

**Special Bids and Awards Committee (SBAC) for New Clark City (NCC) Access Roads**

**CONSTRUCTION OF AIRPORT TO NCC ACCESS ROAD PHASE 3  
(Calumpang-Dapdap Segment)  
at New Clark City**

**RESOLUTION NO. 09  
(Declaration of LCRB)**

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA) has put on bid the **CONSTRUCTION OF AIRPORT TO NCC ACCESS ROAD PHASE 3 (Calumpang-Dapdap Segment)**, located at New Clark City, Capas, Tarlac with an Approved Budget for the Contract (ABC) in the amount of **Two Billion One Hundred Sixty-Nine Million Four Hundred Sixty-Three Thousand Seven Hundred Fourteen Pesos and <sup>18</sup>/<sub>100</sub> (Php2,169,463,714.18)**, inclusive of all applicable taxes and fees, under a modified payment scheme.

**WHEREAS**, the SBAC for NCC Access Roads, through its Secretariat, advertised the Invitation to Bid on 14 January 2019 in newspaper of nationwide circulation, and on January 14 to 20, 2019 in the following:

- a. DBM Philippine Government Electronic Procurement System (PhilGEPS);
- b. BCDA Website; and
- c. In a conspicuous place reserved for the purpose in the premises of BCDA.

**WHEREAS**, in response to the said advertisements, there were twenty-seven (27) interested bidders who bought the bid documents;

**WHEREAS**, out of the 27 interested bidders who bought the bid documents, only sixteen (16) bidders submitted their bid proposals for the project prior to the deadline set for the submission of bids.

**WHEREAS**, during the Opening of Bids on 12 April 2019, the first envelopes (which contained the eligibility/technical requirements) of the 16 bidders were opened and subjected to a preliminary evaluation, which is checking the presence or absence of the required documents using "pass/fail" criterion;

**WHEREAS**, only the bids of the fifteen (15) bidders passed the preliminary evaluation and were considered for detailed evaluation and comparison of financial bids. Table below shows the bid amount of the 15 bidders (as read):

BIDDERS	BID AMOUNT (AS READ)	RANKING
L.S.D. Construction & Supplies	1,712,697,258.21	1
Baque Corporation	1,729,810,599.63	2
SCP Construction	1,751,488,251.60	3
R-II Builders, Inc.	1,790,640,263.39	4



R.D. Policarpio & Co., Inc.	1,795,125,382.81	5
A.M. Oreta & Co., Inc./China Wuyi Co. Ltd. Consortium	1,860,461,166.88	6
MAC Builders	1,865,659,101.91	7
Delta Prime & BMD Clark Connect 3 Consortium	1,911,579,450.86	8
Ciriaco Corporation/China First Highway Engineering Co., Ltd. Consortium	1,914,031,354.00	9
Green Asia Construction and Development Corporation/China Geo-Engineering Corporation Consortium	1,924,273,517.46	10
JASA Builders/China State Construction Corporation Ltd. Philippine Branch/ Keilana Corporation Consortium	1,931,213,209.09	11
Newington Builders, Inc. / Ron Daniell Construction Corporation Joint Venture	1,948,027,608.20	12
A.G. Araja Construction and Development Corporation/Qingjian Group Co. Ltd. Consortium	1,998,961,368.21	13
Haidee Construction & Development Corporation/MSB Vitug Construction/ China International Water & Electric Corporation (CWE) Consortium	2,036,831,209.00	14
Studio 26 Construction, Inc./Qingdao Municipal Construction Group Co. Ltd. Consortium	2,050,253,480.20	15

**WHEREAS**, the detailed evaluation and verification of the bids of the 15 proponents, whose Eligibility/Technical Requirements and Financial Proposals were rated "PASSED", were conducted on April 15 to May 17, 2019 pursuant to Sec. 30 of the Revised Implementing Rules and Regulations (IRR) of RA 9184 to determine the bidder with the Lowest Calculated Bid (LCB) who shall undergo the post-qualification process;

