



BIDS AND AWARDS COMMITTEE (BAC) 1

PROJECT DETAILS

Invitation to Bid Number	HT20-01-001COR
Title	Procurement of Consultancy Services of Structural Engineer
Mode of Procurement	Negotiated Procurement (Highly Technical Consultant)
End User	Facilities Management and Engineering Department (FMED)
Approved Budget for the Contract (ABC)	Three Hundred Thirty-Three Thousand Three Hundred Thirty-Three Pesos and 36/100 (PhP333,333.36), VAT Exclusive, Zero-Rated Transaction, for a period of six (6) months
Date of Board Approval	November 21, 2019
Date of APP Approval	November 14, 2019
Budget Authorization Number	19121679

RESOLUTION DECLARING CANCELLATION/FAILURE OF NEGOTIATED PROCUREMENT (HIGHLY TECHNICAL CONSULTANT), CANCELLATION OF THE AWARD OF THE CONTRACT AND REVOCATION OF THE NOTICE OF AWARD

WHEREAS, the Bids and Awards Committee (BAC) 1 has been tasked to handle the procurement of the Philippine Amusement and Gaming Corporation (PAGCOR), with the project details presented;

WHEREAS, the BAC 1, during the Deliberation Meeting held on January 22, 2020, resolved the following:

- a) To declare Engr. Servando C. Aromin as the Consultant having the Single Rated Responsive Proposal for the Procurement of Consultancy Services of Structural Engineer under ITB No. HT20-01-001COR; and
- b) To recommend for approval by the Chairman and Chief Executive Officer the award of the contract to Engr. Servando C. Aromin, with the contract amount of Three Hundred Thirty-Three Thousand Three Hundred Thirty-Three Pesos and 36/100 (PhP333,333.36), VAT Exclusive, Zero-Rated Transaction, for a period of six (6) months.

WHEREAS, the Chairman and Chief Executive Officer (CCEO) approved on January 29, 2020 the award of the contract to the Consultant, Engr. Servando C. Aromin;

WHEREAS, the Notice of Award was issued on January 30, 2020;

WHEREAS, the Consultancy Contract was endorsed by the Procurement Department (PD), acting as the BAC Secretariat, on February 5, 2020 for the signature of the end-user, FMED, and the Consultant, Engr. Aromin;

WHEREAS, the FMED, through the memorandum dated February 24, 2020, which was received by the PD on February 26, 2020, submitted the proposed revisions in the Consultancy Contract by the Consultant, Engr. Servando C. Aromin;

WHEREAS, the BAC 1, during the meetings held on February 22, 2020 and March 31, 2020, discussed the underlying issues and thereafter considered the project as no longer technically feasible;

WHEREAS, the BAC 1 resolved to recommend to the Head of the Procuring Entity (HOPE) to invoke the Reservation Clause under Section 41 (c) (i) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184 and declare a failure of the procurement process;

WHEREAS, Section 41 (c) (i) of R.A. No. 9184 and its IRR provides that:

“The HOPE reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract in the following situations:

xxx...xxx...xxx

c) For any justifiable and reasonable ground where the award of the contract ...xxx...(i) if the physical and economic conditions have significantly changed so as to render the project no longer economically, financially or technically feasible, as determined by the HOPE; ...xxx “

WHEREAS, the BAC 1 also resolved to cancel the award of the contract and the revocation of the Notice of Award issued to the Consultant, Engr. Servando C. Aromin, as an effect of the failure/cancellation of the project;

NOW, THEREFORE, We, the Members of the Bids and Awards Committee (BAC) 1 hereby **RESOLVE**, as it is hereby **RESOLVED**:

1. To recommend to the Chairman and Chief Executive Officer to invoke the Reservation Clause and declare a Cancellation/Failure of the procurement process for the Procurement of Consultancy Services of Structural Engineer under ITB No. HT20-01-001COR, pursuant to Section 41 (c) (i) of the 2016 Revised IRR of RA 9184, and
2. To cancel the award of the contract and the revocation of the Notice of Award issued to the Consultant, Engr. Servando C. Aromin.

RESOLVED, via Viber Teleconferencing, this 31st day of March 2020.

(Sgd.)
RODERICK R. CONSOLACION
BAC Chairperson

(Sgd.)
WILZA S. MAGPUSAO
Vice-Chairperson

(Sgd.)
JERRY ADOR G. TARROBAL
Member, SG

(Sgd.)
ALIAH M. COMAGUL
Member, LG

(Sgd.)
ANNA MARIE S. CALUAG
Member, HROD

(Sgd.)
CARLOS C. CANLAS
Member, FG

(Sgd.)
JOSEPH D. YODICO
Alternate Provisional Member, FMED

APPROVED BY:

(Sgd.)
ANDREA D. DOMINGO
Chairman and Chief Executive Officer