



PAGASA BIDS AND AWARDS COMMITTEE (PBAC)

Resolution No. 2023-0031

**Resolution Denying the Motion for Reconsideration;
 2nd Failure of Bidding; and Recommending Approval**

WHEREAS, the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), through the PAGASA Bids and Awards Committee, advertised the Invitation to Bid (IB) at the PAGASA website, the MGEPS and PAGASA Bulletin board continuously for 7 days from **21 to 28 June 2023**, the procurement of the following civil works/infrastructure project described hereunder, with its corresponding Approved Budget for the Contract (ABC), under the reference, **P.R. No. 2023-05-0328 / I.B. No. 2023-002 INF- Re bid** to wit:

PARTICULARS	ABC (Php)	Contract Duration
Construction of Synoptic Station Building, Observer's Quarters, Powerhouse, Perimeter Fence, Gate and Signage at Lamitan City, Basilan - Rebid	8,364,701.65	150cd

WHEREAS, in response to the above advertisement, **no prospective bidder/s** expressed its intention to participate in the bidding of the aforesaid Project, on the scheduled **Pre-bid conference** conducted by the PBAC on **29 June 2023**;

WHEREAS, any and all noted amendments and deviations discussed during the above-mentioned Pre-bid conference, has been duly issued through a **Supplemental Bid Bulletin (SBB)**, with reference to **Addendum No. 2023-002-01 INF** dated 30 June 2023 is herein made part of this Resolution as **Annex "A"**;

WHEREAS, on **11 July 2023**, the schedule for **Submission, Receipt and Opening** of Envelope I (Eligibility and Technical Components) and Envelope II (Financial Component), **only one (1) interested bidder**, NAS Construction timely submitted its bid tender documents for the project; however, **failed** to pass the preliminary evaluation of bids due to *non-submission of Tab G document - Joint Venture Agreement Form and failure to comply with the instruction to bidders, particularly the use of the prescribed bidding forms and non-compliance with the 2004 Rules on Notarial Practice*;

WHEREAS, applying the non-discretionary **"pass/fail"** criterion in the evaluation of bids, the PAGASA-BAC declared the outright rejection of the bidder's documents based on the foregoing findings and was given three (3) calendar days to file their respective motion for reconsideration;

WHEREAS, on 12 July 2023, the PBAC received a letter from NAS Construction requesting for reconsideration for the outright rejection of their bid documents (*a copy is hereto attached as Annex "B"*);

WHEREAS, Rule IX of the Revised IRR of RA9184, requires that the preliminary examination of bids be conducted by merely checking for the presence or absence of documentary requirements using a non-discretionary **"pass/fail"** criterion.

"Section 30 Preliminary Examination of Bids. The BAC shall open the first bid envelopes to determine each bidder's compliance with the documents required to be submitted for eligibility and for the technical requirements, as prescribed in this IRR. For this purpose, the BAC shall check the submitted documents of each bidder against a checklist of required documents to ascertain if they are all present, using a non-discretionary "pass/fail" criterion, as stated in the Instruction to Bidders. If a bidder submits, the required document, it shall be rated "passed" for that particular requirement. In this regard, bids that fail to include any requirement or are incomplete or patently insufficient shall be considered as "failed".

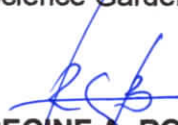
[Handwritten signatures and names of committee members]
 Regine A. Borjal
 Interim Member / End user
 Sharon Juliet M. Arnelo
 Member
 Cristofel D. Sanvictores
 Member
 Willy F. Evangelista
 Member
 Atty. Eric Christopher Amado J. Agsaoy
 2nd Vice-Chairperson
 Joel C. Rivera
 1st Vice-Chairperson
 Bonifacio G. Pajuelas, Ph.D.
 Chairperson

WHEREAS, Section II – Instruction to Bidders, particularly No. 6 Bidder’s Responsibilities clearly state that the bidder should have carefully read and comply with all the stated documentary requirements, otherwise the bidder will be disqualified.

NOW, THEREFORE, We, the Members of the Bids and Awards Committee, hereby **RESOLVE** as it is hereby **RESOLVED**:

- a) to **DENY**, the Motion for Reconsideration of NAS Construction;
- b) to **DECLARE**, the **2nd failure of bidding** for the *Construction of Synoptic Station Building, Observer’s Quarters, Powerhouse, Perimeter Fence, Gate and Signage at Lamitan City, Basilan – Rebid*;
- c) to **RECOMMEND**, the mandatory review and evaluation of the terms, conditions and specifications in the Bidding Documents, including its cost estimates pursuant to Section 35.2 of the Revised IRR of RA9184;
- d) to **RECOMMEND**, further that resort to the Alternative Modes of Procurement, through **Negotiated Procurement – Two Failed biddings** as provided in Section 53.1 of the Revised IRR of RA9184;
- e) to **RECOMMEND**, finally, the **APPROVAL** of the foregoing findings and recommendations.

RESOLVED, this 18th day of July 2023 at the Amihan Conference, 2nd Floor PAGASA Main Building, Science Garden Complex, BIR Road Brgy. Central, Quezon City.


REGINE A. BORJAL
Interim Member / End-user Representative


CRISTIAN D. SANVICTORES
Member


WILLY F. EVANGELISTA
Member


SHARON JULIET M. ARRUEJO
Member


JOEL C. RIVERA
1st Vice-Chairperson


Atty. ERIC CHRISTOPHER AMADO J. AGSAOAY
2nd Vice-Chairperson


BONIFACIO G. PAJUELAS, Ph.D.
Chairperson

APPROVED/DISAPPROVED:


NATHANIEL T. SERVANDO, Ph.D.
Officer-in-Charge, PAGASA

Approved on: 11 SEP 2023