



A BAC RESOLUTION DECLARING A POST-QUALIFIED BIDDER AND RECOMMENDING FOR AWARD OF A CONTRACT FOR THE RESTORATION AND REINFORCING OF GEO-GRID ON THE DAMAGED RICE TERRACES PURSUANT TO THE REVISED 2016 IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9184

**BAC Resolution No. 93
 Series of 2023**

WHEREAS, in compliance with the provisions of RA 9184 and its 2016 Revised Implementing Rules and Regulations (R-IRR), the **Kalinga State University (KSU)** published the Invitation to Bid on the PhilGEPS Website (<https://notices.philgeps.gov.ph/>) from December 27, 2022, to January 17, 2023, for the bidding of **Restoration and Reinforcing of Geo-Grid on the Damaged Rice Terraces** with an Approved Budget for the Contract (ABC) amounting to **One Million Three Thousand, Seven Hundred Fifty Philippine Pesos (Php 1,003,750.00)** sourced from Trust Receipt Fund (TRF) for CY 2022 and posted the same at the KSU Website (<https://ksu.edu.ph/>), and conspicuous place at the premises of the University Campuses continuously for seven (7) calendar days;

WHEREAS, in response to the said posting/advertisement, three (3) prospective bidders, namely: Mighty Stellar Development, Metos Offshore, Inc., and Delta Jo Construction (DELCONS), browsed/read the opportunity at the sites mentioned above and downloaded the bidding document;

WHEREAS, the Bids and Awards Committee (BAC) and the Technical Working Group for Infrastructure Projects (TWG-Infra) conducted the Pre-bid Conference simultaneously via Google Meet Link: meet.google.com/jyz-qwqn-smq, with the bidder's representatives on January 5, 2023, @ 10 am whereupon Supplemental Bid/Bulletins (SBB) No. 1 was issued to amend the contents of bidding documents, particularly on the Invitation to Bid, Instruction to Bidders and on the Bid Data Sheet;

WHEREAS, two (2) bidders, namely; Naneng Village Construction and Mighty Stellar Development Construction, purchased the bidding documents on January 4, 2023, and January 17, 2023, respectively;

WHEREAS, during the **Submission and Receipt of Bids on January 17, 2023**, Mighty Stellar Development Construction and Naneng Village Construction submitted their bid proposals containing the technical and financial documents before the scheduled time;

WHEREAS, during the **Opening of Bids** on the same day, **January 17, 2023**, the BAC, upon the recommendation of the TWG-Infra, declared the bids of Mighty Stellar Development Construction "eligible" and passed the technical evaluation of the bidding;

WHEREAS, the TWG-Infra recommended to the BAC, upon opening the Financial Bid Envelope, to declare the bids of Mighty Stellar Development Construction as "complying" and further declared as the Single Calculated Bid with the bid amount of Php 931,381.26 subject to post-qualification evaluation;

WHEREAS, the TWG-Infra, upon the conduct of the **Post-qualification Evaluation** by the Post Qual Team on **January 18, 2023**, recommended to the BAC to declare the bid of Mighty Stellar Development Construction as the **Single Calculated and Responsive Bid (SCRB)**;

WHEREFORE, RESOLVE AS IT IS HEREBY RESOLVED that the Bids and Awards Committee, upon recommendation of the Technical Working Group for Infra, **herby recommends for approval by the University President to declare the bid of Mighty Stellar Development Construction as a Single Calculated and Responsive Bid (SCRB) and to award the contract amounting to Nine Hundred Thirty-One Thousand, Three Hundred Eighty-One Philippine Pesos and Twenty-Six Centavos (Php 931,381.26) for the Restoration And Reinforcing of Geo-Grid on the Damaged Rice Terraces;**

RESOLVED FINALLY to post this Resolution on the PhilGEPS and KSU Websites and conspicuous places on the University's premises, including the BAC Bulletin Board, for transparency and information purposes.

