



PAGASA BIDS AND AWARDS COMMITTEE (PBAC)

Resolution No. 2024-040

**Resolution Declaring a Failure of Bidding for Negotiated Procurement –
 Two-Failed Bidding; and Recommending Approval**

WHEREAS, the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), through the PAGASA Bids and Awards Committee, notifies the public of its resort to Alternative Method of Procurement through Negotiated Procurement after Two Failed Biddings, pursuant to Section V (D.3 (a.i) & (b.iv), Annex "H" of the Revised IRR of RA9184 for 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. 2024-03-0212 / I.B. No. 2024-25 INF_NP** to wit:

PARTICULARS	ABC	Contract Duration
Construction of Synoptic Station Building, Observer's Quarters, Powerhouse, Perimeter Fence, Gate & Signage at Pagadian City, Zamboanga Del Sur _ Negotiated Procurement for Two Failed Biddings	Php6,425,710.56	150cd

WHEREAS, on 23 July 2024, by virtue of the same Notice to Bidders, the Bids and Awards Committee invited the following prospective bidders who were identified and listed under PAGASA's list of accredited contractors for infrastructure projects:

1. GHR Construction
2. AFS Construction and Enterprises
3. A.T. Dumlao Construction, Inc.

WHEREAS, in response to the BAC's invitation, one (1) prospective bidder, **MALAGUENA CONSTRUCTION** expressed its intention to participate in the said bidding activity and attended the scheduled **Pre-negotiation conference** conducted by the PBAC on **01 August 2024**;

WHEREAS, any and all noted amendments and deviations discussed during the above-mentioned Pre-negotiation conference, have been duly issued through a **Supplemental Bid Bulletin (SBB)**, with reference to **Addendum No. 2024-25 01** dated 29 July 2024 is herein made part of this Resolution as **Annex "A"**;

WHEREAS, on **13 August 2024**, the scheduled **Submission, Receipt and Opening** of Envelope I (Eligibility and Technical Components) and Envelope II (Financial Component), only one prospective bidder, **Malagueña Construction**, timely submitted its bid tender documents for the project; however, **failed** to pass the preliminary evaluation of bids due to non-compliant with the simple instructions to bidders.

WHEREAS, on **14 August 2024**, the PBAC received a letter of Request (Motion) for Reconsideration from Malagueña Construction (*a copy is hereto attached as **Annex "B"***);

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

WHEREAS, on **20 August 2024**, the PBAC, in its meeting unanimously concurred to deny the Request (Motion) for Reconsideration (*a copy is hereto attached as **Annex "C"***);

Ma. Anjelica G. Toledo
 EPR user

Noel G. Ramos
 Member

Willy F. Evangelista
 Member

Joel C. Rivera
 Member

Atty. Eric Christopher Amado J. Agsaoy
 Vice-Chairperson

Shirley J. David
 Chairperson

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

- a) to **DECLARE**, a **failure of bidding** for the above-entitled Project;
- b) to **RECOMMEND**, the immediate re-posting thereof for re-bidding purposes; and
- c) to **RECOMMEND**, finally, the **APPROVAL** of the foregoing findings and recommendations.

RESOLVED, this **20th of August 2024** at the AO Conference Room, 4th Floor PAGASA Main Building, Science Garden Complex, Senator Miriam Defensor Santiago Ave., Brgy. Central, Quezon City.


MA. ANJELICA G. TOLEDO
End-user Representative


WILLY F. EVANGELISTA
Member


JOEL C. RIVERA
Member


NOEL G. RAMOS
Member


Atty. ERIC CHRISTOPHER AMADO J. AGSAOAY
Vice-Chairperson


SHIRLEY J. DAVID
Chairperson

APPROVED DISAPPROVED:


NATHANIEL T. SERVANDO, Ph.D.
Administrator

Approved on: 17 SEP 2024