

BIDS AND AWARDS COMMITTEE FOR INFRASTRUCTURE PROJECTS (BAC-I)

**SITE DEVELOPMENT OF THE 65-HECTARE RELOCATION
SITE IN NEW CLARK CITY (NCC)**

RESOLUTION NO. 2024-007

DECLARATION OF LOWEST CALCULATED AND RESPONSIVE BID (LCRB)

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA), through the General Appropriations Act (GAA), has put on bid the **SITE DEVELOPMENT OF THE 65-HECTARE RELOCATION SITE IN NEW CLARK CITY (NCC)** with an Approved Budget for the Contract (ABC) in the sum of **Pesos: Seven Hundred Nineteen Million Nine Hundred Seventy Two Thousand One Hundred Eighty Three Pesos 45/100 Centavos (Php 719,972,183.45)**, inclusive of all applicable taxes and fees.

WHEREAS, the BAC-I, through its Secretariat, advertised the Invitation to Bid on 01 March 2024 in the following platforms:

- 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, eleven (11) prospective bidders bought the bid documents, namely:

1. C.M. PANCHO CONSTRUCTION, INC.
2. R-II BUILDERS, INC.
3. R.D. POLICARPIO & CO., INC.
4. ZED BUILDERS, INC.
5. JC RODRIGUEZ CONSTRUCTION CORPORATION
6. KAEL CONSTRUCTION AND SUPPLY/ DRAGONHART CONSTRUCTION ENTERPRISE, INC. (JOINT VENTURE)
7. JAZY INC.
8. PHESCO INCORPORATED
9. FFJJ CONSTRUCTION
10. MAC BUILDERS CORP.
11. ED1SON DEVELOPMENT CONSTRUCTION, INC.

WHEREAS, out of the aforementioned interested bidders, eight (8) submitted their bids prior to the set deadline of submission of bids for the project on 22 April 2024 at 9:00AM:

1. JC RODRIGUEZ CONSTRUCTION CORPORATION
2. EDISON DEVELOPMENT AND CONSTRUCTION INC.
3. FFJJ CONSTRUCTION
4. RD POLICARPIO & CO. INC.
5. JV OF PRIME GIGA BUILD CONSTRUCTION CORP. AND ZED BUILDERS, INC.
6. MAC BUILDERS CORP.
7. PHESCO INCORPORATED
8. JV OF KAEL CONSTRUCTION AND SUPPLY AND DRAGONHART CONSTRUCTION ENTERPRISE, INC.

WHEREAS, on 22 April 2024, the first envelopes which contained the Eligibility and Technical Requirements of the eight (8) proponents were opened and subjected to a preliminary evaluation by determining the presence or absence of the required documents using the “pass/fail” criterion;

WHEREAS, during the said preliminary evaluation and after checking the sufficiency of the required documents as regards their presence or absence, the BAC declared that the bids of the following bidders “failed” due to the absence of the required documents or non-compliance with the requirements provided under the bidding documents for the project, to wit:

BIDDER	NON-COMPLIANCE
FFJJ CONSTRUCTION	<p>The bidder submitted a sub contract agreement as its Single Largest Completed Contract (SLCC).</p> <p>The Bidder is not compliant with Instructions to Bidders (ITB) Clause 5.2 of the Bid Data Sheet which states as follows:</p> <p><i>“Subcontract Agreements shall not be considered in the satisfaction of the Single Largest Completed Contract (SLCC) requirement.”</i></p>

WHEREAS, the second envelopes which contained the financial proposals of the seven (7) proponents, who “passed” the preliminary examination of the eligibility/technical requirements, were opened and were likewise subjected to a

preliminary evaluation of the financial proposals. After checking the sufficiency of the required documents as regards its presence or absence, the BAC declared the bids of the six (6) proponents “passed” and were considered for the detailed evaluation and comparison of financial bids. The table below shows the ranking and bid amounts of the 6 proponents (as read):

