

BIDS AND AWARDS COMMITTEE FOR INFRASTRUCTURE PROJECTS (BAC-I)

**CONSTRUCTION OF NEW CLARK CITY UNDERGROUND UTILITIES
PHASE 1**

RESOLUTION NO. 2025-016

DECLARATION OF LOWEST CALCULATED AND RESPONSIVE BID (LCRB)

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA), through the General Appropriations Act (GAA), has put on bid the **CONSTRUCTION OF NEW CLARK CITY UNDERGROUND UTILITIES PHASE 1** with an Approved Budget for the Contract (ABC) in the sum of **Pesos: Eight Hundred Ninety Million One Hundred Twenty Thousand Eight Hundred One Pesos and 59/100 Centavos (Php 890,120,801.59)**, inclusive of all applicable taxes and fees.

WHEREAS, the BAC-I, through its Secretariat, advertised the Invitation to Bid, including bidding documents, on 21 March 2025 in the following platforms:

- a. DBM Philippine Government Electronic Procurement System (PhilGEPS);
- b. BCDA Website; and
- c. In a conspicuous place reserved for such purpose in the premises of BCDA.

WHEREAS, in response to the said advertisements, seven (7) prospective bidders bought the bid documents, namely:

1. CM PANCHO CONSTRUCTION, INC./LIVAN TRADE CORPORATION (JOINT VENTURE);
2. SUPERIOR BT, INC.;
3. CHINA WUYI CO. LTD/EDDMARI CONSTRUCTION & TRADING.;
4. R.D. POLICARPIO & CO. INC./JEJORS CONST CORP. (JOINT VENTURE);
5. JS RABANO CONSTRUCTION AND SUPPLY, INC./HYDRUS INC. (JOINT VENTURE);
6. J.C. RODRIGUEZ CONSTRUCTION CORPORATION AND A.M. ORETA CO., INC. (JOINT VENTURE); and
7. MULTI-B CONSTRUCTION AND CORPORATION

WHEREAS, out of the aforementioned interested bidders, six (6) submitted their bids prior to the set deadline of submission of bids for the project on 16 May 2025 at 9:00 AM:

1. R.D. POLICARPIO & CO. INC./JEJOR'S CONST. CORP. (JOINT VENTURE);
2. CM PANCHITO CONSTRUCTION, INC./LIVAN TRADE CORPORATION (JOINT VENTURE);
3. JS RABANO CONSTRUCTION AND SUPPLY, INC./HYDRUS INC. (JOINT VENTURE);
4. J.C. RODRIGUEZ CONSTRUCTION CORPORATION AND A.M. ORETA CO., INC. (JOINT VENTURE);
5. MULTI-B CONSTRUCTION AND CORPORATION; and
6. SUPERIOR BT, INC.

WHEREAS, on 16 May 2025 at 10:00AM, the first envelopes, which contained the Eligibility and Technical Requirements of the six (6) proponents, were opened and subjected to a preliminary evaluation by determining the presence or absence of the required documents using the "pass/fail" criterion;

WHEREAS, during said preliminary evaluation and after checking the sufficiency of the required documents as regards their presence or absence, the BAC-I declared the bids of the following two (2) bidders as "passed" after satisfying the Eligibility requirements, to wit:

1. R.D. POLICARPIO & CO. INC./JEJORS CONST. CORP. (JOINT VENTURE); and
2. CM PANCHITO CONSTRUCTION, INC./LIVAN TRADE CORPORATION (JOINT VENTURE)

WHEREAS, the bids of the following four (4) bidders were declared by the BAC as "failed" for failure to meet the Eligibility requirements, to wit:

1. JS RABANO CONSTRUCTION AND SUPPLY, INC./HYDRUS INC. (JOINT VENTURE);
2. J.C. RODRIGUEZ CONSTRUCTION CORPORATION AND A.M. ORETA CO., INC. (JOINT VENTURE);
3. MULTI-B CONSTRUCTION AND CORPORATION; and
4. SUPERIOR BT, INC.

