



Contract ID : **24PD0096**
Contract Name : **National Building Program – Rehabilitation of Justice Hall Building, Department of Justice (DOJ), Baguio City**
Location : **Baguio City**

BAC RESOLUTION DECLARING FAILURE OF BIDDING

RESOLUTION NO. 31, Series 2025

WHEREAS, after this project was Terminated for Default on April 22, 2025, the Bids and Awards Committee (BAC), the remaining balance of the contract amount was recommended for the approval of the Head of the Procuring Entity (HOPE), RENE F. ZARATE, District Engineer to be undertaken through Alternative Methods of Procurement - Negotiated Procurement under Section 53.3 (Take-Over Contract), Rule XVI of Implementing Rules and Regulation (IRR) of R.A. 9184 considering that there is an urgency for the continuance and completion of the project to prevent further damage to, or loss of, or building and not to delay to restore vital public services, infrastructure facilities and other public utilities. Another equally important justification to undertake Negotiated Procurement under Section 53.3 (Take-Over Contract) is the timely delivery and completion of the project, as time is of the essence, considering that the End-User (the Judges) has expressed a strong desire to avoid any further delays in the project's implementation. The Head of procuring Entity (HOPE) approved through BAC Resolution No. 28, Series 2025 dated May 23, 2025;

WHEREAS, the DPWH – Baguio City District Engineering Office advertised the Invitation to Bid through Alternative Methods of Procurement - Negotiated Procurement under Section 53.3 (Take-Over Contract) for the above stated contract and posted at DPWH Website, Phil-Geps and at a conspicuous place at the premises of DPWH-BCDEO continuously from May 23, 2025 to June 2, 2025;

WHEREAS, the BAC invited three (3) accredited DPWH Contractors for the Negotiated Procurement, namely: a) **JTM17 Construction**, b) **RESPANZ Builders Incorporated** and c) **MARYUKAN Construction** who were initially found to be eligible to participate in the bidding and was posted in Phil-Geps, DPWH Website, and at a conspicuous place at the premises of DPWH-BCDEO from May 23, 2025 to June 2, 2025;

WHEREAS, on June 2, 2025, before 10:00 A.M., the BAC received only the bid of **MARYUKAN Construction**. Prior to the time of bid opening, the BAC thru the Secretariat processed the Electronic Contractor's Eligibility and was rated "**ELIGIBLE**". Thus, the BAC conducted the preliminary examination of his technical component to determine solely the "**presence or absence**" of each of the required documents comprising the bid as required against the checklist and was rated "**Passed**";



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
BAGUIO CITY DISTRICT ENGINEERING OFFICE
Engineer's Hill, Baguio City, Cordillera Administrative Region



BAGONG PILIPINAS

WHEREAS, the financial proposal of **MARYUKAN Construction** was subjected to preliminary examination as to compliance with the requirements of the project as stipulated in the bidding documents and was rated "**Passed**", hence, his bid was **read and recorded** as follows:

Name of Bidder	ABC (Php)	Total Bid Amount As Read (Php)	Variance from ABC
MARYUKAN Construction	14,831,320.71	14,676,757.60	1.04 %

WHEREAS, the detailed bid evaluation as to completeness and correctness on the arithmetical calculations for his financial component was conducted in accordance with section 32.2.1 of Rule IX of the Revised IRR of RA 9184;

WHEREAS, after the bid evaluation, it was found out that his bid is considered **disqualified** on the ground that the bid price **as calculated** in the amount of **Fifteen Million Two Hundred Sixty Six Thousand Two Hundred Fifty Seven Pesos and Sixty Centavos** (Php 15,266,257.60) is **above** the Approved Budget for the Contract (ABC) in the amount of **Fourteen Million Six Hundred Seventy Six Thousand Seven Hundred Fifty Seven Pesos and Sixty Centavos** (Php 14,676,757.60). Pursuant to Sec. 31.1 – The ABC shall be upper limit or ceiling for acceptable bid prices. If a bid price, as evaluated and calculated in accordance with IRR, is higher than the ABC, the bidder submitting the same shall be automatically disqualified;

NOW, THEREFORE, we the Members of the Bids and Awards Committee (BAC), hereby **RESOLVE** as it is hereby **RESOLVED**:

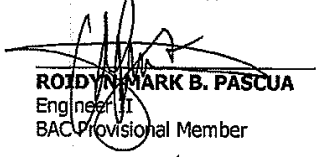
- a.) To declare a failure of bidding for the above stated contract; and
- b.) To still recommend to the Head of Procuring Entity (HOPE), **RENE F. ZARATE**, District Engineer, to be undertaken through Alternative Methods of Procurement - Negotiated Procurement under Section 53.3 (Take-Over Contract), Rule XVI of Implementing Rules and Regulation (IRR) of R.A. 9184 considering that there is an urgency for the continuance and completion of the project to prevent further damage to, or loss of, or building and not to delay to restore vital public services, infrastructure facilities and other public utilities. Another equally important justification to undertake Negotiated Procurement under Section 53.3 (Take-Over Contract) and to be posted at DPWH Website, Phil-GEPS and at a conspicuous place.




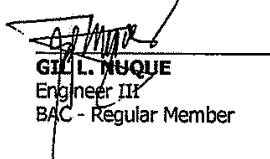
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DONE at Baguio City, this 16th day of June 2025.


ROIDYN MARK B. PASCUA
Engineer II
BAC Provisional Member


NORA R. DELOS SANTOS
Engineer III
BAC Regular Member


GIL L. NUQUE
Engineer III
BAC - Regular Member


CESARITO L. RILLERA
Engineer III
BAC - Vice Chairperson


MARION JOY S. STA. MARIA
Assistant District Engineer
BAC - Chairperson

Approved by:


RENE F. ZARATE
District Engineer

Date approved: _____