



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
REGIONAL OFFICE XIII
J. Rosales Ave., Butuan City

A RESOLUTION ADOPTED BY BIDS AND AWARDS COMMITTEE, DPWH, REGIONAL OFFICE XIII IN A MEETING HELD ON MAY 02 2025, AT THE REGIONAL CONFERENCE ROOM, J. ROSALES AVENUE, BUTUAN CITY

**Resolution No. 0533
Series 2025**

RESOLUTION RECOMMENDING THE DECLARATION OF FAILURE OF BIDDING AND THE SUBSEQUENT CANCELLATION OF PROCUREMENT ACTIVITIES POSTED/PUBLISHED IN THE PHILIPPINE GOVERNMENT ELECTRONIC PROCUREMENT SYSTEM (PHILGEPS) AND DPWH WEBSITES FOR THE PROJECT UNDER CONTRACT ID NO. 25N00067, ENTITLED: "CONSTRUCTION OF TAGYAGO – COMOTA – LYDIA ROAD CONNECTING RUBBER, CACAO, OIL PALM, AND WOOD PLANTATION SITE AND NATIONAL ROAD JUNCTION IN SUPPORT OF THE RUBBER, CACAO, OIL PALM, AND WOOD INDUSTRY, LA PAZ, AGUSAN DEL SUR" WITH AN APPROVED BUDGET FOR THE CONTRACT (ABC) OF PHP 193,000,000.00

WHEREAS, in accordance with Department Memorandum Circular No. 69, Series of 2024 dated September 4, 2024, signed by Atty. Michael S. Villafranca, CESO III, Officer-in-Charge of the Office of the Assistant Secretary for Support Services, and in compliance with Government Procurement Policy Board (GPPB) Resolution No. 18-2023 dated November 30, 2023, this Office conducted Early Procurement Activities (EPA) for the aforementioned project using the Real-Time Early Procurement Activity Generating Information and Analytics (REGAIA) System;

WHEREAS, the following prospective bidders purchased the bidding documents, submitted their bids on time, and were found eligible during the evaluation of the Civil Works Application (CWA) eligibility processing:

25N00067; Construction of Tagyago – Comota -Lydia Road connecting Rubber, Cacao, Oil Pam and Wood Plantation Site and National Road Junction in Support to Rubber, Cacao, Oil Palm and Wood Industry, La Paz, Agusan del Sur

Opening of Bids: December 20, 2024
ABC: Php 193,000,000.00

1. C'zarles Construction & Supply
2. R.A. Pahati Construction & Supply, Inc.
3. ARQ Builders

WHEREAS, the Fiscal Year 2025 General Appropriations Act (GAA) describes the project as the "Construction of Tagyago – Comota – Lydia Road connecting Rubber, Cacao, Oil Palm, and Wood Plantation Site and National Road Junction in Support of the Rubber, Cacao, Oil Palm, and Wood Industry, Las Paz, Agusan del Sur," indicating a discrepancy in the official name of the municipality;

WHEREAS, the corresponding budgetary allocation for the project was released under Sub-Allotment No. SR2025-02-004355 on February 4, 2025;

WHEREAS, GPPB Non-Policy Matter No. 001-2021 reiterates that procurement projects conducted through EPA and funded by anticipated allotments or sub-allotments shall not be awarded until such funds have been officially released. This aligns with Item 7.58 of GPPB Circular No. 06-2019 which provides the guidelines on the implementation of EPA;

WHEREAS, upon verification of the aforementioned discrepancy and in light of the potential legal and procedural implications affecting the integrity of the procurement process, the Bids and Awards Committee (BAC) promptly convened to assess the situation and determine the appropriate course of action, ensuring full compliance with the FY 2025 GAA and applicable procurement regulations;

WHEREAS, pursuant to Section 41(b) (Reservation Clause) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184, the Head of the Procuring Entity (HoPE) may declare a failure of bidding if the BAC is found to have failed in following the prescribed bidding procedures;

WHEREAS, the BAC, after due deliberation, the BAC finds it in the best interest of the government to cancel the ongoing procurement proceedings due to the identified legal and procedural issues, and thus recommends that the HoPE exercise the reservation clause to declare a failure of bidding;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby RESOLVED, by the Bids and Awards Committee (BAC) of the Department of Public Works and Highways, Region XIII, to:

1. Declare a Failure of Bidding for Contract ID No. 25N00067 due to the legal and procedural issues arising from the discrepancy in the official name of the municipality as reflected in the project description; and
2. Recommend the cancellation of the procurement process for said project in the Civil Works Application (CWA), as well as in all postings made in the Philippine Government Electronic Procurement System (PhilGEPS) and the DPWH websites.

RESOLVED, at the Department of Public Works and Highways, Regional Office XIII, J. Rosales Avenue, Butuan City, this ____ day of MAY 02 2025,

BIDS AND AWARDS COMMITTEE:



JOEY D. GINGANE
Chief, Administrative Division
BAC Chairperson



MARIBETH D. BURGOS
Chief, Construction Division
BAC Vice-Chairperson

ORMIL D. GO

Chief, Right-of-Way Acquisition & Legal Division
BAC Regular Member



VINCENT RODERICK O. ACEBES
Chief, Planning & Design Division
BAC Regular Member



RUTH D. CANTIVEROS
Chief, Quality Assurance & Hydrology Division
BAC Regular Member



CRISTINA LUZ R. CACAYAN
Chief, Maintenance Division
BAC Provisional Member

Approved by:



ALEX B. RAMOS
Regional Director
Date approved: _____

MAY 05 2025