



REPUBLIC OF THE PHILIPPINES

# DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

## PRIMARY BIDS AND AWARDS COMMITTEE (PBAC)

**BAC RESOLUTION NO. 12, Series of 2022**

**PBD-22-01**

### **RESOLUTION RECOMMENDING THE AWARD OF CONTRACT FOR THE REPAIR AND REFURBISHMENT OF THE OFFICE OF THE SECRETARY'S BOARDROOM TO NVSP CONSTRUCTION & DEVELOPMENT**

**WHEREAS**, The Department of Agrarian Reform (DAR), through the continuing 2021 General Appropriations Act (GAA) and 2022 GAA, intends to apply the sum of **Philippine Pesos Three Million Five Hundred Nine Thousand Two Hundred Seventy Nine and 72/100 only (PhP 3,509,279.72) inclusive of all applicable taxes**, being the Approved Budget for the Contract (ABC) to payments under the contract for the repair and refurbishment of the OSEC Boardroom (refer to Annex "A" copy of approved Project Proposal);

**WHEREAS**, on 01 June 2022, the Department of Agrarian Reform-Primary Bids and Awards Committee (PBAC) posted the Invitation to Bid (ITB) in the DAR website, DAR bulletin board, and the Philippine Government Electronic Procurement System (PhilGEPS) website with reference no. 8715874 (refer to Annex "B" copy of PhilGEPs posting);

**WHEREAS**, on 09 June 2022, the PBAC conducted a pre-bidding conference which was attended by six (6) interested bidders, namely: 1) Aseron Construction & Supply Co., 2) A & Ai Design & Office Furniture, 3) NVSP Construction & Development, 4) TGM Construction, 5) Trowel Builders, and 6) Jayterkiel Builders;

**WHEREAS**, three (3) of the six (6) bidders that attended the pre-bidding conference acquired and paid the bidding documents fee, namely: 1) Aseron Construction & Supply, 2) NVSP Construction & Development, & 3) Trowel Builders while two (2) others likewise acquired and paid the bidding documents but were absent during the pre-bidding conference namely: 1) First R & J Builders, Phils. Corp.; and 2) BN Seven Konstruct Corp.;

**WHEREAS**, as a result of the pre-bidding conference, Supplemental Bid Bulletin (SBB) No. 1 was issued on 13 June 2022 to incorporate in the Philippine Bidding Documents the checklist of Technical & Financial documents under Section IX and provide clarifications on questions raised by some bidders (refer to Annex "C", copy of SBB no. 1);

**WHEREAS**, on 21 June 2022, the deadline of submission of bids, all five (5) bidders that purchased bidding documents submitted their bid proposals and

the result of eligibility and preliminary check of their bid submission is shown below, (refer to Annex "D" Abstract of Bids):

<b>Name of Bidder</b>	<b>Eligibility</b>	<b>Technical Envelope</b>	<b>Rating</b>	<b>Financial Bid (PhP)</b>	<b>Rank</b>
NVSP Const. & Dev.	Passed	Passed	Passed	2,988,129.38	LCB
First R + J Builders	Passed	Passed	Passed	3,206,391.40	2 <sup>nd</sup> LCB
Trowel Builders Corp.	Passed	Passed	Passed	3,307,269.54*	DQ
BN Seven Konstruct	Passed	Passed	Passed	3,365,317.69**	DQ
Aseron Const. & Supply	Passed	Passed	Passed	3,473,057.55	3 <sup>rd</sup> LCB

*\*failed to submit Summary Sheet with the Financial Bid*

*\*\*failed to submit Cash Flow with the Financial Bid*

**WHEREAS**, on 15 August 2022, the newly reconstituted BAC-TWG conducted the detailed technical evaluation of the LCB and reported to the PBAC on 1 September 2022 that the LCB, NVSP Construction & Development passed the detailed bid evaluation and is therefore recommended for post-qualification (refer to Annex "E" Detailed Bid Evaluation Report);

**WHEREAS**, on 07 September 2022, the BAC-TWG conducted post-qualification evaluation of the LCB and based on the report which was presented to the PBAC on 12 September 2022, the LCB is found responsive to all the requirements of the bidding documents and is therefore recommended for award of contract, however, the PBAC agreed to adopt and approve the TWG's recommendation upon the LCB's submission of a copy of the Office of the Solicitor General's (OSG) opinion regarding the long delay in the processing of the award of contract by Rizal Technological University (RTU) in relation to the statement of the single largest completed contract (SLCC) submitted by the LCB (refer to Annex "F" Post-qualification Evaluation Report);

**WHEREAS**, on 21 and 27 September 2022, the BAC-TWG reported that the LCB failed to obtain a copy of the OSG opinion due to client-attorney privilege, thus, they have to request the RTU that they request the OSG for a copy of the said opinion, thus, the PBAC instructed the BAC-TWG to also request OSG for a copy of the opinion directly;

**WHEREAS**, considering the difficulty in getting the OSG opinion, the PBAC instructed the BAC-TWG on 3 October 2022 to visit the RTU and inspect the completed project submitted as the SLCC as well as the other contracts completed by the LCB at RTU;

**WHEREAS**, on 10 October 2022, the BAC-TWG reported to the PBAC its findings about the ocular inspection conducted indicating that the LCB has satisfactorily completed the projects and that the delay in the award of the SLCC is not the fault of the LCB (refer to Annex "G" BAC-TWG's ocular inspection report);

**WHEREFORE**, premises considered, the PBAC resolved to recommend to the Head of the Procuring Entity (HoPE) the award of contract for the Repair and Refurbishment of the OSEC Boardroom to NVSP Construction & Development being the Lowest Calculated and Responsive Bidder (LCRB) in the total amount of **Philippine Pesos Two Million Nine Hundred Eighty Eight Thousand One Hundred Twenty Nine & 38/100 only (PhP 2,988,129.38)** inclusive of all applicable taxes.

**Done** this 10<sup>th</sup> day of October 2022 at the DAR Central Office, Diliman, Quezon City.

*on-leave*

**NESTOR C. BAYONETO**

Director, MISS – Provisional Member  
BAC-Primary for Goods & Services

*[Signature]*  
**ROMEO L. REYES, CPA**

OIC-Director, Admin. Service  
Regular Member, BAC-Primary

*[Signature]*  
**LUCIENNE S. PULGAR**

OIC - Director, PMS  
Regular Member, BAC-Primary

*[Signature]*  
**SUSANA R. SERRANO**

Asst. Sec. and concurrent Director, ARCDS  
Regular Member, BAC-Primary

*ABSENT*

**ATTY. EUGENE P. FOLLANTE, CESO III**

Director, Legal Service  
Vice-Chairperson, BAC-Primary

*[Signature]*  
**ATTY. MARIA CELESTINA M. TAM, CESO III**

Asst. Secretary, Legal Affairs Office  
Chairperson, BAC-Primary

*[Signature]*  
**Approved by:**

*[Signature]*  
**JEFFREY M. GALAN**

Undersecretary, Finance, Management and Administration Office  
Head of the Procuring Entity