

**BIDS AND AWARDS COMMITTEE (BAC)
Resolution No. 20-10-211**

**RECOMMENDING AWARD OF CONTRACT FOR THE RENOVATION OF DSWD-
SOCIAL WELFARE AND DEVELOPMENT CENTER FOR ASIA AND THE
PACIFIC (SWADCAP) AT SECOND (2ND) FLOOR
(PHASE II)**

— DSWD NNP No. 20-TFB-005 —
(PR No. 2019010112)

WHEREAS, the Social Welfare Institutional Development Bureau (SWIDB) of the Department of Social Welfare and Development (DSWD) is in need of a contractor for the **Renovation of DSWD-Social Welfare and Development Center for Asia and the Pacific (SWADCAP) at 2nd Floor (Phase II)**. Copies of the Purchase Request (PR) and Program/Scope of Works are hereto attached, marked as **Annexes “A”**, and **“B”**, respectively, and are made integral parts hereof;

WHEREAS, on 17 March 2020, the Bids and Awards Committee (BAC) issued Resolution No. 20-03-053 declaring a failure of bidding for the **Renovation of DSWD-Social Welfare and Development Center for Asia and the Pacific (SWADCAP) at 2nd Floor (Phase II)** under ITB No. GOP/19-DSWD-028-A because all bidders declared disqualified. This information was relayed to the SWIDB through a memorandum issued by the BAC dated 8 April 2020. Copies of the Resolution No. 20-03-053 and the Memorandum are hereto attached, marked as **Annexes “C”** and **“D”**, respectively, and are made integral parts hereof;

WHEREAS, on 28 April 2020, the BAC through its Secretariat received a memorandum from SWIDB requesting for the conduct of another round of public bidding for the above-mentioned project. A copy of the Memorandum is hereto attached, marked as **Annex “E”**, and made an integral part hereof;

WHEREAS, on 10 June 2020, the Bids and Awards Committee (BAC) issued another Resolution No. 20-06-127 declaring for a second failure of bidding for the **Renovation of DSWD-Social Welfare and Development Center for Asia and the Pacific (SWADCAP) at 2nd Floor (Phase II)** under ITB No. GOP/19-DSWD-028-B because all bidders declared disqualified and recommended the use of **Negotiated Procurement Due to Two-Failed Biddings** as sanctioned under Section 53.1 of the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 or the Government Procurement Reform Act for the next round of procurement process. This information was relayed to the SWIDB through a memorandum issued by the BAC dated 26 June 2020. Copies of the Resolution No. 20-06-127 and the Memorandum are hereto attached, marked as **Annexes “F”** and **“G”**, respectively, and are made integral parts hereof;

WHEREAS, on 29 July 2020, the BAC through its Secretariat received a memorandum from SWIDB requesting for the conduct of another round of procurement through **Negotiated Procurement Due to Two-Failed Biddings**. A copy of the Memorandum is hereto attached, marked as **Annex “H”**, and made an integral part hereof;

WHEREAS, the DSWD through the BAC, posted an a Notice of Negotiated Procurement (NNP) Due to Two-Failed Biddings for the **Renovation of DSWD-Social Welfare and Development Center for Asia and the Pacific (SWADCAP) at 2nd Floor (Phase II)** under **DSWD NNP No. 20-TFB-005** at the Philippine Government Electronic Procurement System (PhilGEPs) and DSWD websites, and at conspicuous places within the DSWD premises starting 4 August 2020. The total Approved Budget for the Contract (ABC) is **Twelve Million Three Hundred Twenty-Four Thousand Pesos (PhP12,324,000.00)**. Copies of the NNP and proof of postings are hereto attached, marked as **Annexes “I”, “J-1”, “J-2” and “J-3”** respectively, and are made integral parts hereof;

WHEREAS, the BAC, through its Secretariat notified the procurement officer-in-charge in the Procurement Planning and Management Division (PPMD) through a memorandum for the procurement at hand to invite sufficient number of suppliers and engage for negotiation. A copy of the said memorandum is hereto attached, marked as **Annex “K”**, and made an integral part hereof;

WHEREAS, on 12 August 2020, the BAC through its Secretariat received a memorandum from the PPMD endorsing the proof of invitation of prospective suppliers. Copies of the Memorandum and the Proof of Invitation are hereto attached, marked as **Annexes “L” and “M”** respectively, and are made integral parts hereof;

WHEREAS, in response to the NNP and during the deadline for the submission and receipt of quotations/proposals on 12 August 2020 at 09:00 a.m., the following bidders/contractors came to submit its quotations/proposals:

No.	Bidder's Name	Date and Time Received
1.	Astran Marketing and General Contractor, Inc.	11 August 2020 at 2:27 p.m.
2	Great Zone Enterprises	12 August 2020 at 8:24 a.m.
3	Aztek Construction Firm	12 August 2020 at 8:30 a.m.
4	JEMN Builders	12 August 2020 at 8:43 a.m.
5	MMEEN Construction	12 August 2020 at 8:45 a.m.
6	Green Builder and Enterprises	12 August 2020 at 8:46 a.m.