BIDDERS	BID AMOUNT (AS READ)	RANKING
JV OF PRIME GIGABUILD CONSTRUCTION CORP. & ZED BUILDERS, INC.	₱ 590,171,000.00	1
PHESCO INCORPORATED	₱ 604,715,500.84	2
J.C. RODRIGUEZ CONSTRUCTION CORPORATION	₱ 615,000,000.00	3
MAC BUILDERS CORP.	₱ 615,556,546.11	4
RD POLICARPIO & CO. INC.	₱ 618,988,812.96	5
ED1SON DEVELOPMENT AND CONSTRUCTION INC.	₱ 717,206,928.15	6

WHEREAS, during the said preliminary evaluation and after checking the sufficiency of the required documents as regards its presence or absence, the BAC-I declared the Financial Bid of one (1) bidder as “failed” due to the non-compliance with the requirements of ITB clause 11.1 provided under the bidding documents for the project, and the Revised Implementing Rules and Regulations (RIRR) of Republic Act (R.A) No. 9184, to wit:

BIDDER	NON-COMPLIANCE
JV OF KAEL CONSTRUCTION AND SUPPLY AND DRAGONHART CONSTRUCTION ENTERPRISE, INC.	<p>The bidder left the discount portion of the bid form blank.</p> <p>The bidder is non compliant with ITB Clause No. 11.1 of the Bid Data Sheet which is clearly instructive that, in case the bidder will offer no discount, the word “None” shall be written. The pertinent clause states as follows:</p> <p><i>In filling out the bid form, bidders shall provide a discount offer in the form of amount, in figures and in words, including its</i></p>

	<i>application and methodology. <u>In case of no discount offered, bidders shall write "None."</u></i>
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WHEREAS, Section 32.2 of the RIRR of R.A. 9184 provides that, *“For the procurement of Goods and Infrastructure Projects, the BAC shall evaluate the financial component of the bids to determine the Lowest Calculated Bid. xxx.”*

WHEREAS, in accordance with Section 32.2 of the RIRR of R.A. 9184 mentioned above, the BAC Technical Working Group (TWG) conducted the detailed evaluation of the Financial Component of the bids of the aforementioned six (6) proponents on 23 April to 26 April 2024. After the said detailed evaluation of the Financial Component, the BAC declared the Financial Bid of one (1) bidder as “failed” due to non-compliance with the requirements provided under the bidding documents for the project, to wit:

BIDDER	NON-COMPLIANCE
MAC BUILDERS CORP.	<p>The bidder failed to submit a complete set of the required items in the Bill of Quantities (BOQ), specifically pay items under Facilities for the Engineer and Other General Requirements, to wit:</p> <ol style="list-style-type: none"> 1. Item A.1.1 (1) Construction of Combined Field Office, Laboratory and Living Quarters Building for the Engineer 2. Item A.1.1 (11) Provision for Furnitures/ Fixtures, Equipment and Appliances for the Field Office for the Engineer 3. Item A.1.1 (14) Publications for the Engineer 4. Item B.1 Offices, Shops, Stores, and Workmen's Accommodation for Contractor <p>The bidder wrote the word “lot” instead of providing the unit cost for the above-mentioned pay items.</p> <p>Failure to provide the required pay items violates Section 32.2.1.a of the RIRR of RA 9184, which states that:</p> <p style="text-align: center;">xxx <i>“Completeness of the bid. Unless the Instructions to Bidders specifically allow partial bids, bids not addressing or providing all of the required items in the Bidding Documents including, where applicable, bill of</i></p>

	<p><i>quantities, shall be considered non-responsive and, thus, automatically disqualified. <u>In this regard, where a required item is provided, but no price is indicated, the same shall be considered as non-responsive, but specifying a zero (0) or a dash (-) for the said item would mean that it is being offered for free to the Government, except those required by law or regulations to be provided for:</u></i></p>
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Thus, only the bids of the five (5) proponents were ranked in ascending order based on their financial bids or total bid price as calculated, evaluated, and/or corrected for computational errors, to identify the bidder with the Lowest Calculated Bid (LCB) who shall undergo the post-qualification. The table below shows the bid amount of the five (5) proponents (as calculated):

