

**BAC RESOLUTION DECLARING AKIA J CONSTRUCTION AND SUPPLIES, INC. AS
THE RESPONSIVE BIDDER AND RECOMMENDING AWARD FOR THE RENOVATION
AND IMPROVEMENT OF FLAGPOLE (EARLY PROCUREMENT)
Project Reference No. ISAT U INFRA 2022-01-01**

RESOLUTION NO. 30, s. 2022

WHEREAS, the Iloilo Science and Technology University (ISAT U), through the Bids and Awards Committee (BAC), posted the Invitation to Bid (IB) for **RENOVATION AND IMPROVEMENT OF FLAGPOLE (EARLY PROCUREMENT)** on the website of the Philippine Government Electronic Procurement System (PhilGEPS), ISAT U Website and at a conspicuous place within the premises of the University continuously for at least seven (7) calendar days, starting on **24 November 2021**. The total Approved Budget for the Contract (ABC) of **Nine Hundered Ninety Two Thousand Five Hundred Ninety Pesos and 72/100 (PhP 992,590.72)** inclusive of applicable taxes, "short of award";

WHEREAS, a Pre-Bid Conference was held on 3 December 2021 and was attended by the following prospective bidders:

1. JFJ Construction & Supply, Inc.
2. URBANCON Builders and Supply

WHEREAS, in response to the said posting, five (5) prospective bidders purchased the bidding documents and submitted their bid proposals within the deadline set on 17 December 2021, to wit:

1. IJO JPA Construction
2. URBANCON Builders and Supply
3. Stellar Builders
4. A.D. Marrero General Construction
5. Akia J Construction and Supplies, Inc.

WHEREAS, during the opening of bids held on 20 December 2021, the following were unable to submit their bid proposals, to wit:

1. A.D. Marrero General Construction
2. Akia J Construction and Supplies, Inc.

WHEREAS, the pass/fail criteria was used as provided under Section 30 of 2016 Revised Implementing Rules and Regulations of RA 9184

WHEREAS, two (2) bidders were declared "passed" during the preliminary examination of bids;

WHEREAS, during Bid Evaluation, the BAC had the following findings:

Name of Bidder/s	Bid Amount (As Read)
A.D. Marrero General Construction	PhP 791,072.23
Akia J Construction and Supplies, Inc.	PhP 975,488.91

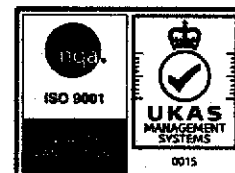


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WHEREAS, upon detailed evaluation of bid, it resulted in the following:

Name of Bidder/s	Bid Amount (As Calculated)	Remarks
A.D. Marrero General Construction	PhP 794,725.65	Lowest Calculated Bid. Post-Disqualified.
Akia J Construction and Supplies, Inc.	PhP 975,488.91	2nd Lowest Calculated Bid. Responsive Bid.

WHEREAS, pursuant to 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 or otherwise known as the "Government Procurement Reform Act" Section 23.6, it provides:

*Section 23.6 Notwithstanding the eligibility of a bidder, the Procuring Entity concerned reserves the right to review the qualifications of the bidder at any stage of the procurement process if the Procuring Entity has reasonable grounds to believe that a **misrepresentation** has been made by the said bidder, or that there has been a change in the bidder's capability to undertake the project from the time it submitted its eligibility requirements. Should such review uncover any misrepresentation made in the eligibility requirements, statements or documents, or any changes in the situation of the bidder which will affect the capability of the bidder to undertake the project so that it fails the eligibility criteria, the Procuring Entity shall consider the said bidder as **ineligible and shall disqualify** it from obtaining an award or contract, in accordance with Rules XXI, XXII, and XXIII of this IRR.*

WHEREAS, based on the findings and report of the Technical Working Group (TWG), it has a reasonable ground to believe that there were misrepresentations found in the documents submitted by A.D. Marrero General Construction;

WHEREAS, the signature of Mr. Antonio D. Marrero as evidenced in some of the documents versus the signature which appeared on his Identification Card were found to be inconsistent;

WHEREAS, pursuant to 2016 Revised IRR of RA 9184 on Section 55.1, it provides:

Section 55.1 Decisions of the BAC at any stage of the procurement process may be questioned by filing a request for reconsideration within the three (3) calendar days upon receipt of written notice or upon verbal notification. The BAC shall decide on the request for reconsideration within seven (7) calendar days from receipt thereof. xxx

WHEREAS, on 20 January 2022, Mr. Reinhart Hilado, a representative from A.D. Marrero General Construction, received the Notice of Post-Disqualification and failed to file its Motion for Reconsideration within the period prescribed by law;

WHEREAS, A.D. Marrero General Construction was disqualified;

WHEREAS, for justifiable causes, the bidder with the Lowest Calculated Responsive Bid or Highest Rated Responsive Bid fails xxx to enter into contract with the Procuring Entity, xxx the BAC shall disqualify the said bidder and shall undertake post-qualification for the next-ranked Lowest Calculated Bid or Highest Rated Bid. This procedure shall be repeated until an award is made. However, if no award is possible, the contract shall be subjected to a new bidding as provided under Section 40 of the 2016 Revised IRR of RA 9184;

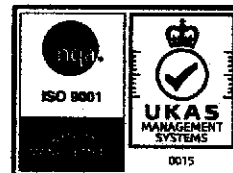


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WHEREAS, Akia J Construction and Supplies, Inc. is the next-ranked Lowest Calculated Bid;

WHEREAS, based on the recommendation of the TWG, **Akia J Construction and Supplies, Inc.** has the responsive bid;

NOW, THEREFORE, the foregoing premises considered, WE, the Members of ISAT U Bids and Awards Committee (BAC), hereby **RESOLVE**, as it is hereby **RESOLVED**:

- a. To declare that **Akia J Construction and Supplies, Inc.**, as the **Responsive Bidder** for the **RENOVATION AND IMPROVEMENT OF FLAGPOLE (EARLY PROCUREMENT)** and awarded the contract in the total amount of **Nine Hundred Seventy Five Thousand Four Hundred Eighty Eight Pesos and 91/100 (PhP 975,488.91)** inclusive of applicable taxes; and
- b. To recommend for approval of the University President the foregoing findings.

Resolved at the City of Iloilo this 26th day of January 2022.

I HEREBY CERTIFY TO THE
CORRECTNESS
OF THE FOREGOING RESOLUTION

ANN LOVELLE O. FAJA
BAC Secretariat Head

ATTESTED:

ENGR. JOSE L. VIRGULA, JR.
Provisional Member (TWG)

ENGR. ALBERT Z. JANAPON
Provisional Member (End-User)

ENIEDA G. CORONA
BAC Member

VICKY D. JERUTA
BAC Member

RENE L. CELDA, DIT
BAC Member

JUNIFFER B. BADOLES, DIT
BAC Member

JOHN ERIC Y. JUANEZA, EdD
BAC Vice Chairperson

CORAZON C. CORBAL, PhD
BAC Chairperson

APPROVED:

RAUL F. MUYONG, EdD
SUC President III