WHEREAS, the second envelopes, which contained the financial proposals of the two (2) proponents, who "passed" the preliminary examination of the eligibility/technical requirements, were opened and were likewise subjected to a preliminary evaluation. After checking the sufficiency of the required documents as regards their presence or absence, the BAC declared the bids

of the two (2) proponents “passed” and were considered for the detailed evaluation and comparison of financial bids. The table below shows the ranking and bid amounts of the 2 proponents (as read):

BIDDERS	BID AMOUNT (AS READ)	RANKING
R.D. POLICARPIO & CO. INC./JEJORS CONSTRUCTION CORP. (JV)	₱ 614,000,000.00	1
CM PANCHO CONSTRUCTION, INC./LIVAN TRADE CORPORATION (JV)	₱ 827,099,980.52	2

WHEREAS, on 19 May 2025, the BAC-I received a letter from J. C. Rodriguez Construction Corporation and A.M. Oreta Co. & Inc. (Joint Venture) requesting for reconsideration, on the ground that the contract scope of its submitted Single Largest Completed Contract (SLCC) includes utility-related components, as required, despite the absence of the term “utilities” in the project title.

WHEREAS, Section 5 (u) of the 2016 RIRR of R.A. No. 9184, an Infrastructure Project is defined as follows:

“Infrastructure Projects. Include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national buildings, school buildings, hospital buildings, and other related construction projects of the government. For purposes of, and throughout this IRR, the term “Infrastructure Projects” shall have the same meaning as, and shall be used interchangeably with, “civil works” or “works.” (Emphasis supplied).

WHEREAS, J. C. Rodriguez Construction Corporation and A.M. Oreta & Co., Inc. (JV)’s SLCC involves construction of civil works that, by definition, includes the construction of utilities, subject to further validation during the post-qualification.

WHEREAS, upon careful evaluation, the BAC-I granted the Request for Reconsideration and issued Bid Bulletin No. 03 to allow the opening of the financial bid of the said Joint Venture;

WHEREAS, on 19 May 2025, the BAC-I also received Requests for Reconsideration from the Joint Venture of J.S. Rabano Construction & Supply and Hydrus Inc., and Multi-B Construction Corporation. Upon evaluation, BAC-I found no sufficient basis for their requests and accordingly denied the motions;

WHEREAS, on 21 May 2025, the BAC-I conducted the Opening of Financial Bid of J. C. Rodriguez Construction Corporation and A.M. Oreta Co. & Inc. (Joint Venture). The proposal passed the preliminary financial evaluation and was included in the detailed financial bid evaluation. The updated financial proposals (as read) were as follows:

BIDDERS	BID AMOUNT (AS READ)	RANKING
R.D. POLICARPIO & CO. INC./JEJORS CONST. CORP. (JV)	₱ 614,000,000.00	1
J.C. RODRIGUEZ CONSTRUCTION CORPORATION/ A.M. ORETA CO. & INC. (JV)	₱ 649,500,000.00	2
CM PANCHO CONSTRUCTION, INC./LIVAN TRADE CORPORATION (JV)	₱ 827,099,980.52	3

WHEREAS, Section 32.2 of the 2016 Revised Implementing Rules and Regulations (IRR) of the Republic Act (R.A.) No. 9184 provides that, *"For the procurement of Goods and Infrastructure Projects, the BAC shall evaluate the financial component of the bids to determine the Lowest Calculated Bid. xxx."*;

WHEREAS, from 17 May to 23 May 2025, in accordance with Section 32.2 of the 2016 Revised IRR of R. A. No. 9184 mentioned above, the BAC Technical Working Group (TWG) conducted the detailed evaluation of the Financial Component of the bids of the aforementioned three (3) proponents. After the said detailed evaluation of the Financial Component, the three (3) proponents were ranked in ascending order based on their financial bids or total bid price as calculated, evaluated, and/or corrected for computational errors to identify the bidder with the Lowest Calculated Bid (LCB) who shall undergo the post-qualification. The table below shows the bid amount of the three (3) proponents (as calculated):

