



Republic of the Philippines  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
**OFFICE OF THE SECRETARY**  
Bonifacio Drive, Port Area, Manila

097.12 DPWH  
10-23-2019

OCT 22 2019

SPECIAL ORDER )

147 )

SERIES OF 2019 )

SUBJECT: **CREATION OF THE NEGOTIATING TEAM  
FOR THE DESIGN-BUILD FOR THE  
CONSTRUCTION OF PANGUIL BAY  
BRIDGE PROJECT UNDER KOREAN  
ECONOMIC DEVELOPMENT  
COOPERATION FUND (KEDCF)**

This is in reference to the Department of Justice Legal Opinion dated July 12, 2019 (copy attached) giving preference to the following: ***(1) KEXIM's interpretation of the process outlined in the Guidelines for Procurement is entitled to great respect and is binding on the Philippine Government; (2) The DPWH-BAC's Resolution declaring a failure of bidding and recommending re-bidding may be premature; and (3) Undersecretary Sadain of the DPWH-UPMO holds sufficient authority to represent the DPWH in negotiations with GS and Namkwang.***

In view of the foregoing, Undersecretary Emil K. Sadain, Head of the Procuring Entity (HoPE) for and on behalf of the DPWH and the Philippine Government relative to the Project, is hereby given full authority to negotiate and to undertake the succeeding procurement process up to the issuance of award to the possible winning bidder, or to declare a failure of bidding, if negotiations fail, in accordance with the Guidelines for Procurement which was made part of the Loan Agreement. A negotiating team is hereby created for the conduct of negotiations (Quantity Cost Based Selection) with the 1<sup>st</sup> Highest Ranked Bidder, and if it fails, to the 2<sup>nd</sup> Highest Ranked Bidder, on the Price Bids for the Panguil Bay Bridge Project under the Korean Economic Development Cooperation Fund (KEDCF).

Undersecretary Sadain is hereby authorized to preside/lead the negotiating team as provided hereunder, viz:

**DPWH NEGOTIATING TEAM FOR PANGUIL BAY BRIDGE PROJECT**

Team Leader

1. **EMIL K. SADAIN, CESO I**, Undersecretary for UPMO Operations and Technical Services

Members

2. **CONSTANTE A. LLANES, JR.**, Director, Planning Service
3. **VIRGILIO C. CASTILLO**, Project Director, RMCI(B)-UPMO
4. **ERIC A. AYAPANA**, Officer-In-Charge, Office of the Director, Bureau of Construction
5. **ARISTARCO M. DOROY**, Officer-In-Charge, Office of the Director, Bureau of Design

6. **Atty. KEN EDWARD S. STA. RITA**, Officer-In-Charge – Chief, Right-of-Way  
Acquisition and Enforcement Division, Legal Service

The negotiating team shall submit the results of the negotiation in the form of a resolution for concurrence of the Korea Eximbank, before the succeeding procurement process can be undertaken.

The negotiating team will be assisted by the existing BAC-TWG for the said project.

To ensure transparency in the negotiation process, Dir. Sungho Jang from the Korea Eximbank is invited to this undertaking.

Undersecretary Sadain and the negotiating team is hereby reminded to ensure that the interest of the government is amply protected for the entire duration and process of this undertaking.

This Order shall take effect immediately.



**MARK A. VILLAR**  
Secretary

Department of Public Works and Highways  
Office of the Secretary



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