

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

**PROCUREMENT FOR THE CONSTRUCTION OF BUILDINGS 12, 12.1, 12.2, 13, 14, 15, 112.1 AND SITE DEVELOPMENT WORKS (INTERNAL ROADS AND PARKINGS) THROUGH NEGOTIATED PROCUREMENT - EMERGENCY CASES**

**RESOLUTION NO. 2025-013**

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

**WHEREAS**, on 10 August 2018, BCDA and SM Prime Holdings, Inc. (SMPHI) executed a Joint Venture Agreement for the privatization and development of the Bonifacio South Pointe (BSP) Property. The 33.13-hectare BSP Property is currently occupied by the Philippine Navy and Philippine Marine Corps Facilities and needs to be relocated and replicated to start the development of the said area;

**WHEREAS**, based on the draft Memorandum of Agreement (MOA) between BCDA and DND/AFP-PN, the Philippine Marine Corps Facilities will be relocated and replicated to the 100-hectare area in the Bataan Technology Park. BCDA shall be responsible for procuring the design consultant to prepare the necessary design drawings and technical specifications for the PMC offices and PN quarters, structures/facilities, and utilities. The output of the said Consultant, once approved by DND/AFP-PN shall serve as the basis for implementing the project. BCDA shall also implement the functional replication of the PMC facilities and PN Officer's Quarters, structures/facilities, and utilities per the approved design drawings and technical specifications;

**WHEREAS**, part of the replication of the PMC Facilities is the Construction of Various Structures and Facilities within the 100-hectare Area at the Bataan Technology Park, Morong, Bataan, under Phase 1-Package 3, involves 22 buildings/structures, consisting of essential structures such as the main headquarters, a communication tower, a fire station, a church, and several quarters for the Philippine Marine Corps (PMC);

**WHEREAS**, the BCDA Board, through Resolution No. 2025-03-042, approved the partial termination of the Construction of Various Structures and Facilities within the 100-hectare area at Bataan Technology Park, Phase 1- Package 3, due to the contractor's Default and the authority to proceed with the procurement of the terminated works;

**WHEREAS**, the BCDA, through its letter dated 16 May 2025, informed the PMC that the BCDA Board has approved the partial termination of the contract and will



proceed with the procurement of the terminated works in order to complete and deliver the facilities to the PMC;

**WHEREAS**, the PMC, in its letter dated 22 May 2025, emphasized that the completion of these facilities, which was originally scheduled last December 2023, is not merely a matter of operational readiness but a strategic imperative to enable the PMC to respond swiftly and effectively to emerging threats. Further, delay in delivering these structures would significantly hinder the PMC's capacity to fulfill its mandate, particularly in safeguarding national sovereignty and security and utilizing PMC strategic assets. Considering the urgent need to occupy these vital infrastructure facilities, the PMC requested BCDA to undertake all measures necessary to ensure that the facilities will be completed and turned over to PMC the soonest possible time.

**WHEREAS**, Section 53.2 of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (R.A.) 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**, on 02 June 2025, during the Pre-procurement Conference with the BAC-I, the Engineering and Social Support Department (ESSD) discussed the salient provisions of the project, as follows:

ITEM	TERMS
Mode of Procurement	Section 53.2 Negotiated Procurement - Emergency Cases in accordance with the 2016 RIRR of R.A. 9184
Scope of Work	Construction of Buildings 12, 12.1, 12.2, 13, 14, 15, 112.2 and Site Development Works (Internal Roads and Parkings)
Duration of Contract	180 calendar days
Approved Budget for the Contract	Pesos: One Hundred Four Million Three Hundred Five Thousand Two Hundred Twenty-Four and 8/100 (Php 104,305,224.08), inclusive of all applicable taxes and fees.

**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 Construction of Buildings 12, 12.1, 12.2, 13, 14, 15, 112.2 and Site Development Works (Internal Roads and Parkings) 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 Engineering Social Support Department (ESSD) 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.

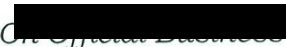
**RESOLVED**, at the BCDA Corporate Center Office, Bonifacio Global City, Taguig City, this 2<sup>nd</sup> day of June 2025.

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

  
**ELVIRA V. ESTANISLAO**  
Chairperson

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

  
**VIRGIL M. ALVAREZ**  
Member

  
**RANDY S. VIACRUSIS**  
Member

  
**MARIA CELINE ERIKA A. LABRADOR**  
Member

  
**PSALM ERICKSON CADIANG**  
Member

Approved By:

  
**JOSHUA M. BINGCANG**  
President & CEO