BIDDERS	BID AMOUNT (AS CALCULATED)	RANKING
R.D. POLICARPIO & CO. INC./JEJORS CONST. CORP. (JV)	₱ 614,000,135.45	1
J.C. RODRIGUEZ CONSTRUCTION CORPORATION/ A.M. ORETA & CO., INC. (JV)	₱ 649,499,792.49	2
CM PANCHO CONSTRUCTION, INC./LIVAN TRADE CORPORATION (JV)	₱ 827,100,993.83	3

WHEREAS, based on the above result of the detailed evaluation conducted by the BAC-I TWG, the BAC-I found **R.D. POLICARPIO & CO. INC./JEJORS CONST. CORP. (JOINT VENTURE)** as the bidder with the Lowest Calculated Bid (LCB) who shall undergo the Post-Qualification process pursuant to Section 34 of the 2016 Revised IRR of R.A. No. 9184;

WHEREAS, from 24 May to 17 June 2025, the BAC-I TWG conducted the Post-Qualification on the R.D. POLICARPIO & CO. INC./JEJORS CONST. CORP. (JOINT VENTURE), pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 17 June 2025, the BAC-I deliberated the following result of post-qualification and the bid of **R.D. POLICARPIO & CO. INC./JEJORS CONST. CORP. (JOINT VENTURE)** to be non-responsive with the requirements:

REQUIREMENTS	FINDINGS
Legal Documents	No adverse findings
Technical Documents	With adverse findings Non-Disclosure of an On-going Contract In the reply letter dated 29 May 2025 from the Department of Public Works and Highways (DPWH) - Bureau of Construction (BOC), a copy of the status report of on-going projects

based on their Project and Contracts Management Application (PCMA) was provided. The report shows that Jejors Const. Corp. has fifty five (55) ongoing projects.

Pursuant to Section 23.1(a)(iv) of the 2016 RIRR of R.A. No. 9184, one of the documents required for purposes of determining the eligibility of bidders is the Statement of all ongoing contracts, which states:

“23.1 For purposes of determining the eligibility of bidders using the criteria stated in Section 23.4 of this IRR, only the following documents shall be required by the BAC, using the forms prescribed in the Bidding Documents:

a) Class “A” Documents:

xxx

Technical Documents

iv) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid”.

This was reinforced by the Government Procurement Policy Board (GPPB) in its Board Resolution No. 29-2012 dated 23 September 2012, which provides that:

“xxx

*To interpret that **failure to include***

an immaterial ongoing contract or failure to disclose complete information in the statement of contracts shall result in the following:

- a. ***Disqualification of the bidder for non-compliance with the eligibility requirement under Section 23.1 or 24.1 of the revised IRR***

xxx”

(Emphasis supplied)

Additionally, GPPB NPM No. 03-2016 provides that:

“GPPB NPM No. 03-2016

Re: Joint Ventures' (JVs) Technical Requirements

xxx

The results of the post-qualification for both biddings show that Northern Builders, as one of the JV partners, did not disclose an on-going contract with the Department of Public Works and Highways (DPWH)

xxx

Non-Disclosure of an On-going Contract

As already adverted to, in case both JV partners submitted a Statement of all its ongoing contracts, such Statements submitted shall form part and parcel of the JV's bid documents, and shall comply with the

requirements of Section 23.1(a)(iv). These Statements, altogether, are subject to verification, validation and ascertainment during post-qualification, including, among others, the checking of the bidder's performance in its ongoing government and private contracts.

xxx

All told, failure to include all ongoing contracts in the Statements submitted by the JV partners may be a ground for disqualification on the basis of misrepresentation or change in the bidder's capability. In both instances, the determination of the existence of the circumstances lies with the BAC and the procuring entity.