BAC Members:
 ENGR. LOPE T. BUEN
 JOHN JOHNSON ANUS JR, DPA
 ENGR. NORB. ESTILONG
 ARSENIA M. BAYONGAN, MAEd
 ROMUALDO WACAS, PhD
 BAC Chairperson:





Republic of the Philippines
KALINGA STATE UNIVERSITY
National Highway, Purok 6, Bulanao, Tabuk City, Kalinga
Bids and Awards Committee

RESOLVED this 27th day of January 2023 at the BAC Conference Room, Procurement Management Office, Administration Building, KSU-Main Campus, National Highway, Purok 6, Bulanao, Tabuk City, Kalinga, Philippines.

Concurred by the BIDS AND AWARDS COMMITTEE: -	
 ARSENIA M. BAYONGAN BAC Member	 NOEL B. ESTILONG BAC Member
 JOHN JOHN S. VENUS JR. BAC Member	 LOPE T. BUEN BAC Member

Endorsed for HOPE Approval:
 ROMUALDO U. WACAS BAC Chairman



Republic of the Philippines
KALINGA STATE UNIVERSITY
National Highway, Purok 6, Bulanao, Tabuk City, Kalinga
Office of the President

Date: January 27, 2023

To the Bids and Awards Committee:

Action of HOPE on BAC Recommendation through BAC Resolution No. 93, Series of 2023

By the power vested in me by the Kalinga State University Board of Regents, I hereby:

APPROVE the attached Resolution of the BAC based on the foregoing:

Section 34.4, 2016 R-IRR of RA 9184: **Lowest Calculated and Responsive Bid (LCRB) or Highest Rated and Responsive Bid (HRRB).**

Section 36, 2016 R-IRR of RA 9184: **Single Calculated and Responsive Bid (SCRB) or Single Rated and Responsive Bid (SRRB).**

Annex "D," 2016 R-IRR of RA 9184: **Appropriate adjustments in the delivery of contract schedule, or contract price, or both, with modification of the contract.**

DISAPPROVE the attached Resolution of the BAC due to the following Reservation Clauses:

Section 41(a), RA 9184: **there is prima facie evidence of collusion.**

Section 41(b), RA 9184: **the BAC failed to follow bidding procedures.**

Section 41(c), RA 9184: **any justifiable and reasonable ground** where the award of contract will not redound to the benefit of the government.

APPROVE BAC DECLARATION ON FAILURE OF BIDDING based on the foregoing:

Section 35.1(a), 2016 R-IRR of RA 9184: **No bids received.**

Section 35.1(b), 2016 R-IRR of RA 9184: **Bids received, but no one was eligible.**

Section 35.1(c), 2016 R-IRR of RA 9184: **All bids failed to post qualify.**

Section 35.1(d), 2016 R-IRR of RA 9184: **Someone post-qualified but refused without justifiable cause to accept the award.**

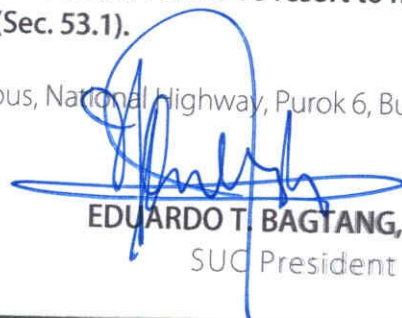
SUBJECT FOR RE-BID based on the following:

Section 35.2, 2016 R-IRR of RA 9184: **Task the BAC and TWG to conduct a mandatory review and evaluation of the terms, conditions, specifications, and cost estimates in the bid documents.**

Section 35.3, 2016 R-IRR of RA 9184: **To task the BAC to conduct a re-bidding with re-advertisement and/or posting.**

Section 35.5, 2016 R-IRR of RA 9184: **To resort to negotiated procurement, specifically Two Failed Biddings (Sec. 53.1).**

Issued at KSU Main Campus, National Highway, Purok 6, Bulanao, Tabuk City, Kalinga, Philippines.


EDUARDO T. BAGTANG, CPA, DBM
SUC President III

Enclosure: BAC Resolution

