Mark Kalalo Morales) c. Sr. Geodetic Engineer (Martin N. Manglib)

- d. Sr. Drainage/Sanitary Engineer (Nick Regacho)
- e. Sr. Materials Engineer II (Hana Myka C. Gaton)
- f. Sr. Fire and Safety Engineer (Nardito M. Cornelio Jr.)

As provided in the Eligibility Data Sheet (EDS) for the Project, these nominated key personnel are required to submit valid PRC IDs/Licenses.

[In violation of Section 30.1 of the RIRR of R.A. 9184 and Section 1.2 of the EDS of the Eligibility Documents for the Project.]

- 3. Failed to meet the required EF9 or the Statement of Project with at least Php44 Million contract amount.

In the submitted EF 9, the prospective bidder declared the following:

- Project Name and Location: “DLSU various projects (Manila and Laguna Campus), Note: 45 projects in Manila and Laguna campuses”
- Dates of Contract Award: July 10, 2017, October 1, 2017, and May 1, 2018
- Contract Amount: 34,000,000.00

Further, based on the submitted supporting documents of the EF4, the prospective bidder’s largest completed project entitled, “Construction Management Services Agreement for the Construction of Signum Fidei Chapel in DLSU-STC, Laguna, campus and to construct various projects in DLSU-Main Campus Taft, Manila” is with a contract amount of PhP20,451,984.55 only.

Based on the title of the project, three (3) dates of Contract Award, and the contract amount stated in the submitted EF9, and based on the submitted supporting documents of EF4, the prospective bidder **failed to submit a single contract for the Construction Management and Supervision (CMS) for vertical project with a contract amount of at least Php44 Million.**

	<p>As provided in Section 13 – Qualification of Bidders under the Terms of Reference (TOR) of the project, “<i>The Consultant should have experience in handling at least one (1) construction management and supervision for vertical project with a contract amount of at least Php44,000,000.00.</i>”</p> <p>[In violation of Section 30.1 of the RIRR of R.A. 9184, Section 13.2 of the TOR, Item 2(g)(ix) of the Bid Bulletin No. 01, and Section IV–Eligibility Forms of the Eligibility Documents for the project.]</p>
--	---

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, the results of the Evaluation/Eligibility Check and Shortlisting likewise show that the other two (2) prospective bidders were rated “Passed” and garnered total scores above the required minimum score of 70%, to wit:

CRITERIA	WT.	KMV Asia Development Corporation	Asyana Construction Consultancy and Trading
Applicable Work Experiences of the Consultant	20%	14.00%	15.00%
Qualification & Experience of key personnel	60%	47.08%	52.85%
Current Work Load Related to Capacity	20%	17.90%	13.00%
TOTAL	100.00%	78.98%	80.85%
		PASSED	PASSED

NOW, THEREFORE, foregoing considered and after careful evaluation and thorough deliberation of the Eligibility Documents submitted for the project, we the Members of the Bids and Awards Committee for Consulting Services, hereby **RESOLVE** as it is hereby **RESOLVED** to recommend the following:

1. To declare the prospective bidders who were rated “passed” as **ELIGIBLE** and **SHORTLISTED** to proceed to the next stage of the bidding for the project pursuant to Section 24.5.4 of RIRR of R.A. 9184, to wit:


- 1) **KMV Asia Development Corporation**

- 2) Asyana Construction Consultancy and Trading
2. Issuance of Notice of Eligibility to the aforementioned Eligible and Shortlisted bidders inviting them to submit their bids for the project.

RESOLVED, at the BCDA Corporate Center Office, this 17th day of January 2022.

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


AILEEN ANUNCIACION R. ZOSA
Chairperson



FERNANDO T. GALLARDO, JR.
Vice Chairperson

on official business
MADONNA M. CINCO
Member


ARISTOTLE E. GUERRERO
Member


VIRGIL M. ALVAREZ
Member

Approved by:


ARISTOTLE B. BATUHAN
Officer-in-Charge
BACC2022-0007