xxx

Summary

In sum, we wish to clarify the following:

1. The statement of all ongoing government and private contracts is a technical eligibility requirement, the compliance by one joint venture partner shall render the joint venture fully and completely compliant with the technical requirement based on the concept of collective compliance. **However, if both Joint Venture partners submitted their respective technical eligibility documents, that includes the Statement of all ongoing contracts, the BAC shall consider all Statements**

	<p>for eligibility checking and post-qualification purposes: and</p> <p>2. The Statement of all ongoing government and private contracts shall include all ongoing contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to bid, within the relevant period as provided in the Bidding Documents. The submission by both JV partners of their respective Statements of all ongoing contracts as technical eligibility documents shall form part of the bid and shall be considered during eligibility and post-qualification.” (Emphasis supplied)</p>
Financial Documents	No adverse findings
Additional Documents Required per R.A. 9184	No adverse findings

WHEREAS, from 18 to 30 June 2025, the BAC-I TWG conducted the Post-Qualification of **J.C. RODRIGUEZ CONSTRUCTION CORPORATION/ A.M. ORETA & CO., INC. (JOINT VENTURE)** as the bidder with the second Lowest Calculated Bid (2nd LCB) who shall undergo the Post-Qualification pursuant to Section 34 of the RIRR of R.A. 9184;

WHEREAS, on 30 June 2025, the BAC-I deliberated the Post-Qualification Report of BAC-I TWG and found the bid of **J.C. RODRIGUEZ CONSTRUCTION CORPORATION/ A.M. ORETA & CO., INC. (JOINT VENTURE)** to be responsive and compliant with the requirements:

REQUIREMENTS	FINDINGS
Legal Documents	No adverse findings
Technical Documents	No adverse findings

Financial Documents	No adverse findings
Additional Documents Required per R.A. 9184	No adverse findings

NOW, THEREFORE, foregoing considered and after careful evaluation and thorough deliberation of the bids submitted for the project, we, the Members of the Bids and Awards Committee for Infrastructure Projects (BAC-I), hereby **RESOLVE**, as it is hereby **RESOLVED**, to recommend the following:

1. To declare **J.C. RODRIGUEZ CONSTRUCTION CORPORATION/ A.M. ORETA & CO., INC. (JOINT VENTURE)** as the bidder with the **Lowest Calculated and Responsive Bid (LCRB)** amounting to **Pesos: Six Hundred Forty-Nine Million Four Hundred Ninety-Nine Thousand Seven Hundred Ninety-Two Pesos and 49/100 Centavos (Php 649,499,792.49)**, inclusive of all applicable taxes and fees, for the **CONSTRUCTION OF NEW CLARK CITY UNDERGROUND UTILITIES PHASE 1**; and
2. To recommend to the BCDA Board of Directors the approval of the award of the contract to **J.C. RODRIGUEZ CONSTRUCTION CORPORATION/ A.M. ORETA & CO., INC. (JOINT VENTURE)** in the amount of **Pesos: Six Hundred Forty-Nine Million Four Hundred Ninety-Nine Thousand Seven Hundred Ninety-Two Pesos and 49/100 Centavos (Php 649,499,792.49)**, inclusive of all applicable taxes and fees.

RESOLVED, at the BCDA Corporate Center Office, this **30th** day of **June 2025**.

**BIDS AND AWARDS COMMITTEE FOR INFRASTRUCTURE PROJECTS
(BAC-I)**

ATTY. ELVIRA V. ESTANISLAO
Chairperson

ATTY. MARIA SOLEDAD C. SAN PABLO
Vice Chairperson

VIRGIL M. ALVAREZ
Member

ENGR. RANDY S. VIACRUSIS
Member

**ATTY. MARIA CELINE ERIKA A.
LABRADOR**
Member

ENGR. PSALM ERICKSON CADIANG
Member

ENGR. JERICO G. BONDOC
Provisional Member

Approved by:

JOSHUA M. BINGCANG
President and CEO