



PAGASA Bids and Awards Committee Resolution (BAC)

Resolution No. 2024-034

**Resolution Recommending the use of Negotiated Procurement –
 Adjacent or Contiguous; and Recommending Award of Contract
 to ITP Construction**

WHEREAS, the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), through the PAGASA Bids and Awards Committee, conducted the competitive bidding for the project “Construction of National Meteorological and Climate Center (NMCC) Building at Science Garden Complex” on 29 November 2017 and recommended the award of contract to ITP Construction, Inc. as the bidder with the Lowest Calculated and Responsive Bid which the Head of the Procuring Entity approved;

WHEREAS, the contract implementation started on 27 April 2018 and will end on 03 November 2024;

WHEREAS, on 15 May 2024, the Department of Public Works and Highways – Central Office (DPWH-CO) recommended the procurement of additional works for the Construction of the NMCC Building;

WHEREAS, on **13 June 2024**, the above-entitled Project was subjected to the usual pre-procurement activity by the PAGASA-BAC and in the course of the discussion, the following factual circumstances appurtenant to the above Project had been considered in determining the proper method of procurement to be recommended to the Head of the Procuring Entity (HOPE) and that will be undertaken by the PAGASA-BAC: That,

1. In accordance with the Project objectives presented by the end-user representatives, implementation of the project infrastructures is deemed crucial for ensuring the safety, accessibility, functionality, and compliance of the building or facility with relevant regulations and standards;
2. The construction of the NMCC Building has been awarded to ITP Construction through Competitive Bidding with no negative slippage/delay that resulted from the proposed contract through an Alternative Method of Procurement using Negotiated Procurement – Adjacent or Contiguous pursuant to Section 53.4 and Annex “H” of the Revised IRR of RA 9184;

WHEREAS, on 25 June 2024, the DPWH, Building and Special Projects Management Cluster through the PAGASA Bids and Award Committee (P-BAC) conducted the proposed procurement through Negotiated Procurement;

WHEREAS, the proposed project is defined under the procurement of civil works with an Approved Budget for the Contract of Php29,245,324.61;

WHEREAS, the proposed procurement is a continuation project of the **Construction of the NMCC Building at the Science Garden Complex**, which is still ongoing with positive slippage and will expire on **03 November 2024**, and that all conditions and terms pursuant to Section 53.4 and Annex “H” of the Revised IRR of RA 9184 were being observed and fulfilled;

WHEREAS, by virtue of its functions provided for under **Section 12** of the IRR of RA 9184, the BAC in its meeting held on **25 June 2024** at the AO Conference Room, 4th Floor PAGASA Main Building, carefully examined, discussed, and evaluated the circumstances and the necessity of acquiring and implementing the foregoing Project within the timeframe required by the proponents thereof;

WHEREAS, after the said meeting, it was moved and unanimously concurred by all members of the BAC present that said Project be undertaken by resorting to **Alternative Method of Procurement, through Negotiated Procurement – Adjacent or Contiguous, under Section 53.4** of the Revised Implementing Rules and Regulations of R.A 9184 based on the following considerations:

- *The original contract is a result of Competitive Bidding;*
- *The subject contract to be negotiated has similar or related scopes of work;*
- *It is within the contracting capacity of the contractor/consultant;*

Brian P. Bungabong
 Brian P. Bungabong
 End-user

Noel G. Rambo
 Noel G. Rambo
 Member

Willy F. Evangelista
 Willy F. Evangelista
 Member

Joel C. Rivera
 Joel C. Rivera
 Member

Atty. Eric Christopher Armado J. Agsaoy
 Atty. Eric Christopher Armado J. Agsaoy
 Vice-Chairperson

Shirley J. David
 Shirley J. David
 Chairperson

- The contractor/consultant uses the same prices or lower unit prices as in the original contract less mobilization cost;
- The amount of the contiguous or adjacent work involved does not exceed the amount of the ongoing project;
- The contractor/consultant has no negative slippage/delay;
- The resort to the Alternative Method of Procurement could significantly reduce the timelines of the bidding process, without disregarding the pertinent provisions of RA 9184, thereby speeding up the completion of civil works, to the greater advantage of the Agency.

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

- to **RECOMMEND**, the resort to an **Alternative Method of Procurement through Negotiated Procurement – Contiguous or Adjacent** under **Section 53.4** of the Revised IRR of R.A. 9184 the procurement of the instant Project entitled: **Contiguous Works: Construction of Six (6) Storey National Meteorological and Climate Center (NMCC) Building**”;
- to **RECOMMEND**, the award of the Contract to **ITP Construction, Inc.** in the amount of *“Twenty-Nine Million Two Hundred Forty-Five Thousand Three Hundred Twenty-Four Pesos & 61/100 (Php29,245,324.61) only”*, for the implementation of Project; and
- to **RECOMMEND**, finally, the **APPROVAL** of the foregoing findings and recommendations.

RESOLVED, this **25th day of June 2024** at the AO Conference Room, 4th Floor, PAGASA Main Building, Science Garden Complex, Senator Miriam P. Defensor-Santiago Ave., Brgy. Central, Quezon City.


BRIAN P. BUNGABONG
End-user Representative

WILLY F. EVANGELISTA
Member


NOEL G. RAMOS
Member


JOEL C. RIVERA
Member


Atty. ERIC CHRISTOPHER AMADO J. AGSAOAY
Vice-Chairperson


SHIRLEY J. DAVID
Chairperson

APPROVED DISAPPROVED:


NATHANIEL T. SERVANDO, Ph.D.
Administrator

Approved on: 28 JUN 2024