BIDDERS	BID AMOUNT (AS CALCULATED)	RANKING
JV OF PRIME GIGABUILD CONSTRUCTION CORP. & ZED BUILDERS, INC.	₱ 590,170,049.97	1
PHESCO INCORPORATED	₱ 604,715,699.36	2
J.C. RODRIGUEZ CONSTRUCTION CORPORATION	₱ 615,001,953.91	3
RD POLICARPIO & CO. INC.	₱ 618,988,389.75	4
EDISON DEVELOPMENT AND CONSTRUCTION INC.	₱ 717,206,801.23	5

WHEREAS, based on the above results of the detailed evaluation conducted by the BAC-I TWG, the BAC-I found **JV OF PRIME GIGA BUILD CONSTRUCTION CORP. & ZED BUILDERS, INC.** as the bidder with the Lowest Calculated Bid (LCB) which shall undergo the Post-Qualification process pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, the following bidders submitted a request for reconsideration, pursuant to Section 55.1 of the 2016 RIRR of RA 9184, and upon deliberation, the BAC-I has reached the following decisions:

BIDDERS	BAC-I Decision

FFJJ Construction	Denied based on the Reply Letter dated 29 April 2024 due to non-compliance with Section 5.2 of the Bid Data Sheet which provides that, subcontract agreements shall not be considered in satisfaction of the SLCC requirement.
JV of Kael Construction and Supply and Dragonhart Construction Enterprise, Inc.	Denied based on the Reply Letter dated 29 April 2024 due to non-compliance with ITB Clause 11.1 which provides that, in case the bidder will offer no discount, the word "None" shall be written.
MAC Builders Corp.	Denied based on the Reply Letter dated 8 May 2024 in line with 32.2.1 (a) of RIRR of RA 9184 and Section III, BDS, ITB Clause 11.1, which states that, bidders with incomplete submission and/or omissions shall be disqualified

WHEREAS, from April 30 to May 09, 2024, the BAC-I TWG conducted the Post-Qualification of **JV of Prime Giga Build Construction Corporation and Zed Builders Inc.** pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 10 May 2024, the BAC-I deliberated the Post-Qualification Report of BAC-I TWG. The results of Post-Qualification show that the JV of **Prime Giga Build Construction Corporation and Zed Builders Inc.** was post-disqualified on 10 May 2024 due to its non-compliance with the requirements provided under the bidding documents for the project. Specifically on the following grounds.

REQUIREMENTS	BIDDER'S NON-COMPLIANCE	FINDINGS
ITB Clause 10.4 of the Bid Data Sheet (BDS) provides that: The list of nominated personnel with the	Two (2) of the nominated key personnel lack the required experience relative to the position as follows:	With adverse findings Section 34.3 of the RIRR of RA 9184 states that:

