

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

**FIT-OUT PROJECT FOR THE 605.31 SQ.M. BCDA OFFICE SPACE**

**RESOLUTION NO. 2025-005  
DECLARATION OF FAILURE OF BIDDING**

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA), through the 2025 BCDA Corporate Funds, has put on bid the **FIT-OUT PROJECT FOR THE 605.31 SQ.M. BCDA OFFICE SPACE** with an Approved Budget for the Contract (ABC) in the sum of **Pesos: Five Million Two Hundred Thousand Pesos (Php 5,200,000.00)**, inclusive of all applicable taxes and fees.

**WHEREAS**, the BAC-I, through its Secretariat, advertised the Invitation to Bid on 01 February 2025 in the following platforms:

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

**WHEREAS**, in response to the said advertisements, two (2) prospective bidders bought the bid documents, namely:

1. CASTLESTONE CONSTRUCTION AND SUPPLY; and
2. JMLR CONSTRUCTION AND SUPPLY

**WHEREAS**, out of the aforementioned interested bidders, two (2) submitted their bids prior to the set deadline for submission of bids for the project on 25 February 2025 at 9:00 AM:

1. CASTLESTONE CONSTRUCTION AND SUPPLY; and
2. JMLR CONSTRUCTION AND SUPPLY

**WHEREAS**, on 25 February 2025, the first envelopes which contained the Eligibility and Technical Requirements of the two (2) 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 said preliminary evaluation and after checking the sufficiency of the required documents as regards their presence or absence,



the BAC-I declared the bids of the following two (2) bidders as “passed” after satisfying the Eligibility requirements, to wit:

1. CASTLESTONE CONSTRUCTION AND SUPPLY; and
2. JMLR CONSTRUCTION AND SUPPLY

**WHEREAS**, the second envelopes which contained the financial proposals of the two (2) 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 bid of One (1) proponent “passed” and was considered for the detailed evaluation and comparison of financial bids. The table below shows the bid amounts of the proponents (as read):

BIDDERS	BID AMOUNT (AS READ)	RANKING
CASTLESTONE CONSTRUCTION AND SUPPLY	₱ 4,800,025.73	1

**WHEREAS**, the bid of one (1) bidder was declared by the BAC as “failed” for failing to indicate the word “none” for no discount offered in the Financial Bid, to wit:

1. JMLR CONSTRUCTION AND SUPPLY

**WHEREAS**, Under Clause 11.1 (Note 3) in the Instruction to Bidder (ITB) of the Bid Data Sheet (BDS) of the Bidding Document, it is stated that, “*In filling out the bid form, bidders shall provide a discount offer in the form of amount, in figures and in words, including its application and methodology. In case of no discount offered, the bidder shall write “None” xx.*”

**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 25 February 2025 to 03 March 2025, in accordance with Section 32.2 of the RIRR of R.A. 9184, the BAC Technical Working Group (TWG) conducted the detailed evaluation of the Financial Component of the bid of the aforementioned proponent. During the detailed evaluation of its bid, the bid was calculated, evaluated, and/or corrected for computational



errors and shall undergo the post-qualification.. The table below shows the bid amounts of the bidder (as calculated):"

BIDDERS	BID AMOUNT (AS CALCULATED)	RANKING
CASTLESTONE CONSTRUCTION AND SUPPLY	₱ 4,800,027.43	1

**WHEREAS**, based on the above result of the detailed evaluation conducted by the BAC-I TWG, the BAC-I found **CASTLESTONE CONSTRUCTION AND SUPPLY** 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 4 to 13 March 2025, the BAC-I TWG conducted the Post-Qualification on the Castlestone Construction and Supply, pursuant to Section 34 of the RIRR of R.A. 9184;

**WHEREAS**, during the conduct of the post-qualification of CASTLESTONE CONSTRUCTION AND SUPPLY, the TWG noted the following observations and its non-responsiveness to the requirements of the bidding documents:

REQUIREMENTS	BIDDER'S NON-COMPLIANCE	FINDINGS
Section 10.3 of Bid Data Sheet (BDS):  "PCAB License: Category C & D for General Building and License Classification of Small B for General Building"	The submitted PCAB license of the bidder was for the General Building Category C.	With adverse findings  The TWG conducted a verification with the PCAB regarding CASTLESTONE CONSTRUCTION AND SUPPLY's license and discovered that Castlestone's license was downgraded to Specialty-Trade Category E as of 22 August 2023.  Section 10.3 of Bid Data Sheet (BDS) states that:

