

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

**CONSTRUCTION OF MARRIED ENLISTED PERSONNEL QUARTERS (MEPQ)
AT NSPL CAVITE**

RESOLUTION NO. 2024-10

Declaration of Lowest Calculated and Responsive Bid (LCRB)

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA), through the PN Relocation Projects Trust Funds, has put on bid the **Construction of Married Enlisted Personnel Quarters (MEPQ) at NSPL Cavite** with an Approved Budget for the Contract (ABC) in the sum of **Pesos: Two Hundred Forty-Three Million Fifty-One Thousand Three Hundred Forty-One and 43/100 Centavos (PhP 243,051,341.43)**, inclusive of all applicable taxes and fees.

WHEREAS, the BAC-I, through its Secretariat, advertised the Invitation to Bid on 21 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, sixteen (16) prospective bidders bought the bid documents, namely:

1. Moondragon Constructors Corporation
2. Zed Builders Inc./Prime Gigabuild Construction Corporation (Joint Venture)
3. GS Maxx Construction Corporation
4. Victoria Development and Ventures Corporation
5. Zarrbuilt Konstruction
6. MMTB and Ron Mark Construction
7. Dumduma Construction and Trading Corporation
8. Wealthmore Construction and Trading Corporation
9. FFJJ Construction
10. Teodoro Construction Corporation and Filhigh Trading and General Services Corporation
11. B.C. Cuerpo Construction Corporation
12. S.D. Platon Construction Inc.
13. Aguila Simbulan Plus Partners Construction and Development Corp.
14. Finmat International Resources
15. Totowao Development Corp.
16. Marcphil Construction

WHEREAS, out of the aforementioned interested bidders, eleven (11) submitted their bids prior to the set deadline of submission of bids for the project on 01 July 2024 at 9:00AM:

1. Marcphil Construction
2. Zed Builders Inc. / Prime Gigabuild Construction Corporation (Joint Venture)
3. Victoria Development and Ventures Corporation
4. GS Maxx Construction Corporation
5. Dumduma Construction and Trading Corporation
6. FFJJ Construction
7. S.D. Platon Construction Inc.
8. B.C. Cuerpo Construction Corporation
9. Totowao Development Corp.
10. Finmat International Resources, Inc.
11. Teodoro Construction Corporation and Filhigh Trading and General Services Corporation

WHEREAS, three (3) bidders submitted their bids beyond the set deadline of submission of bids for the project on 01 July 2024:

BIDDER	TIME OF SUBMISSION
1. Aguila Simbulan Plus Partners Construction and Development Corp.	9:07 AM
2. MMTB and Ron Mark Construction	9:46 AM
3. Moondragon Constructors Corporation	10:10 AM

WHEREAS, on 01 July 2024, the first envelopes which contained the Eligibility and Technical Requirements of the eleven (11) 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-I 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:

BIDDERS	NON-COMPLIANCE
<p>Marcphil Construction</p>	<p>The submitted Professional Regulation Commission (PRC) license of its nominated key personnel for Deputy Project Manager, Engr. Romeo S. Yason, was already expired and no proof of renewal was attached therein, thus, resulting in non-compliance with ITB Clause 10.4 of the Bid Data Sheet (BDS), to wit:</p> <p><i>“(3) The bidder must accomplish the prescribed form xxx for the above list of the nominated key personnel and must be supported by the following documents:</i></p> <p>xxx</p> <p>1. <i>Photocopy of PRC Licenses/DPWH Accreditation. Expired PRC License may be accepted provided that proof for the renewal of the application shall be submitted, and provided further that the appointment date of the renewal shall fall on the day or after the deadline of bid submission, otherwise, the bidder must submit the renewed PRC license. Valid or renewed PRC license of all key personnel assigned must be submitted during Post-Qualification.”</i></p>
<p>Victoria Development and Ventures Corporation</p>	<p>1) The bidder failed to submit the Certificate of Final Acceptance as a supporting document for its Single Largest Completed Contract (SLCC), resulting in non-compliance with ITB Clause 5.2 of the Bid Data Sheet and Section 23.4.2.5 of the Revised Implementing Rules and Regulations (RIRR) of Republic Act No. (RA) No. 9184, both of which provide that:</p> <p><i>“The SLCC shall be supported by an <u>Owner’s Certificate of Final Acceptance issued by the project owner</u> other than the contractor or a final rating of at least “Satisfactory” in the Constructors Performance Evaluation System (CPES). In case of contracts with the private sector, an equivalent document shall be submitted.”</i></p>