<p>minimum required years of experience for the project are as follows:</p> <p>xxx</p>	<p>1. As to Key Personnel, Engr. Jigo C. Aliangan:</p> <p>Based on the submitted Curriculum Vitae, the nominated key personnel for Highway/Road Engineer did not meet the minimum required experience of at least 3 years.</p> <p>Engr. Jigo C. Aliangan has No declared experience as Highway/ Road Engineer as cited in the Relevant Work Experience portion of the Curriculum Vitae. Moreover, the Relevant Work Experience portion shows that he had been performing actual tasks as Project Manager, Office Engineer, Project Superintendent, Project Engineer and Cadet Engineer which are different from or are not relevant to the position as Highway/Road Engineer.</p> <p>2. As to Key Personnel, Engr. Julie Ann M. Calderon:</p> <p>Based on the submitted Curriculum Vitae, the nominated key personnel for Quantity Surveyor did not meet the minimum required experience of at least 3 years.</p> <p>Engr. Calderon has No declared experience as a Quantity Surveyor.</p>	<p><i>"The post-qualification shall verify, validate and ascertain the veracity, authenticity and validity of xxx all the other statements made and documents submitted by the bidder with the Lowest Calculated Bid / Highest Rated Bid, using non-discretionary criteria, as stated in the Bidding Documents. These criteria shall consider, but shall not be limited to, the following:</i></p> <p>Xxx</p> <p><i>b) Technical Requirements. To determine compliance of the goods, infrastructure projects, or consulting services offered with the requirements specified in the Bidding Documents, including, where applicable:</i></p> <p><i>i) Verification and validation of the bidder's stated competence and experience, and the competence and experience of the bidder's key personnel to be assigned to the project, for the procurement of Infrastructure Projects xxx;"</i></p> <p><i>Relative thereto, ITB Clause 10.4 of the BDS provides that:</i></p> <p><i>The list of nominated personnel with the minimum required years of experience for the project are as follows:</i></p> <p>Xxx</p>									
<table border="1"> <thead> <tr> <th>Position</th> <th>Required Profession</th> <th>Required Experience</th> </tr> </thead> <tbody> <tr> <td>Highway/Road Engineer</td> <td>Licensed Civil Engineer for at least 5 years</td> <td>At Least 3 years as Highway/Road Engineer</td> </tr> <tr> <td>Quantity Surveyor</td> <td>Licensed Civil Engineer for at least 5 years</td> <td>At Least 3 years as Quantity Surveyor</td> </tr> </tbody> </table>	Position	Required Profession	Required Experience	Highway/Road Engineer	Licensed Civil Engineer for at least 5 years	At Least 3 years as Highway/Road Engineer	Quantity Surveyor	Licensed Civil Engineer for at least 5 years	At Least 3 years as Quantity Surveyor		
Position	Required Profession	Required Experience									
Highway/Road Engineer	Licensed Civil Engineer for at least 5 years	At Least 3 years as Highway/Road Engineer									
Quantity Surveyor	Licensed Civil Engineer for at least 5 years	At Least 3 years as Quantity Surveyor									

	<p>Moreover, the Relevant Work Experience portion shows that she had been performing actual tasks as Head Office Engineer and Office Engineer which were unidentifiable for being a Quantity Surveyor, Environment Designer and QA/QC which are different from or are not relevant to the nominated position as Quantity Surveyor.</p>	<table border="1"> <thead> <tr> <th data-bbox="981 398 1120 555">Position</th> <th data-bbox="1120 398 1244 555">Required Profession</th> <th data-bbox="1244 398 1369 555">Required Experience</th> </tr> </thead> <tbody> <tr> <td data-bbox="981 555 1120 779">Highway/Road Engineer</td> <td data-bbox="1120 555 1244 779">License Civil Engineer for at least 5 years</td> <td data-bbox="1244 555 1369 779">At Least 3 years as Highway/Road Engineer</td> </tr> <tr> <td data-bbox="981 779 1120 1003">Quantity Surveyor</td> <td data-bbox="1120 779 1244 1003">License Civil Engineer for at least 5 years</td> <td data-bbox="1244 779 1369 1003">At Least 3 years as Quantity Surveyor</td> </tr> </tbody> </table> <p>Two (2) of the nominated key personnel lack the required experience relative to the position, to wit:</p> <ol style="list-style-type: none"> <li data-bbox="997 1209 1380 1523">1. The nominated Highway/Road Engineer has no declared experience relative to the position as cited in the Relevant Work Experience portion of the Curriculum Vitae <li data-bbox="997 1556 1380 1836">2. The nominated Quantity Surveyor has no declared experience relative to the position as cited in the Relevant Work Experience portion of the Curriculum Vitae 	Position	Required Profession	Required Experience	Highway/Road Engineer	License Civil Engineer for at least 5 years	At Least 3 years as Highway/Road Engineer	Quantity Surveyor	License Civil Engineer for at least 5 years	At Least 3 years as Quantity Surveyor
Position	Required Profession	Required Experience									
Highway/Road Engineer	License Civil Engineer for at least 5 years	At Least 3 years as Highway/Road Engineer									
Quantity Surveyor	License Civil Engineer for at least 5 years	At Least 3 years as Quantity Surveyor									

WHEREAS, pursuant to Section 34.8 of the 2016 RIRR of RA 9184, the BAC-I approved and issued the Notice of Post Qualification to **Phesco Incorporated** being the bidder with the next lowest calculated bid.