		"PCAB License: Category C & D for General Building and License Classification of Small B for General Building"																		
<p>Section 10.4 of the Invitation to Bid (ITB) and Bid Data Sheet (BDS) provide that:</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>Key Personnel</th><th>Required Profession</th><th>Required Experience</th></tr> </thead> <tbody> <tr> <td>Master Electrician</td><td>RA1080/ PRC License for at least 3 years</td><td>At least 3 years of experience as 'Master Electrician'</td></tr> <tr> <td>General Foreman</td><td>N/A</td><td>At least 3 years of experience as 'General Foreman'</td></tr> </tbody> </table> <p>xxx"</p>	Key Personnel	Required Profession	Required Experience	Master Electrician	RA1080/ PRC License for at least 3 years	At least 3 years of experience as 'Master Electrician'	General Foreman	N/A	At least 3 years of experience as 'General Foreman'	<p>The TWG found that the following nominated key personnel lack the required number of years of experience prescribed under ITB clause 10.4 of the BSD:</p> <ul style="list-style-type: none"> <li>The nominated Master Electrician, Jonathan D. Alvarez, has been a registered Master Electrician for <b>2 years and 4 months</b> and had relevant work experience for only <b>2 years</b> based on the documents verified during post-qualification.</li> <li>The nominated General Foreman, Joel S. Villegas has <b>1 year and 7 months</b> of experience as Foreman based</li> </ul>	<p>With adverse findings</p> <p>Upon validation of the competence and experience of the bidder's key personnel pursuant to Section 34.3 of the RIRR of RA 9184, it was found that the two (2) of the nominated key personnel lack the necessary experience required in ITB Clause 10.4 of the BDS which states that:</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>Key Personnel</th><th>Required Profession</th><th>Required Experience</th></tr> </thead> <tbody> <tr> <td>Master Electrician</td><td>RA1080/ PRC License for at least 3 years</td><td>At least 3 years of experience as 'Master Electrician'</td></tr> <tr> <td>General Foreman</td><td>N/A</td><td>At least 3 years of experience as 'General Foreman'</td></tr> </tbody> </table> <p>xxx"</p>	Key Personnel	Required Profession	Required Experience	Master Electrician	RA1080/ PRC License for at least 3 years	At least 3 years of experience as 'Master Electrician'	General Foreman	N/A	At least 3 years of experience as 'General Foreman'
Key Personnel	Required Profession	Required Experience																		
Master Electrician	RA1080/ PRC License for at least 3 years	At least 3 years of experience as 'Master Electrician'																		
General Foreman	N/A	At least 3 years of experience as 'General Foreman'																		
Key Personnel	Required Profession	Required Experience																		
Master Electrician	RA1080/ PRC License for at least 3 years	At least 3 years of experience as 'Master Electrician'																		
General Foreman	N/A	At least 3 years of experience as 'General Foreman'																		



	on the submitted related experience in the CV.	
<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 the latest remittance for the following:</p> <ul style="list-style-type: none"> <li>• SSS until January 2025,</li> <li>• Philhealth until December 2020; and</li> <li>• PAG-Ibig until February 2025 with penalty for September 2024 to January 2025.</li> </ul>	<p>With adverse findings</p> <p>During its post-qualification, CASTLESTONE CONSTRUCTION AND SUPPLY admitted that its PhilHealth contribution was not updated, with the last remittance made in 2020.</p> <p>From the foregoing findings, CASTLESTONE 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 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>Omnibus Sworn Statement in accordance with Section 25.3 of the Revised IRR of RA9184 which states that:</p> <p><i>"The Omnibus Sworn Statement executed by the bidder, or its duly authorized representative, shall contain the following:</i></p> <p>Xxx</p> <p><i>(f) It complies with existing labor laws and standards</i></p> <p>xxx."</p> <p>Sworn Statement in accordance with Section 25.2(b)(ix) of the RIRR of RA 9184 and using the form prescribed in Annex "I" in Bidding Forms</p>	<p>Submitted an omnibus sworn statement dated 22 February 2025 duly notarized and signed by the authorized representative of the bidder, which states:</p> <p>"I, MARIA CONCEPCION H. MATAMOROSA, of legal age, widow, Filipino and residing at Zone 3, Colacling, Lupi Camarines Sur, after having been duly sworn in accordance with law, do hereby depose and state that:</p> <p>Xxx</p> <p>7. CASTLESTONE CONSTRUCTION AND SUPPLY complies with existing labor laws and standards;</p> <p>Xxx."</p>	<p>With adverse findings</p> <p>In relation to the above finding, CASTLESTONE CONSTRUCTION AND SUPPLY 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 CASTLESTONE based on Section 23.6 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, to wit:</p> <p><i>"Notwithstanding the eligibility of a bidder, the Procuring Entity concerned reserves the right to review 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</i></p>



		<u>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."</u>
--	--	---

**WHEREAS**, on 17 March 2025 the BAC-I deliberated on the results of the post-qualification. Based on its findings, the Committee declared CASTLESTONE CONSTRUCTION AND SUPPLY as post-disqualified.

**WHEREAS**, based on the aforementioned, the BAC-I declared the failure of bidding pursuant to the Section 35.1 of the 2016 Revised IRR of RA 9184, to with:

*"35.1 The BAC shall declare the bidding failure when:*

*xxx*

*c. All bids fail to comply with the bid requirements of fail post-qualification or, in the case of Consulting Services, there is no successful negotiation;*

*xxx"*

**NOW, THEREFORE**, We, the Members of the Bids and Awards Committee for Infrastructure Projects (BAC-I), hereby **RESOLVE** as it is hereby **RESOLVED** to recommend the following:

1. To declare a Failure of Bidding for the **FIT-OUT PROJECT FOR THE 605.31 SQ.M. BCDA OFFICE SPACE** in accordance with Section 35.1 of the Revised Implementing Rules and Regulations (RIRR) of Republic Act (R.A) No. 9184; and

2. To direct the end-user, PPMD - General Services Division (PPMD-GSD) to conduct a mandatory review and evaluation of the terms, conditions, and specifications of the Bidding Documents, including the cost estimates and other requirements relative to this procurement, pursuant to Section 35.2 of the 2016 RIRR of RA 9184.

**RESOLVED**, at the BCDA Corporate Center Office, this **17th** day of **March 2025**.

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

**ATTY. ELVIRA V. ESTANISLAO**  
Chairperson

**ATTY. MARIA SOLEDAD C. SAN  
PABLO**  
Vice Chairperson

**VIRGIL M. ALVAREZ**  
Member

*On Official Business*  
**ENGR. RANDY S. VIACRUSIS**  
Member

*On Official Business*  
**ATTY. MARIA CELINE ERIKA A.  
LABRADOR**  
Member

**AUSTIN RAYNINO O. REYES**  
Provisional Member

Approved by:

**ATTY. GISELA Z. KALALO**  
Executive Vice President