



A BAC RESOLUTION DECLARING THIRD FAILED BIDDINGS AND RECOMMENDING FOR REGULAR BIDDING

RESOLUTION NO. 177, S. 2018 (CIVIL WORKS)

WHEREAS, in compliance with the provisions of RA 9184, the **Kalinga State University (KSU)** posted in the PhilGEPs website (<https://www.philgeps.gov.ph>) on **February 11-22, 2018 (first bidding)**, and on **March 6-13, 2018 (second biddings)** the Invitation to Bid (IB) for **Construction of Four Storey Academic Building- Phase II-Bulanao Campus/ Contract Reference Number 100200018000** with an Approved Budget for the Contract of **Twenty-Six Million, Eight Hundred Fifty-Six Thousand, Three Hundred Ninety-Five Philippine Pesos and Twenty-Six Centavos (Php26,856,395.26)** and posted the same at the KSU website (<https://ksu.edu.ph/good-governance/invitebid>), and conspicuous place at the premises of the University Campuses, continuously for seven days;

WHEREAS, during the **first Opening of Bids on March 5, 2018**, the lone bidder- **Alcel Construction** was declared "ineligible" for not reflecting in the list of all completed contracts his Statement of Largest Completed Contract (SLCC) and waived his right to file a motion for reconsideration;

WHEREAS, during the **second Opening of Bids on March 26, 2018**, same bidder- **Alcel Construction** was declared "ineligible" for non-inclusion of the Certificate of Final Acceptance to support his SLCC;

WHEREAS, following the approval by the HOPE on **March 30, 2018** of the BAC Resolution to resort for a Negotiated Procurement through 2-failed bidding modality and submission of the TWG-Infrastructure for the revised bidding documents, the BAC published the Notice for Negotiated Procurement at the required posting sites for the period: **April 7-10, 2018**;

WHEREAS, in response to the said publications, three (3) prospective bidders, namely: **Miko90 Builders, Upland Construction and Engineering Services, and Alcel Construction** had received the Notice but only the last bidder, **Alcel Construction** has submitted his sealed quotation as of **April 10, 2018-10 A.M.** deadline of submission ;

WHEREAS, during the **Opening of Bids on April 10, 2018 at 10:01 A.M.**, the BAC, in the presence of PICE and DTI representatives, moved the Opening of Bids at **1 P.M.** of the same day due to lack of quorum;

WHEREAS, during the Resumption of Bid Opening of Bids at **1 P.M.**, the BAC declared a quorum, and in consideration of the ABC for this Contract, the BAC has exerted its utmost diligent efforts in investigating the 3 bidders' capabilities whereupon **Miko90 Construction** was declared non-compliant due to insufficient financial capability of only 1 million capitalization as declared at the PhilGEPs website;

WHEREAS, the BAC resolved to postpone the Receipt and Opening of Bids until **April 13, 2018 at 10 A.M. to attract other potential bidders**; and the BAC Secretariat informed through phone the lone bidder of said extension;

WHEREAS, during the Resumption of Bid Opening on **April 13, 2018**, the BAC has satisfied the procedure of inviting at least three (3) contractors as stated under Letter No. ii of Annex H of the IRR of RA



Republic of the Philippines
KALINGA STATE UNIVERSITY
BIDS AND AWARDS COMMITTEE
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9184 or the conduct of Two Failed Biddings, through the receipt of Notice for Negotiated Procurement sent to Tribu Construction;

WHEREAS, during the Evaluation of Bids of the lone bidder, the BAC declared Alcel Construction as "ineligible" for the third times due to missing, incomplete or patently insufficient Statement of Ongoing Contracts specifically lack of attachments (Notice of Award; Notice to Proceed and Certificate of Accomplishments) on their two (2) other ongoing contracts at Tuga and Tabuk City National High Schools;

WHEREAS, the BAC noted semblance of negligence on the part of the lone bidder for the 3 biddings conducted;

NOW, THEREFORE, We the members of the Bids and Awards Committee, exercising prudence, good faith and transparency, hereby **RESOLVE AS IT IS HEREBY RESOLVED**:

to declare a third failure of biddings due to incomplete or patently insufficient Statement of Ongoing Contracts by the Contractor pursuant to Section 35.1(b) of the 2016 IRR of RA 9184; and

to recommend the conduct of regular bidding in addressing the concern relative to the notable number of failed biddings due to bidder's negligence for this Contract: "Construction of Four Storey Academic Building- Phase II-Bulanao Campus."

RESOLVED FINALLY, to post this Resolution at the KSU Website and conspicuous place at the premises of the University including the BAC Bulletin Board.

Done this 16th day of April 2018 at the Conference Hall, Admin. Bldg., KSU Main Campus, Purok 6, Bulanao, Tabuk City, Kalinga.

THE BIDS AND AWARDS COMMITTEE:

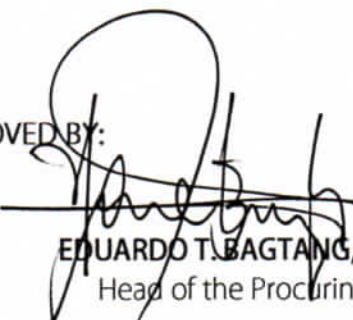

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 Chairman, BAC


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 Member, BAC


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 Member, BAC

APPROVED BY:

EDUARDO T. BAGTANG, CPA, DBM
 Head of the Procuring Entity

Date approved: _____