	<p>2) The bidder failed to attach the PRC licenses of all its nominated key personnel, except for the Training Certificate of the Safety and Health Officer, thus, resulting in non-compliance with ITB Clause 10.4 of the Bid Data Sheet, which states that:</p> <p><i>“(3) The bidder must accomplish the prescribed form xxx for the above list of the nominated key personnel and must be supported by the following documents:</i></p> <p>xxx</p> <p>1. Photocopy of PRC Licenses/DPWH Accreditation. Expired PRC License may be accepted provided that proof for the renewal of the application shall be submitted, and provided further that the appointment date of the renewal shall fall on the day or after the deadline of bid submission, otherwise, the bidder must submit the renewed PRC license. Valid or renewed PRC license of all key personnel assigned must be submitted during Post-Qualification.”</p>
GS Maxx Construction Corporation	<p>The bidder submitted a Subcontract Agreement as its SLCC, thereby resulting in non-compliance with ITB Clause 5.2 of the BDS which expressly provides that:</p> <p><i>“Subcontract Agreements shall not be considered in the satisfaction of the SLCC requirement.”</i></p>
Dumduma Construction and Trading Corporation	<p>1) The bidder failed to submit the Certificate of Final Acceptance as a supporting document for its SLCC, resulting in non-compliance with ITB Clause 5.2 of the BDS; and Section 23.4.2.5 of the RIRR of RA No. 9184, which provides that:</p> <p><i>“The SLCC shall be supported by an <u>Owner’s Certificate of Final Acceptance issued by the project owner</u> other than the contractor or a final rating of at least “Satisfactory” in the Constructors Performance Evaluation System (CPES). In case of contracts with the private sector, an equivalent document shall be submitted.”</i></p>

	<p>2) The submitted Statement of Availability of Leased Equipment was signed by the President of Dumduma Corp., instead of the equipment lessor as required under ITB Clause 10.5 of the BDS, which states that:</p> <p><i>“The bidder must accomplish the prescribed form in “Annex E” and shall submit the following acceptable proofs as attachments to the list of equipment, as applicable: certification of availability using the prescribed form in “Annex B-1 to B-3” of the Bid Forms and shall submit the following acceptable proofs as attachment to the list of equipment, as applicable:</i></p> <p>xxx</p> <p><i>b. If leased, supported by all of the following:</i></p> <ul style="list-style-type: none">• <i>lease agreement between lessor and lessee,</i>• <i>proof of ownership of the lessor, and</i>• <i>certification of availability of equipment from the equipment lessor for the duration of the project using the prescribed form in Annex “B-2” xxx”</i> <p>Anent thereto, Annex B-2 of the Bidding Documents clearly requires the signatory to be the equipment lessor, viz:</p> <p><i>[Name and signature of <u>Equipment Lessor</u>]</i></p> <p><i>[Position]</i></p> <p><i>[Name of Company]</i></p>
B.C. Cuerpo Construction Corporation	<p>The bidder failed to submit following documents required for leased equipment, resulting in non-compliance with ITB Clause 10.5 of the BDS:</p> <p>For Generator Set (150 KVA): Proof of Ownership of the Lessor and Statement of Availability of Leased Equipment; and</p>

	<i>For Mobile Crane (50 tons):</i> Lease Agreement, Proof of Ownership of the Lessor and Statement of Availability of Leased Equipment
Finmat International Resources, Inc.	<p>The submitted PRC licenses of the following nominated key personnel were already expired and no proof of renewal was attached therein, thus, resulting in non-compliance with ITB Clause 10.4 of the BDS:</p> <ul style="list-style-type: none"> • <i>Quantity Surveyor</i> : Engr. Reuel P. Corsino Valid only until 06/03/2024 • <i>Site Engineer I</i> : Engr. Felino A. Hernaez, Jr. Valid only until 05/30/2024

WHEREAS, the second envelopes which contained the financial proposals of the five (5) 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-I declared the bids of the five (5) proponents as “passed” and were considered for the detailed evaluation and comparison of financial bids. The table below shows the ranking and bid amounts of the five (5) proponents (as read):

