

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-HA AREA AT BATAAN TECHNOLOGY PARK (BTP), MORONG,
BATAAN (PHASE 1-PACKAGE 2)
(SECOND REBIDDING)**

**RESOLUTION NO. 042
(Declaration of Highest Rated and Responsive Bid)**

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 “Consulting Services”) (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. 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, 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 4 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 on the results of the said Eligibility Check and Shortlisting. The said results showed that 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 Bidding 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 render their services for 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</p>

	<p>Forms of the Bidding Documents for the Consultancy Services.]</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.) <p>As provided in the Eligibility Data Sheet (EDS) for the Project, these nominated key personnel are required to submit valid PRC IDs/Licenses.</p> <p>[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 Consultancy Services.]</p> <p>3. Failed to meet the required EF9 or the Statement of Project with at least Php44 Million contract amount.</p> <p>In the submitted EF 9, the prospective bidder declared the following:</p> <ul style="list-style-type: none">-<u>Project Name and Location</u>: “DLSU various projects (Manila and Laguna Campus), Note: 45 projects in Manila and Laguna campuses”-<u>Dates of Contract Award</u>: July 10, 2017, October 1, 2017, and May 1, 2018-<u>Contract Amount</u>: 34,000,000.00 <p>Further, based on the submitted supporting documents of the EF4, the prospective</p>
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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.**

As provided in Section 13 – Qualification of Bidders under the Terms of Reference (TOR) of the Consulting Services, "*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.*"

[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 Consulting Services.]

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 two (2) of the four (4) 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% PASSED	80.85% PASSED

WHEREAS, consequent to the above results of Eligibility Check and Shortlisting, the BAC-C issued BAC Resolution no. 039 on 17 January 2022 declaring **KMV Asia Development Corporation** and **Asyana Construction Consultancy and Trading** as the “**Shortlisted and Eligible**” bidders to proceed to the next stage of the bidding for the Consulting Services pursuant to Section 24.5.4 of RIRR of R.A. 9184. Thereafter, the Notices of Eligibility were sent to the said bidders on 19 January 2022 inviting them to bid/participate in the bidding for the Consulting Services;

WHEREAS, the aforementioned shortlisted and eligible bidders submitted their Technical and Financial Proposals prior to the deadline set for the submission of Bids for the Consulting Services on 21 February 2022 at 12:00 noon. On the same day, the Technical Proposals of the shortlisted bidders were 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 21 to 23 February 2022, the BAC-C TWG conducted the detailed evaluation of Technical Proposals of the shortlisted bidders. On 24 February 2022, the BAC-C deliberated on the results of the Report of the TWG on the detailed evaluation. The BAC-C observed that some details in the report need further review and validation. Thus, the BAC-C issued Bid Bulletin No. 07 on the postponement and rescheduling of the Opening of Financial Proposals from 28 February 2022 to 01 March 2022;

WHEREAS, on 28 February 2022, the BAC-C deliberated further on the results of detailed evaluation of the Technical Proposals. The results of the deliberation showed that the Technical Proposals of the two (2) shortlisted bidders were compliant with the requirements provided under the bidding documents for the Consulting Services and revised IRR of R.A. 9184, and were rated

“passed”, to wit:

CRITERIA	WT.	KMV Asia Development Corporation	Asyana Construction Consultancy and Trading
Applicable Work Experiences of the Consultant	10%	7.00	7.70
Qualification & Experiences of key personnel	60%	51.52	54.86
Plan of Approach and Methodology	30%	19.84	24.15
TOTAL	100.00%	78.36	86.71
		PASSED	PASSED

Thereafter, the BAC-C issued the Notice to Open the Financial Proposals of the 2 bidders on the same day;

WHEREAS, on 01 March 2022, the Financial Proposals of the two (2) bidders were 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 Proposals of the two (2) bidders were conducted from 01 to 03 March 2022. The BAC-C deliberated on the results of the TWG Report on the detailed evaluation on 04 March 2022. The table below shows the results of the said evaluation of Financial Proposals:

BIDDERS	FINANCIAL BID (PhP)		FINANCIAL SCORE
	As Read	As Calculated	
KMV Asia Development Corporation	80,000,000.00	80,082,720.01	100.00%
Asyana Construction Consultancy and Trading	86,401,191.40	81,526,444.51	98.13%

WHEREAS, the combined numerical ratings of the Technical and Financial Proposals of the two (2) bidders using Quality-Cost Based Evaluation (QCBE) procedure, with corresponding weights of 70% for the technical proposal and 30% for the financial proposal, are as follows:

BIDDER	TECHNICAL SCORE (70%)	FINANCIAL SCORE (30%)	TOTAL SCORE	RANK
Asyana Construction Consultancy and Trading	60.70%	29.44%	90.14%	1
KMV Asia Development Corporation	54.85%	30.00%	84.85%	2

WHEREAS, the above results of the detailed evaluation of the submitted Technical and Financial Proposals of the two (2) bidders show that Asyana Construction Consultancy and Trading is the bidder with the Highest Rated Bid (HRB). The said results likewise showed that the said bidder had no non-compliance in its Technical and Financial Proposals;

WHEREAS, in its BAC Resolution no. 041 dated 04 March 2022, the BAC-C resolved to declare **Asyana Construction Consultancy and Trading** is the bidder with the **Highest Rated Bid (HRB)** for the consulting services, and to proceed to the negotiations with and conduct of post-qualification of the HRB in accordance with Sections 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 06 March 2022;

WHEREAS, on 08 March 2022, the Negotiation between BCDA and the HRB 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 HRB on 08 to 14 March 2022 pursuant to Rule X – Post-Qualification of the 2016 Revised IRR of RA 9184;

WHEREAS, on 15 March 2022, the BAC-C deliberated the TWG Report on the results of post-qualification on ACCT. The BAC-C observed that some details in the report need further verification/validation;

WHEREAS, pursuant to the instruction of the BAC-C, the TWG made further verification/validation on the results of the post-qualification of HRB from March 15 to 18, 2022. Thus, the BAC-C issued Bid Bulletin No. 08 dated 18 March 2022 on the revision of the schedules of the remaining procurement activities;

WHEREAS, based on the results of further validation on the results of the post-qualification of ACCT, and 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 Highest Rated and Responsive Bid (HRRB) for the Project in its Post-Qualification Report.

NOW, THEREFORE, the foregoing considered and after careful evaluation and thorough deliberation of the Technical and Financial bids submitted for the aforementioned Consulting Services, 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 (ACCT)**, as the bidder with the **Highest Rated and Responsive Bid (HRRB)** for the **Consulting Services for the Construction Management and Supervision (CMS) for the Construction of Various Structures and Facilities within 100-ha. area in Bataan Technology Park, Morong, Bataan (Phase 1-Package 2) – second rebidding**, in the amount of **Pesos: Eighty-One Million Five Hundred Twenty-Six Four Hundred Forty-Four & 51/100 (PhP 81,526,444.51)**, pursuant to Section 34.4 of the 2016 revised IRR of R.A. 9184; and
2. To issue the corresponding Notice of Award (NOA) to **Asyana Construction Consultancy and Trading (ACCT)**, being the bidder with HRRB.

RESOLVED, at the BCDA Corporate Center Office, this 21st day of March 2022.

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


AILEEN ANUNCIACION B. ZOSA
Chairperson


FERNANDO T. GALLARDO, JR.
Vice Chairperson


MADONNA M. CINCO
Member

on leave
ARISTOTLE E. GUERRERO
Member


VIRGIL M. ALVAREZ
Member

Approved by:


ARISTOTLE B. BATUHAN
Officer-in-Charge
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