Copies of the Receipt of Quotations/Proposals are hereto attached, marked as Annexes **“N-1”, “N-2”, “N-3”, “N-4”, “N-5” and “N-6”**, respectively, and are made integral parts hereof;

WHEREAS, on 12 August 2020 at 11:00 a.m., during the preliminary examination of the documents submitted by the bidders, the BAC noted the following:

Name of Bidder	Remarks
Astran Marketing and General Contractor, Inc.	INCOMPLETE

Name of Bidder	Remarks
Great Zone Enterprises	COMPLETE
Aztek Construction Firm	INCOMPLETE
JEMN Builders	INCOMPLETE
MMEEN Construction	INCOMPLETE
Green Builder and Enterprises	INCOMPLETE

Consequently, the bidders/contractors who submitted their quotations/proposals had given equal chance and opportunity to raise their questions/issues/clarifications on the procurement project subject for negotiation and allow them to resubmit their lacking documents for the project to be able to submit a responsive quotations/proposals. The BAC informed the bidders/contractors that the selection of the successful offers shall be based on the best and final offer that will be submitted on a specified date, which could meet the DSWD's minimum technical requirements and does not exceed the ABC. Copies of the Minutes of Opening of Quotations/Proposals and Abstract of Quotations/Proposals "As Read" are hereto attached, marked as Annexes "O" and "P", respectively, and are made integral parts hereof;

WHEREAS, on 18 August 2020, the BAC requested following bidders/contractors to submit its best and final offer and other additional documents on or before 26 August 2020 at 09:00 a.m., pursuant to Section 53.1.4 of the IRR of RA 9184.

1. Astran Marketing and General Contractor, Inc.;
2. Great Zone Enterprises;
3. Aztek Construction Firm;
4. JEMN Builders;
5. MMEEN Construction; and
6. Green Builder and Enterprises

Copies of the Notices to submit the Best Final Offer are hereto attached, marked as Annexes "Q-1", "Q-2", "Q-3", "Q-4", "Q-5" and "Q-6", respectively, and are made integral parts hereof.

WHEREAS, on 26 August 2020 at 9:00 a.m., the following bidders/contractors came to submit its Best and Final Offer:

No.	Bidder's Name	Date and Time Received
1.	MMEEN Construction	26 August 2020 at 8:42 a.m.
2	JEMN Builders	26 August 2020 at 8:47 a.m.

On the other hand, Astran Marketing & General Contractor, Inc., submitted its best and final offer beyond the specified deadline of submission with an attached letter requesting for reconsideration for submitting late of its best and final offer. Copies of the Receipts of Best and Final Offer and Letter of Astran Marketing & General Contractor, Inc. are hereto attached, marked as Annexes "R-1", "R-2" and "S", respectively, and are made integral parts hereof;

WHEREAS, the BAC issued Notice of Postponement of Opening of Best and Final Offer to inform the bidders/contractors that the Opening of Best and Final Offer was rescheduled from 26 August 2020 to 28 August 2020 at 10:00 a.m. and posted at the DSWD websites and at conspicuous places within the DSWD premises. Copies of the said Notice and Proof of Posting are hereto attached, marked as **Annexes "T", "U-1" and "U-2"**, respectively, and are made integral parts hereof;

WHEREAS, on 28 August 2020 at 10:00 a.m., during the preliminary examination of the Best and Final Offer and other documents submitted by the bidders, the BAC had the following findings:

Name of Bidder	Remarks
JEMN Builders	PASSED
MMEEN Construction	PASSED

On the other hand, the following bidders/contractors were declared disqualified for failure to submit its Best and Final Offer within the prescribed deadline of submission, to wit:

1. Astran Marketing and General Contractor, Inc.;
2. Great Zone Enterprises;
3. Aztek Construction Firm; and
4. Green Builder and Enterprises.

Copies of the Minutes of Opening of Best and Final Offer and Abstract of Best and Final Offer "As Read" are hereto attached, marked as **Annexes "V" and "W"**, respectively, and are made integral parts hereof;

WHEREAS, on 1 September 2020, the BAC issued Notice of Disqualification to the following bidders/contractors, to wit:

1. Astran Marketing and General Contractor, Inc.;
2. Great Zone Enterprises;
3. Aztek Construction Firm; and
4. Green Builder and Enterprises.