BIDDERS	BID AMOUNT (AS READ)	RANKING
Zed Builders Inc. / Prime Gigabuild Construction Corporation (Joint Venture)	₱ 195,000,000.00	1
Totowao Development Corp.	₱ 199,446,627.77	2
Teodoro Construction Corporation and Filhigh Trading and General Services Corporation	₱ 204,055,554.78	3
FFJJ Construction	₱ 217,117,762.69	4
S.D. Platon Construction Inc.	₱ 218,749,517.57	5

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, on 02 to 08 July 2024, 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 five (5) proponents. After the said detailed evaluation of the Financial Component, the BAC declared the Financial Bid of two (2) bidders as *“failed”* due to non-compliance with the requirements provided under the bidding documents for the project, to wit:

BIDDERS	NON-COMPLIANCE
Totowao Development Corp.	<p>The bidder failed to indicate the correct units and quantities for the following pay items under Site Development in the Bill of Quantities (BOQ):</p> <ol style="list-style-type: none"> 1. Item 101 (6) a Building 2 (A=412 sq.m.) 2. Item 101 (6) b Building 3 (A= 175 sq. m.) 3. Item 101 (6) c Concrete Ground (A = 1,140 sq.m.) 4. Item 101 (7) a.1 Steel Bleachers (A = 155 sq.m.) 5. Item 101 (7) a.2 Grandstand (A = 354 sq.m.) <p>The revised BOQ, which was attached to Bid Bulletin No. 1 dated 24 June 2024, requires the units to be in lump sum (“l.s.”) and quantity to be “1.00”. Failure to provide the required pay items is a ground for disqualification as provided in Section 32.2.1.a of the RIRR of RA 9184, which states that:</p> <p style="text-align: center;">xxx</p> <p><i>“<u>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 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</i></p>



	<p><i>offered for free to the Government, except those required by law or regulations to be provided for;"</i></p>
<p>Teodoro Construction Corporation and Filhigh Trading and General Services</p>	<p>The bidder failed to indicate the correct units and quantities for the following pay items under Site Development in the BOQ:</p> <ol style="list-style-type: none"> 1. Item 101 (6) a Building 2 (A=412 sq.m.) 2. Item 101 (6) b Building 3 (A= 175 sq. m.) 3. Item 101 (6) c Concrete Ground (A = 1,140 sq.m.) 4. Item 101 (7) a.1 Steel Bleachers (A = 155 sq.m.) 5. Item 101 (7) a.2 Grandstand (A = 354 sq.m.) <p>The revised BOQ, which was attached to Bid Bulletin No. 1 dated 24 June 2024, requires the units to be in lump sum ("l.s.") and quantity to be "1.00". Failure to provide the required pay items is a ground for disqualification as provided in Section 32.2.1.a of the RIRR of RA 9184, which states that:</p> <p style="text-align: center;">xxx</p> <p><i>"Completeness of the bid. Unless the Instructions to Bidders specifically allow partial bids, <u>bids not addressing or providing all of the required items in the Bidding Documents including, where applicable, bill of 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;"</i></p>

WHEREAS, six (6) bidders submitted requests 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
Marphil Construction	Denied based on the Reply Letter dated 3 July 2024 due to non-compliance with ITB Clause

	<p>10.4 of the BDS, which requires the submission of a valid PRC license or proof of renewal of application.</p> <p>Subsequent and belated submission of the required valid PRC license will not cure the defect in view of the pass/fail criteria used in determining the eligibility of bidders.</p>
Victoria Development and Ventures Corporation	<p>Denied based on the Reply Letter dated 05 July 2024 due to the following:</p> <p>First, Section 23.4.2.5 of the RIRR of RA No. 9184 and ITB Clause 5.2 of the BDS requires the submission of Certificate of Final Acceptance as a supporting document for its Single Largest Completed Contract. Certificate of Completion does not suffice because there must be a showing that the contract has not only been fulfilled "completely" but also "satisfactorily".</p> <p>Second, the bidder was non-compliant with ITB Clause 10.4 of the BDS when it failed to submit the PRC licenses of all its nominated key personnel.</p>
Dumduma Construction	<p>Denied based on the Reply Letter dated 05 July 2024 due to non-compliance with ITB Clause 5.2 and 10.5 of the BDS.</p> <p>Subsequent and belated submission of the required Certificate of Final Acceptance and corrected Statements of Availability of Equipment will not cure the defect in view of the pass/fail criteria used in determining the eligibility of bidders.</p>
Finmat International Resources Inc.	<p>Denied based on the Reply Letter dated 05 July 2024 due to non-compliance with ITB Clause 10.4 of the Bid Data Sheet when it submitted expired PRC license of its two (2)</p>