WHEREAS, on 13 May 2024, **JV of Prime Giga Build Construction Corporation and Zed Builders Inc.** submitted a request for reconsideration, pursuant to Section 55.1 of the 2016 RIRR of RA 9184, which was denied by the BAC-I on 20 May 2024.

WHEREAS, from May 11 to 17, 2024, the BAC-I TWG conducted the Post-Qualification on **Phesco Incorporated** pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 20 May 2024, the BAC-I deliberated the Post-Qualification Report of BAC-I TWG. The results of Post-Qualification show that **Phesco Incorporated** was post-disqualified on 20 May 2024 due to its non-compliance with the requirements provided under the bidding documents for the project. Specifically on the following grounds:

REQUIREMENTS	BIDDER'S NON-COMPLIANCE	FINDINGS
<p>Section 23.1(a)(iv) of the RIRR provides that:</p> <p><i>“For purposes of determining the eligibility of bidders using the criteria stated in Section 23.4 of this IRR, only the following documents shall be required by the BAC, using the forms prescribed in the Bidding Documents:</i></p> <p>a) Class “A” Documents:</p> <p style="text-align: center;">xxx</p> <p>iv) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts</p>	<p>Non declaration of three (3) ongoing government projects.</p> <p>Based on the Reply Letter from the Department of Public Works and Highways (DPWH) - Bureau of Construction dated 08 May 2024, Phesco, Incorporated has a total of thirty four (34) ongoing projects.</p> <p>The TWG verified the data acquired from DPWH BOC with the DPWH Abra - District Engineering Office (DEO) during the post-qualification. Based on the project status given by</p>	<p>With adverse findings</p> <p>Section 23.1(a)(iv) of the 2016 revised IRR provides that one of the documents required for purposes of determining the eligibility of bidders is the Statement of all its ongoing contracts.</p> <p>This was reinforced by the <i>Government Procurement Policy Board (GPPB) in its Board Resolution No. 29-2012, dated 23 November 2012, which provides that:</i></p> <p style="text-align: center;">xxx</p>

<p><i>awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid."</i></p>	<p>the afore-mentioned implementing unit, three (3) out of 34 projects are still ongoing:</p> <ol style="list-style-type: none"> 1. Project ID No. 22PA0260 - Sustainable Infrastructure Projects Alleviating Gaps (SIPAG) Access Roads and/or Bridges from the national Road/s Leading to Major/Strategic Public Buildings/Facilities - Construction of Quirosodan Bridge and Approaches; 2. Project ID No. 22PA0261 - Sustainable Infrastructure Projects Alleviating Gaps (SIPAG) Access Roads and/or Bridges from the national Road/s Leading to Major/Strategic Public Buildings/Facilities - Construction of Quirosodan Bridge; and 3. Project ID No. 22PA0252 - Sustainable Infrastructure Projects Alleviating Gaps (SIPAG) Access Roads and/or Bridges from the national Road/s Leading to Major/Strategic Public Buildings/Facilities Construction of Boliney Bridge Phase 2. 	<p><i>"2. To interpret that failure to include an immaterial ongoing contract or failure to disclose complete information in the statement of contracts shall result in the following:</i></p> <p><i>a. <u>Disqualification of the bidder</u> for non-compliance with the eligibility requirement under Sections 23.1 or 24.1 of the revised IRR"</i></p> <p style="text-align: right;">xxx</p> <p><i>In addition, GPPB NPM No. 006-2018 explained that "if the bidder fails to declare an ongoing government and private contracts in its 'Statement of all on-going government and private contracts', including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, including immaterial contract, <u>is a ground for disqualification.</u>"</i></p>
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WHEREAS, pursuant to Section 34.8 of the 2016 RIRR of RA 9184, the BAC-I approved and issued the Notice of Post Qualification to **J.C Rodriguez Construction Corp.** being the bidder with the next lowest calculated bid.