Copies of the Notices are hereto attached, marked as **Annexes "X-1", "X-2", "X-3" and "X-4"**, respectively, and are made integral parts hereof;

WHEREAS, the BAC created a Technical Working Group (TWG), pursuant to Section 12 of the IRR of RA 9184 that will conduct the eligibility screening and evaluation/post-qualification on the submitted documents of MMEEN Construction and JEMN Builders. A copy of the Memorandum is hereto attached, marked as **Annex "Y"**; and made an integral parts hereof;

WHEREAS, on 23 September 2020, the BAC through its Secretariat received the TWG Eligibility screening and evaluation/Post-qualification Report, and had the following findings:

Bidders/Contractors Name	Best and Final Offer	Recalculated and Corrected Bid Price	Findings
MMEEN Construction	9,432,888.88	9,432,889.07	Lowest Calculated and Responsive Bidder
JEMN Builders	9,619,252.80	10,026,320.98	Non-responsive for failure to submit its Business Tax Returns within six (6) months preceding the date of submission of best and final offer.

A copy of the TWG Eligibility screening and evaluation/Post-qualification Report is hereto attached, marked as **Annex “Z”**, and made an integral parts hereof;

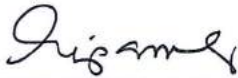
WHEREAS, on 30 September 2020, the BAC in its regular meeting carefully reviewed and deliberated the TWG Eligibility screening and evaluation/Post-qualification Report, and resolved to declare JEMN Builders as Post-disqualified for failure to submit its Business Tax Returns within six (6) months preceding the date of submission of best and final offer as required and recommend award of contract to MMEEN Construction, should the MMEEN Construction accept and is amenable to be bound in the recalculated and corrected bid price. A copy of the Minutes of the Meeting is hereto attached, marked as **Annex “AA”**, and made an integral parts hereof;

WHEREAS, on 30 September 2020, the BAC issued Notice of Post-disqualification to JEMN Builders. On the other hand, the BAC issued Notice of Evaluation to MMEEN Construction asking the bidder if they will accept and will be amenable to be bound in the recalculated and corrected bid price amounting to Nine Million Four Hundred Thirty-Two Thousand Eight Hundred Eighty-Nine Pesos and Seven Centavos (PhP9,432,889.07). Copies of the Notices are hereto attached, marked as **Annexes “BB-1”**, and **“BB-2”**, respectively, and are made integral parts hereof;

WHEREAS, on 5 October 2020, the BAC through its Secretariat received a letter from MMEEN Construction dated 5 October 2020, stating that MMEEN Construction accepted and amenable to be bound in the recalculated and corrected bid price amounting to Nine Million Four Hundred Thirty-Two Thousand Eight Hundred Eighty-Nine Pesos and Seven Centavos (PhP9,432,889.07). A copy of the Letter is hereto attached, marked as **Annex “CC”**, and made an integral parts hereof;

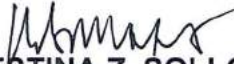
NOW, THEREFORE, in view of the foregoing and on the basis of the documents presented, we, the Bids and Awards Committee, resolves as it is hereby resolved to recommend award of contract for the **Renovation of DSWD-Social Welfare and Development Center for Asia and the Pacific (SWADCAP) at 2nd Floor (Phase II)** under **DSWD NNP No. 20-TFB-005** to **MMEEN Construction**, being the Lowest Calculated and Responsive Bidder. The contract price is **Nine Million Four Hundred Thirty-Two Thousand Eight Hundred Eighty-Nine Pesos and Seven Centavos (PhP9,432,889.07)**, inclusive of all applicable taxes.

RESOLVED, this 5th day of **October 2020** at Quezon City, Philippines.



ATTY. SITTIE RAIFAH M. PALLOY-HASSAN
Officer-in-Charge, Legal Service
Regular Member

ATTY. MARIA CASSANDRA M. URBIZONDO
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Undersecretary for Inclusive and Sustainable Peace
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RHODORA G. ALDAY
Director IV, Social Welfare Institutional Development Bureau
Provisional Member

(/) **Approved** () **Disapproved**



CAMILO G. GUDMALIN
Concurrent Undersecretary for Standards Capacity and Building
(Per Special Order Nos. 3242, Series of 2019 and 1085, Series of 2020)
(Head of the Procuring Entity/Authorized Representative)

*Designated as Vice-Chairperson in the absence of the Chairperson