**WHEREAS**, after the said detailed bid evaluation, only the bids of the three (3) proponents were found to be **responsive** to the requirements stipulated in the bidding documents of the project. These 3 proponents were ranked in ascending order based on their financial bids or total bid price as calculated, evaluated and corrected for computational errors, and other bid modifications to identify the Lowest Calculated Bid (LCB) pursuant to Section 32.2.4 of the IRR of RA 9184:

RANK	BIDDERS	BID AMOUNT (as calculated)
1	Baque Corporation	Php 1,729,810,633.76
2	MAC Builders	Php 1,865,696,529.34
3	Newington Builders, Inc. / Ron Daniell Construction Corporation Joint Venture	Php 1,948,027,608.62

**WHEREAS**, consequent to the above results of the said detailed evaluation and verification of bids, BAC Resolution No. 04 was issued on 20 May 2019, **declaring Baque Corporation as the bidder with the Lowest Calculated Bid (LCB)** for the construction of the Airport to NCC Access Road Phase 3 (Dapdap-Calumpang Segment) at New Clark City;

**WHEREAS**, on May 21 to June 4, pursuant to Section 34 of the Revised IRR of R.A. 9184, the SBAC Technical Working Group (TWG) conducted Post-Qualification on Baque Corporation to determine whether it is compliant and responsive to the requirements and conditions specified in the bidding documents;

**WHEREAS**, on 14 June 2019, the SBAC received a letter from a concerned citizen named Philip Anthony Hernandez manifesting doubt on the eligibility and qualification of Baque Corporation to undertake the project because according to him, it has submitted a Single Largest Completed Contract (SLCC) which is not similar to the Phase 3 Project. Thus, Mr. Hernandez requested BCDA to properly evaluate the eligibility and qualifications of Baque Corporation;

**WHEREAS**, in its effort to adhere to the principles of transparency and efficiency in the government procurement process, and to further satisfy the objective of the post-qualification, specifically under Section 34.3 under Rule X of the Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, the SBAC conducted due diligence and consultations from 7 June to 5 September, 2019 to further verify, validate, and ascertain the SLCC submitted by Baque Corporation;

**WHEREAS**, after conducting due diligence and consultations, the SBAC convened and deliberated on the qualification/compliance of Baque Corporation as regards its SLCC;

**WHEREAS**, on 16 September 2019, the SBAC issued BAC Resolution No. 07 recommending the following:

- a. To declare Baque Corporation as Post-Disqualified for the Construction of Airport to NCC Access Road Phase 3 (Calumpang-Dapdap Segment) for the reason that the MOU between NHA and Baque Corporation in the bid submission of Baque Corporation does not accurately and clearly present such as similar contract to the project subject; and
- b. To declare the bid of MAC Builders as the second Lowest Calculated Bid (LCB) for the project, and for the SBAC TWG to proceed with the Post-Qualification of the second LCB;

**WHEREAS**, on 26 September 2019, BCDA received a letter from a certain Phillip Anthony Hernandez alleging that MAC Builders has negative slippages of more than 15% in some of its current projects with DPWH, supported with details in his second letter which was received by BCDA on 1 October 2019;

**WHEREAS**, on 30 September 2019, the TWG started to conduct Post-Qualification on MAC Builders being the bidder with the second Lowest Calculated Bid (LCB);

**WHEREAS**, on 1 October 2019, the SBAC TWG Head sent a letter to DPWH requesting assistance on the validation of status of all on-going DPWH project of MAC Builders;



**WHEREAS**, on 4 October 2019, the SBAC convened and discussed the results of the Post-Qualification of MAC Builders. The SBAC instructed the TWG to follow up the response of DPWH on its validation of the projects of MAC Builders with DPWH;

**WHEREAS**, on 14 October 2019, BCDA received the response of DPWH to the aforementioned request of TWG for verification/validation of projects of MAC Builders. The said response of DPWH shows that MAC Builders has three (3) projects in Naval, Biliran, Leyte; Ormoc and Albuera, Leyte; and Calbayog City, Samar with more than 15% slippages with a note/remark stating that the slippages indicated are not conclusive and need to be validated by the implementing office. Thus, on 23 October 2019, the SBAC TWG validated/verified the status of said projects with DPWH Regional Office (Region VIII);