WHEREAS, BCDA did not receive within the prescribed period a request for reconsideration or protest from **Phesco Incorporated**, pursuant to Section 55.1 of the RIRR of R.A. 9184.

WHEREAS, from May 21 to June 03, 2024, the BAC-I TWG conducted the Post-Qualification on **J.C. Rodriguez Construction Corp.** pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 03 June 2024, the BAC-I deliberated the Post-Qualification Report of BAC-I TWG. The results of Post-Qualification show that **J.C. Rodriguez** was post-disqualified on 03 June 2024 due to its non-compliance with the requirements provided under the bidding documents for the project. Specifically on the following grounds:

REQUIREMENTS	BIDDER'S NON-COMPLIANCE	FINDINGS
<p>Section 34.3(b)(ii)(a) of the RIRR of RA 9184 states that:</p> <p><i>b) Technical Requirements. To determine compliance of xxx infrastructure projects, xxx offered with the requirements specified in the Bidding Documents, including, where applicable:</i></p> <p><i>ii) Xxx checking the performance of the bidder in its ongoing government and private contracts, if any of these ongoing contracts shows:</i></p> <p><i>a. Negative slippage of at least fifteen percent (15%) in any one project or a negative slippage of at least ten percent (10%) in each of two (2) or more contracts;</i></p> <p>xxx.</p>	<p>JRCC incurred negative slippage of more than 15% in its on-going project, with details as follows:</p> <p>Pagsikat Place Southern Naic - Earthworks</p> <p>Owner: Raemulan Lands, Inc.</p> <p>Contract Value at Award: PhP 10,000,000.00</p> <p>Contract Expiry Date: 11 June 2024</p> <p>Actual Accomp. as of 16 May 2024: 44.97%</p> <p>Slippage as of 16 May 2024: - 34.02%</p>	<p>With adverse findings</p> <p>JRCC incurred a slippage of -34.02% as of 16 May 2024 in one of its ongoing contracts, Pagsikat Place Southern Naic - Earthworks, in violation of Section 34.3(b)(ii)(a) of the RIRR of RA 9184.</p>

<p><i>If the BAC verifies any of these deficiencies to be due to the contractor's fault or negligence, the agency shall disqualify the contractor from the award, for the procurement of Infrastructure Projects.</i></p>		
<p>Section 23.1(a)(iv) of the RIRR provides that:</p> <p><i>"For purposes of determining the eligibility of bidders using the criteria stated in Section 23.4 of this IRR, only the following documents shall be required by the BAC, using the forms prescribed in the Bidding Documents:</i></p> <p><i>a) Class "A" Documents:</i></p> <p style="text-align: center;"><i>xxx</i></p> <p><i>iv) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid.</i></p>	<p>Non declaration of one (1) ongoing private project.</p> <p>During the conduct of validation, as a result of the extension of Post Qualification, the TWG observed that one (1) ongoing project as shown in the website was not declared in the list of ongoing projects.</p> <p>The bidder was only able to provide Certificate of Provisional Acceptance, signed by the project owner's President and CEO, which states the following:</p> <p><i>"This is to certify that the Contractor, J.C. RODRIGUEZ CONSTRUCTION CORPORATION has substantially completed all the works required under the Contract for the CONSTRUCTION OF ROADWAYS AND UNDERGROUND UTILITIES AT LISP IV NORTH SITE, located at the</i></p>	<p>With adverse findings</p> <p>Section 23.1(a)(iv) of the 2016 Revised IRR of RA 9184 requires that the bidder must state all of its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether or not similar in nature and complexity to the contract to be bid.</p> <p>It can be gleaned from the Certificate of Provisional Acceptance issued by the project owner, that the works for the construction of roadways and underground utilities at LISP IV North Site is only "substantially completed".</p> <p>The word "substantially completed" denotes that the project is sufficiently complete for its intended purpose, whereas Final Completion indicates that all work has been fully finished, including the resolution of any</p>

