

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

**PROCUREMENT FOR THE DESIGN AND CONSTRUCTION OF WATER
SUPPLY FACILITIES IN NEW CLARK CITY SOUTH GATE THROUGH
NEGOTIATED PROCUREMENT - EMERGENCY CASES**

RESOLUTION NO. 2025-006

WHEREAS, the Bases Conversion and Development Authority (BCDA) is mandated to develop and implement vital infrastructure projects to support national development goals;

WHEREAS, New Clark City (NCC) is a major development area that requires immediate and sustainable water supply facilities to ensure continuous operations and well-being of its stakeholders;

WHEREAS, in order to support the growth of NCC, BCDA through Primewater Tahal Pavi MGS Corp. (PTPMC), the designated water distribution utility operator in NCC, have developed water supply infrastructure to cater to the water supply demand of the Phase 1 locators, namely: 1) National Government Administrative Center (NGAC) and 2) Filinvest Industrial Park (FIP), located within the vicinity of its pioneer developments;

WHEREAS, these existing developments are currently being supplied by the two (2) deep well pumping stations, supported by the storage tank booster pump station, that were in place since 2019 in time for the demand requirements of the 2019 SEA Games;

WHEREAS, in addition to the said pioneer developments, there are also Phase 1 developments in NCC that are located within the NCC South Gate, namely: 1) the Hann Reserve Project, 2) Sky Blue NCC Golf and Resorts Corp., 3) Science Park of the Philippines, Inc., and 4) PAF Housing;

WHEREAS, for the development of the Hann Reserve Project, BCDA signed a Contract of Lease with Hann Development Corporation (HDC) in 2018 covering a 450-hectare BCDA property in NCC, by virtue of which, BCDA is obligated to deliver public utilities to HDC in a timely manner to avoid delays in the construction and operation of its Phase 1 development which under the approved development plan shall be completed in 2025;

WHEREAS, on 7 October 2024, the contract of PTPMC was terminated through the execution of a Transition and Termination Framework Agreement (TTFA).

WHEREAS, as a consequence of the said termination, the intended provision of the water supply utilities for HDC and other BCDA Phase 1 locators did not materialize.

WHEREAS, HDC, in its letter dated 03 February 2025, expressed the urgent need for potable water supply by June 2025 which is vital in preparation for the opening and start of operation of its first golf course, the approximately 149 hectares comprising the Nicklaus Course and Clubhouse;

WHEREAS, the development of the additional water sources is necessary to prevent loss of services and to address the immediate water demand of all the locators within the NCC South Gate, including HDC, for the next five (5) years, ensuring a sufficient water supply for their construction and operational water requirements, as detailed below:

Proposed Well	Service Area	Capacity	2025 Demand	Total Five (5)-year Demand (2030)
NCC DW – 02	Hann Reserve, Sky Blue, SPPI	2,000 m ³ /day	521 m ³ /day	10,630 m ³ /day

WHEREAS, to support the developments in NCC and prevent damage or loss of property and business disruption, it is imperative that BCDA take immediate action to facilitate the provision of water supply for HDC in the development of the Nicklaus Course and Clubhouse;

WHEREAS, Section 53.2 of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA.) No. 9184 provides:

“Section 53. Negotiated Procurement

*Negotiated Procurement is a method of procurement of Goods, Infrastructure Projects and Consulting services, whereby the Procuring Entity **directly negotiates a contract with a technically, legally and financially***

capable supplier, contractor or consultant in any of the following cases
(Emphasis ours):

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53.2 Emergency Cases. In case of imminent danger to life or property during a state of calamity, or when time is of the essence arising from natural or man-made calamities or other causes where immediate action is necessary to prevent damage to or loss of life or property, or to restore vital public services, infrastructure facilities and other public utilities, the Procuring Entity may directly negotiate a contract with a technically, legally and financially capable supplier, contractor, or consultant.

The instances or situations where the foregoing conditions may be applied include the provision of immediate response and initial recovery steps to avoid loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation.