	<p>nominated key personnel.</p> <p>Subsequent and belated submission of the required valid PRC licenses will not cure the defect in view of the pass/fail criteria used in determining the eligibility of bidders.</p>
B.C. Cuerpo Construction Corp.	<p>Denied based on the Reply Letter dated 05 July 2024 due to non-compliance with ITB Clause 10.5 of the BDS.</p> <p>Subsequent and belated submission of the lease agreement for the mobile crane and Statements of Availability of Leased Equipment will not cure the defect in view of the pass/fail criteria used in determining the eligibility of bidders.</p>
Totowao Development Corporation	<p>Denied based on the Reply Letter dated 17 July 2024 due to failure to indicate the correct units ("lump sum - l.s") and quantities ("1.00") indicated as stated in the revised Bill of Quantities, which was attached to Bid Bulletin No. 01 dated 24 June 2024.</p>

WHEREAS, the **Totowao Development Corporation** has until 24 July 2024 (Wednesday) to file its Protest, if any, in accordance with Section 55.3 of the RIRR of RA 9184.

WHEREAS, aside from Totowao Development Corporation, the above-mentioned disqualified bidders' whose requests for reconsideration were denied by the BAC-I, did not file any protest within the period prescribed under Section 55.3 of the RIRR of RA 9184.

Thus, only the bids of the three (3) 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 three (3) proponents (as calculated):

BIDDERS	BID AMOUNT (AS CALCULATED)	RANKING
Zed Builders Inc. / Prime Gigabuild Construction Corporation (Joint Venture)	₱ 195,000,000.00	1
FFJJ Construction	₱ 217,083,625.69	2
S.D. Platon Construction Inc.	₱ 218,765,916.80	3

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

WHEREAS, from 09 to 18 July 2024, the BAC-I TWG conducted the Post-Qualification on the **JOINT VENTURE OF ZED BUILDERS INC. AND PRIME GIGABUILD CONSTRUCTION CORPORATION** pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 22 July 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:

- To declare the **JOINT VENTURE OF ZED BUILDERS INC. AND PRIME GIGABUILD CONSTRUCTION CORPORATION** as the Lowest Calculated and Responsive Bidder (LCRB) for the **CONSTRUCTION OF MARRIED ENLISTED PERSONNEL QUARTERS (MEPQ) AT NSPL CAVITE** and to issue the corresponding Notice of LCRB; and

2. To recommend to the BCDA Board of Directors, for approval via referendum, the award of the contract to the **JOINT VENTURE OF ZED BUILDERS INC. AND PRIME GIGABUILD CONSTRUCTION CORPORATION** in the amount of Pesos: **One Hundred Ninety-Five Million (Php 195,000,000.00)**, inclusive of VAT and all applicable government taxes and fees, after the period to file any request/s for reconsideration and/or Protest by the losing bidders had prescribed, pursuant to Section 55 of RIRR of RA 9184.

RESOLVED, at the BCDA Corporate Center Office, this 22nd day of July 2024.

BIDS AND AWARDS COMMITTEE (BAC) FOR INFRASTRUCTURE

ATTY. GISELA Z. KALALO
Chairperson

(on leave)
ENGR. MARK P. TORRES
Vice Chairperson

~~**ENGR. VERGEL Q. PARAS**~~
Member

~~**ENGR. RYAN PAUL S. GALURA**~~
Member

~~**SAMUEL L. VIDALLON**~~
Member

~~**ENGR. EDUARDO R. ROSQUETA**~~
Provisional Member

(on leave)
~~**ENGR. MARINELL R. PACLIBAR**~~
Provisional Member

Approved by:

JOSHUA M. BINGCANG
President and CEO