**WHEREAS**, on 30 October 2019, the SBAC convened to discuss the result of TWG's validation/verification with DPWH Regional Office (Region VIII) on the status of MAC Builders' projects. The results of the TWG's validation/verification showed that one (1) project of the aforementioned 3 projects of MAC Builders was already completed while the two (2) other projects are still on-going which the DPWH implementing unit had issued a Certification stating that the delay in the said projects was not due to contractor's fault. During the said meeting, the SBAC issued specific instructions to send letters to specific government agencies, to further verify/validate if there are slippages on the projects of MAC Builders;

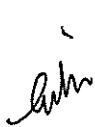
**WHEREAS**, on 5 November 2019, the TWG sent letters to Department of Public Works and Highways (DPWH), Tourism Infrastructure and Enterprise Zone Authority (TIEZA), National Housing Authority (NHA), and National Irrigation Administration (NIA) requesting assistance in the validation and post-qualification of MAC Builders. Said letters also requested the lists and status of the ongoing projects of MAC Builders and the overall rating of the performance of MAC Builders in said government agencies;

**WHEREAS**, on November 13 to 19, 2019, the SBAC received the responses of the aforementioned agencies stating/showing that the projects of MAC Builders with said government agencies have no negative slippages;

**WHEREAS**, on 11 December 2019, BCDA received a letter from Philip Anthony Hernandez of even date stating that "MAC Builders has also ongoing contracts with NIA and non-declaration of any of these contracts disqualifies the bidder". Contrary to the said claim of Mr. Hernandez, the on-going projects of MAC Builders as submitted during bid submission matched those in the Verification Slips sent by NIA in its letter dated 8 November 2019.

**WHEREAS**, after careful examination, validation and verification of all the eligibility, legal, technical and financial documents submitted by MAC Builders, and after the consultations and due diligence conducted by SBAC on said bidder from November 22 to December 17, 2019, the TWG, in its Post-Qualification Report found MAC Builders compliant and responsive to the requirements stipulated in the bidding documents for the Project, and recommended to declare MAC Builders as the bidder with Lowest Calculated and Responsive Bid (LCRB);

**WHEREAS, MAC Builders** is not included in the GPPB List of Blacklisted Constructors as of November 30, 2019;



**NOW, THEREFORE**, We, the Members of the Special Bids and Awards Committee (SBAC) for NCC Access Roads, hereby **RESOLVE** as it is hereby **RESOLVED**, to recommend the following:

1. To award the contract to **MAC BUILDERS as the bidder with the Lowest Calculated and Responsive Bid (LCRB)** for the Construction of the Airport to NCC Access Road Phase 3 (Calumpang-Dapdap Segment) at New Clark City in the amount of **PESOS: One Billion Eight Hundred Sixty-Five Million Six Hundred Fifty-Nine Thousand One Hundred One & 91/100 (Php1,865,659,101.91)** pursuant to Sec. 34.4 of the revised IRR of R.A. 9184; and
2. To issue the corresponding Notice of Award (NOA) to **MAC BUILDERS, being the bidder with LCRB.**

**RESOLVED**, at the BCDA Corporate Center Office, this 19<sup>th</sup> day of December 2019.

**SPECIAL BIDS AND AWARDS COMMITTEE (BAC) FOR NCC ACCESS ROADS**

  
**AILEEN ANUNCIACION R. ZOSA**  
Chairperson


(on leave)  
**ARREY A. PEREZ**  
Vice Chairperson

  
**RICHARD BRIAN M. CEPE**  
Member

  
**MARIA JOSEFINA V. PE**  
Member

  
**ATTY. MARICEL C. SANTOS**  
Member

Approved by:

  
**VIVENCIO B. DIZON**  
President and CEO

