

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

REPAIR OF SEVEN (7) UNITS CLIFFWOOD STAFFHOUSES

RESOLUTION NO. 2024-025

DECLARATION OF LOWEST CALCULATED AND RESPONSIVE BID (LCRB)

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA), through the CY 2024 BCDA Corporate Funds, has put on bid the **REPAIR OF SEVEN (7) UNITS CLIFFWOOD STAFFHOUSES** with an Approved Budget for the Contract (ABC) in the sum of **Pesos: SIX MILLION SIX HUNDRED THOUSAND and 00/100 Centavos (Php 6,600,000.00)**, inclusive of all applicable taxes and fees.

WHEREAS, the BAC-I, through its Secretariat, advertised the Invitation to Bid on 02 October 2024 on 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, three (3) prospective bidders bought the bid documents, namely:

1. GALACAN CONSTRUCTION SERVICES;
2. A.M. BROTHERS CONSTRUCTIONS, INC; and
3. 3-SIDES BUILDERS & TRADING CORP.

WHEREAS, out of the aforementioned interested bidders, three (3) submitted their bids prior to the set deadline of submission of bids for the project on 28 October 2024 at 9:00 AM:

1. GALACAN CONSTRUCTION SERVICES;
2. A.M. BROTHERS CONSTRUCTIONS, INC; and
3. 3-SIDES BUILDERS & TRADING CORP.

WHEREAS, after the preliminary evaluation and after checking the sufficiency of the required documents as regards their presence or absence, the BAC declared that the bidders were "Eligible" for the opening of the Financial Bids:

1. GALACAN CONSTRUCTION SERVICES;
2. A.M. BROTHERS CONSTRUCTIONS, INC; and
3. 3-SIDES BUILDERS & TRADING CORP.

WHEREAS, after opening the second envelopes, which contained the financial proposals, the table below shows the ranking and bid amounts of the 3 bidders (as read):

BIDDERS	BID AMOUNT (AS READ)	RANKING
GALACAN CONSTRUCTION SERVICES	₱ 6,141,709.60	1
3-SIDES BUILDERS & TRADING CORP	₱ 6,411,664.22	2
A.M. BROTHERS CONSTRUCTIONS, INC.	₱ 6,463,139.83	3

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.” The below shows the ranking and bid amounts of the 4 bidders (as calculated) (Please see attached “Annex A” Resolution on the Declaration of the Lowest Calculated Bid):

BIDDERS	BID AMOUNT (AS READ)	BID AMOUNT (AS CALCULATED)	RANKING
GALACAN CONSTRUCTION SERVICES	₱ 6,141,709.60	₱ 6,141,705.02	1
3-SIDES BUILDERS & TRADING CORP	₱ 6,411,664.22	₱ 6,411,670.39	2
A.M. BROTHERS CONSTRUCTIONS, INC.	₱ 6,463,139.83	₱ 6,463,149.68	3

WHEREAS, in accordance with Section 34 the Bidder with Lowest Calculated Bid shall undergo post-qualification in order to determine whether the bidder concerned complies with and is responsive to all the requirements and conditions as specified in the Bidding Documents.

WHEREAS, from 05 to 25 November 2024, the BAC-I TWG conducted the Post-Qualification of **GALACAN CONSTRUCTION SERVICES** pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 26 November 2024, the BAC-I deliberated on the Post-Qualification Report and declared **GALACAN CONSTRUCTION SERVICES** as post-disqualified due to its non-compliance with the following requirements provided under the bidding documents for the project:

REQUIREMENTS	BIDDER'S NON-COMPLIANCE	FINDINGS
<p>Section 3.3.2 of GPPB Circular 01-2008 requiring the regular remittance of mandated premiums to SSS, Philhealth, and Pag-IBIG.</p> <p>Bid Data Sheet, ITB Clause 20 provides that:</p> <p><i>“Other documents shall also be presented during the conduct of post-qualification such as, but not limited to:</i></p> <p>xxx xxx xxx</p> <p><i>b. Compliance with labor legislations, i.e. proof of remittances, in accordance with GPPB Circular No. 01-2008.</i></p>	<p>Submitted proof of latest remittance to SSS, Philhealth, and Pag-IBIG as of June 2024.</p>	<p>With Adverse Findings</p> <p>During its Post Qualification, GALACAN CONSTRUCTION SERVICES admitted that it pays its employees’ SSS, Philhealth and Pag-Ibig contributions on a semi-annual basis when in fact the said agencies require monthly remittances. Also, the bidder’s latest remittance to SSS, Philhealth and Pag-IBIG was made only in June 2024.</p> <p>From the foregoing findings, GALACAN failed to comply with Section 3.3 of GPPB Circular 01-2008, requiring the regular remittance of mandated premiums, viz:</p> <p>"xxx</p> <p>the procuring entity may, during post-qualification, verify, validate and ascertain the statements made by a bidder in its certificate under oath that it complies with existing labor laws and</p>

		<p>standards. Specifically, the procuring entity may verify whether the bidder</p> <p>xxx</p> <p>3.3.2. Regularly remits mandated premiums to SSS PhilHEALTH and PAG-IBIG</p> <p>xxx.</p> <p>Non-compliance with any one of the above shall be a ground to declare the bidder as “post-disqualified”.</p> <p>With Adverse Findings</p> <p>In relation to the above finding, GALACAN made a misrepresentation in its Omnibus Sworn Statement when it stated that it was “compliant with existing labor laws and standards.” Such misrepresentation constitutes as an additional ground for disqualification of GALACAN based on Section 23.6 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, to wit:</p> <p>“Notwithstanding the eligibility of a bidder, the Procuring Entity concerned reserves the right to review</p>
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		<p>the qualifications of the bidder at any stage of the procurement process if the Procuring Entity has reasonable grounds to believe that a misrepresentation has been made by the said bidder, or that there has been a change in the bidder's capability to undertake the project from the time it submitted its eligibility requirements. Should such review uncover any misrepresentation made in the eligibility requirements, statements or documents, or any changes in the situation of the bidder which will affect the capability of the bidder to undertake the project so that it fails the eligibility criteria, the Procuring Entity shall consider the said bidder as ineligible and shall disqualify it from obtaining an award or contract, in accordance with Rules XXI, XXII, and XXIII of this IRR."</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 **3-SIDES BUILDERS AND TRADING CORP.**, being the bidder with the next lowest calculated bid.

WHEREAS, from 27 November to 06 December 2024, the BAC-I TWG conducted the Post-Qualification of **3-SIDES BUILDERS AND TRADING CORP.** pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 09 December 2024, the BAC-I deliberated the Post-Qualification Report and found the bid of **3-SIDES BUILDERS AND TRADING CORP.** to be responsive and compliant with the requirements:

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 **3-SIDES BUILDERS AND TRADING CORP.** as the **Lowest Calculated and Responsive Bidder (LCRB)** for the **REPAIR OF SEVEN (7) UNITS CLIFFWOOD STAFFHOUSES** 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 Executive Vice President the award of the contract to **3-SIDES BUILDERS AND TRADING CORP.** in the amount of **Pesos: Six Million Four Hundred Eleven Thousand Six Hundred Sixty-Four and 22/100 (PhP 6,411,664.22)**, 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 **9th day of December 2024**.

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

[Redacted Signature]

ATTY. ELVIRA V. ESTANISLAO
Chairperson

or [Redacted Signature]

ATTY. MARIA SOLEDAD C. SAN PABLO
Vice Chairperson

[Redacted Signature]

VIRGIL M. ALVAREZ
Member

[Redacted Signature]

ATTY. MARIA CELINE ERIKA A. LABRADOR
Member

[Redacted Signature]

ENGR. RANDY S. VIACRUSIS
Member

[Redacted Signature]

AUSTIN RAYNIÑO O. REYES
Provisional Member

Approved by:

[Redacted Signature]

ATTY. GISELA Z. KALALO
Executive Vice President