



University of Southeastern Philippines
Bids and Awards Committee

RESOLUTION NO. 2018-37

**BAC RESOLUTION RECOMMENDING THE (REPAIR/REHABILITATION OF THE
UNIVERSITY GYMNASIUM & CULTURAL CENTER PHASE 1-B)
VIA NEGOTIATED PROCUREMENT**

WHEREAS, the University of Southeastern Philippines (USEP) through its Bids and Awards Committee (BAC) conducted the competitive bidding process for the **Repair/Rehabilitation of the University Gymnasium & Cultural Center Phase 1-B**; the project was awarded to **Megila Construction Development & Supply**, the bidder with the **Lowest Calculated and Responsive Bid**, with a contract cost of **Six Million Seven Hundred Ninety-Six Thousand Six Hundred Twenty-Nine Pesos (₱6,796,629.00)** pursuant to BOR Resolution No. 57, s. 2018 (Annex A);

WHEREAS, on 23 July 2018, the USEP and **Megila Construction Development & Supply** entered into a contract for the **Repair/Rehabilitation of the University Gymnasium & Cultural Center Phase 1-B**, and the same will expire on 23 January 2019;

WHEREAS, it is necessary to continue the next phase of work in the **Repair/Rehabilitation of the University Gymnasium & Cultural Center Phase 1-B** given the available budget for the continuation of the project;

WHEREAS, the corresponding materials take-off and cost estimates, and technical specifications of the **Repair/Rehabilitation of the University Gymnasium & Cultural Center Phase 1-B**, with (1) General Requirement; (2) Site Works; (3) Carpentry Works; (4) Door & Glass Works, (5) Special Furnishing & Accessories; and (6) Painting Works as its main scope of works, with a **Total Agency Estimate** amounting to **One Million One Hundred Eighty Two Thousand Two Hundred Seventeen & 91/100 pesos (PhP. 1,182,217.91)** was forwarded by the Physical Development Division to the Office of the President and was duly approved by the latter hereto attached as Annex "B";

WHEREAS, Section 53 of the Revised Implementing Rules and Regulations (IRR) of RA 9184 defines Negotiated procurement as "a method of procurement of goods, infrastructure projects and consulting services, whereby the procuring entity directly negotiates a contract with technically, legally and financially capable supplier, contractor or consultant xxx";

WHEREAS, the Bids and Awards Committee (BAC), after evaluation of the request recommended the project to be awarded thru Negotiated Procurement for having met all the conditions under Section 53.4, on Adjacent or Contiguous of the IRR of RA 9184, to wit:

“ Where the subject contract is adjacent or contiguous to an on-going Infrastructure Project or Consulting Service where the consultants have unique experience and expertise to deliver the required service: Provided, however, That (a) the original contract is the result of a Competitive Bidding; (b) the subject contract to be negotiated has similar or related scopes of work; (c) it is within the contracting capacity of the contractor/consultant; (d) the contractor/consultant uses the same prices or lower unit prices as in the original contract less mobilization cost; (e) the amount involved does not exceed the amount of the ongoing project; and (f) the contractor/consultant has no negative slippage/delay: Provided, further, That negotiations for the procurement are commenced before the expiry of the original contract”.

WHEREAS, Megila Construction Development & Supply submitted its bid proposal amounting to One Million One Hundred Eighty-One Thousand Three Hundred Ninety-One & 75/10 (Php 1,181,391.75) hereto attached as Annex “C”;

WHEREAS, the bid amount as calculated less mobilization cost amounts One Million One Hundred Thirty-One Thousand Eight Hundred Thirty-One & 75/10 Pesos (Php 1,131,831.75) hereto attached as Annex “D”;

WHEREAS, the requirements of the abovementioned Section 53.4 of the IRR-A of RA 9184 were complied with;


WHEREAS, The Bids and Awards Committee has complied with all the requirements provided for by law;

NOW THEREFORE, be it RESOLVED, as it is hereby RESOLVED to recommend to the Head of the Procuring Entity that the Proposed Repair/Rehabilitation of the University Gymnasium & Cultural Center Phase 1-B (Phase 1B) at USEP Obrero, Davao City be AWARDED to Megila Construction Development & Supply via Negotiated Procurement less the mobilization cost.

ADOPTED, this 19th day of December 2018, University of Southeastern Philippines, Obrero Campus, Davao City, Philippines.


MARLYN D. BITON
BAC Chairperson


ANNWEDA C. MINA
BAC Vice Member


EMILIA P. PACOY
BAC Member


EDELIZA S. GONZALES
BAC Member

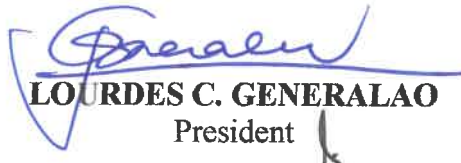

REYNILO D. GARCIA
BAC Member


MAYCHELLE M. NUGAS
BAC Member

Certified as to Availability of Appropriation/Allotment:


ROLANDO B. ENRIQUEZ
Director, Finance Division

APPROVED:


LOURDES C. GENERALAO
President