	<p><i>Light Industry & Science Park IV in Malvar, Batangas, in accordance with the agreed plans and specifications between ICCP Land Management, Inc. and Owner, SCIENCE PARK OF THE PHILIPPINES, INC.</i></p> <p><i>NOW, THEREFORE, this Certificate of Provisional Acceptance is issued as of this date November 14, 2023 pursuant to the provisions of ARTICLE X of the Contract."</i></p>	<p>outstanding issues or deficiencies not covered by the Defects Liability Period. Since the project is still considered as ongoing, it should have been declared by the bidder.</p> <p>This requirement was reinforced by the Government Procurement Policy Board (GPPB) in its Board Resolution No. 29-2012, dated 23 November 2012, which provides that:</p> <p style="text-align: center;">xxx</p> <p><i>"2. To interpret that failure to include an immaterial ongoing contract or failure to disclose complete information in the statement of contracts shall result in the following:</i></p> <p><i>a. <u>Disqualification of the bidder</u> for non-compliance with the eligibility requirement under Sections 23.1 or 24.1 of the revised IRR"</i></p> <p style="text-align: center;">xxx</p> <p>In addition, GPPB NPM No. 006-2018 explained that <i>"if the bidder fails to declare an ongoing government and private contracts in its 'Statement of all on-going government and private</i></p>
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		<i>contracts', including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, including immaterial contract, <u>is a ground for disqualification.</u>"</i>
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WHEREAS, pursuant to Section 34.8 of the 2016 RIRR of RA 9184, the BAC-I approved and issued the Notice of Post Qualification to **R.D. Policarpio & Co. Inc.** being the bidder with the next lowest calculated bid.

WHEREAS, on 04 June 2024, **J.C Rodriguez Construction Corp.** submitted a request for reconsideration, pursuant to Section 55.1 of the 2016 RIRR of RA 9184, which was denied by the BAC-I on 12 June 2024.

WHEREAS, from 04 to 13 June 2024, the BAC-I TWG conducted the Post-Qualification on **R.D. Policarpio & Co. Inc.** pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 14 June 2024, the BAC-I deliberated the results of the Post-Qualification based on the following findings as shown in the table below:

RA 9184 REQUIREMENT	FINDINGS
Legal Documents	No adverse findings
Technical Documents	No adverse findings
Financial Documents	No adverse findings
Additional Documents Required per R.A. 9184	No adverse findings

NOW, THEREFORE, We, the Members of the Bids and Awards Committee for Infrastructure Projects, hereby RESOLVE as it is hereby RESOLVED, the following:

1. To declare **R.D. POLICARPIO & CO. INC.** as the **Lowest Calculated and Responsive Bidder (LCRB)** for the **SITE DEVELOPMENT OF THE 65-HECTARE RELOCATION SITE IN NEW CLARK CITY (NCC)**, subject to the resolution of request for reconsideration and/or Protest filed by the losing bidder/s, if any, and;

2. To recommend to the BCDA Board of Directors the award of the contract to **R.D. POLICARPIO & CO. INC.** in the amount of **Pesos: Six Hundred Eighteen Million Nine Hundred Eighty-Eight Thousand Three Hundred Eighty-Nine Pesos and 75/100 (Php618,988,389.75)**, inclusive of VAT and all applicable government taxes and fees, subject to the resolution of request for reconsideration and/or Protest filed by the losing bidder/s, if any.

RESOLVED, at the BCDA Corporate Center, this **14th day of June 2024**.

BIDS AND AWARDS COMMITTEE (BAC) FOR INFRASTRUCTURE PROJECTS

(on personal leave)

ATTY. GISELA Z. KALALO
Chairperson

ENGR. MARK P. TORRES
Vice Chairperson

ENGR. VERGEL Q. PARAS
Member

ENGR. RYAN PAUL S. GALURA
Member

SAMUEL JOHN L. VIDALLON
Member

ENGR. RANDY S. VIACRUSIS
Provisional Member

Approved by:

JOSHUA M. BINGCANG
President and CEO