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WHEREAS, during the 21 March 2025 pre-procurement conference with the BAC-I, the Strategic Projects Management Department (SPMD) discussed the salient provisions of the project as follows:

ITEM	TERMS
Duration of Contract	180 calendar days
Proponent	Maynilad Water Services, Inc.
Mode of Procurement	Section 53.2 Negotiated Procurement - Emergency Cases in accordance with the 2016 RIRR of R.A. 9184
Approved Budget for Contract	Php 70,000,000.00
Scope of Work	1. Design and Build of Deep Well Pump Stations within New Clark City South Gate with a maximum capacity of 2.6 MLD, including pumping test, testing and commissioning,

	production meters for the deep well, submission of as-built drawings of the facility; and,	
	2. Pipe-laying works from the deep well pump stations to the identified priority locators (Hann Reserve Project, Sky Blue NCC Golf and Resorts Corp)	
Project Cost Breakdown	GENERAL REQUIREMENTS	643,150.31
	SITE PREPARATION AND	632,817.98
	CONCRETE WORKS	314,262.00
	METAL WORKS	430,630.40
	SANITARY AND PLUMBING	231,138.77
	MECHANICAL WORKS	864,903.94
	ELECTRICAL WORKS	56,692.94
	SAFETY & SECURITY /	
	SIGNAGES	20,189.00
	PLANT AND EQUIPMENT	240,291.73
	DEEPWELL	11,820,391.36
	PROVISIONAL SUM PAY	
	ITEMS	12,280,320.00
	GENERAL REQUIREMENTS	4,158,302.42
	SITE PREPARATION AND	
	SURFACE RESTORATION	10,269,141.37
	PIPELAYING	18,044,905.41
	TRENCHLESS PIPELAYING	921,960.00
	APPURTENANCES	1,031,776.90
	INTERCONNECTIONS	19,125.47
	METERING FOR LOCATORS	520,000.00
	VAT EX	62,500,000.00
	VAT INC	70,000,000.00

WHEREAS, Section V.D.2.b.iii under Annex “H” (Consolidated Guidelines for the Alternative Methods of Procurement) of the 2016 RIRR of R.A. No. 9184, provides that:

“2. EMERGENCY CASES

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iii. The HoPE [Head of Procuring Entity] may delegate to either the BAC or the End-user unit or any other appropriate bureau, committee, support or procuring unit the authority to directly negotiate with a legally, technically, and financially capable supplier, contractor, or consultant for procurement undertaken through any of the allowable instances of Negotiated Procurement (Emergency Cases) under Section 53.2 of the 2016 revised IRR.

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NOW, THEREFORE, in consideration of the foregoing premises, the Bids and Awards Committee for Infrastructure Projects, **RESOLVE**, as it is hereby **RESOLVED**, to recommend to the Head of Procuring Entity the following:

1. The approval of the procurement for the Design and Construction of Water Supply Facilities in New Clark City South Gate through Negotiated Procurement under Emergency Cases pursuant to Section 53.2 of the 2016 RIRR of R.A. No. 9184; and
2. The delegation to the Strategic Projects Management Department (SPMD) of the authority to directly negotiate with a legally, technically, and financially capable supplier or contractor for the procurement of the Project in accordance with Item V (D)(2)(b)(iii) of Annex “H” - Consolidated Guidelines for the Alternative Methods of Procurement of the 2016 RIRR of R.A. 9184.

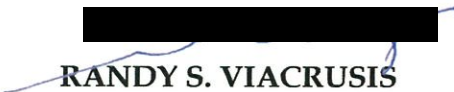
RESOLVED, at the BCDA Corporate Center Office, Bonifacio Global City, Taguig City, this **23rd day of March 2025**.

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


ELVIRA V. ESTANISLAO
Chairperson


MARIA SOLEDAD C. SAN PABLO
Vice Chairperson

On Official Business
VIRGIL M. ALVAREZ
Member


RANDY S. VIACRUSIS
Member


**MARIA CELINE ERIKA A.
LABRADOR**
Member

Approved By:


JOSHUA M. BINGCANG
President & CEO