



Certification No. 25-200
Series of 2025

MEMORANDUM

Subject : CANCELLATION OF THE PROJECT
CONSTRUCTION OF SLOPE PROTECTION NEAR
BUILDING 8172

This certifies that:

The records of the Board Secretariat show that during the Fifty-Fifth (55th) Meeting of the Board of Directors of the Subic Bay Metropolitan Authority held last 29 April 2025 wherein there was a quorum to validly transact business, the following resolution was approved:

Resolution No. 25-04-1201

“Resolve, as it is hereby resolved, that without prejudice to COA Regulations and pertinent laws on the matter, the Board hereby approves and ratifies the recommendation of the Bids and Awards Committee for Infrastructure Resolution No. 25-0424-23 to:

1. CANCEL THE PROJECT: CONSTRUCTION OF SLOPE PROTECTION NEAR BUILDING 8172 under the Reservation Clause (Section 41 [c](i)) of the Revised IRR of RA No. 9184;
2. Instruct the EAM/Engineering Department to CONDUCT A MANDATORY REVIEW AND EVALUATION of the terms, conditions, and specifications in the bidding documents, including the associated cost estimates;
3. PERMIT A REFUND of the bidding document fee or CARRY OVER THE SALE of bidding documents to the re-advertisement of the project for any bidders who had previously purchased the documents;
4. CONDUCT A NEW PROCUREMENT PROCESS for the project through public bidding following the completion of necessary revisions.

Management’s Memorandum dated April 25, 2025 is incorporated herein by way of reference.”

Issued this 30th day of April 2025.

REDACTED
JENNIFERT. GUIANG
Board Secretary V

Subic Bay Metropolitan Authority
BOARD SECRETARIAT
Building 229, Waterfront Road, Subic Bay Freeport Zone, 2222 Philippines
• Tel: +6347 252.4172/4174 • Fax: +6347 252.4170
www.mysubicbay.com.ph



RESOLUTION NO. 25-0424-23

WHEREAS, on April 8, 2025, the Subic Bay Metropolitan Authority (SBMA), through its Bids and Awards Committee for Infrastructure (BAC-Infra) conducted the Pre-Procurement Conference for the public bidding of the Project: **CONSTRUCTION OF SLOPE PROTECTION NEAR BUILDING 8172** at the following locations within the Subic Bay Freeport Zone, to wit:

PROJECT	LOCATION
CONSTRUCTION OF SLOPE PROTECTION NEAR BUILDING 8172	Subic Bay Freeport Zone

with the Approved Budget for the Contract (ABC) of **Fourteen Million Eight Hundred Thousand Pesos (Php14,800,000.00)** through the FY2025 Corporate Operating Budget for the contract approved by the SBMA Governing Board.

WHEREAS, upon initial presentation by the Expense Account Manager (EAM) / Engineering Department, of the pre-requisite approvals, bidding documents and technical specifications for the project, several amendments/ revisions were directed by the Committee.

WHEREAS, upon due deliberation, the Committee found the pre-requisite approvals, bidding documents, and procurement timeline for the project as submitted by the EAM / Engineering Department to be in order, i.e.:

ACTIVITY	DATE	VENUE
Posting of the Invitation to Bid & Complete Bidding Documents	April 15, 2025	
Issuance of Invitation to Observers	April 17, 2025	
Pre-Bid Conference	April 24, 2025	Virtual / Bldg. 255
Deadline of Submission/ Opening of Bids	May 07, 2025	Virtual / Bldg. 255
Bid Evaluation	May 14, 2025*	Virtual / Bldg. 255
Post-Qualification	May 26, 2025*	Virtual / Bldg. 255
Issuance of the Notice of Award	June 05, 2025*	
Contract Approval	June 18, 2025*	Virtual / Bldg. 255

*Tentative

WHEREAS, the BAC-Infra thereafter resolved, through Resolution No. 25-0410-19, to accept and adopt the complete bidding documents, procurement timeline, technical specifications, approved plans, and Bill of Quantities/Detailed Unit Price Analysis submitted by the EAM/Engineering Department. The BAC-Infra directed the latter to submit the electronic file of the bidding documents to the Secretariat for the posting on April 15, 2025, of the Invitation to Bid, along with the complete bidding documents for the project, to PhilGEPS, the SBMA website, the SBMA Public Bulletin Board, and the SBMA Procurement Service Facebook Page;

WHEREAS, on April 23, 2025, the BAC-Infra was presented with a memorandum from the Engineering Department, which requested the postponement of procurement activities for this project. The request was based on the need to exercise due diligence in reviewing and revising the detailed project estimates and ensuring the inclusion of necessary items in the Program of Works.

WHEREAS, on April 24, 2025, in accordance with the approved Procurement Timeline, a Prebid Conference for the project was conducted. Seven (7) prospective bidders were in attendance: i). RG Mercado Construction Services, ii.) Haight's Construction, iii.) Rebrtrade International Corporation, iv.) IsheaTech Construction Corporation, v). Dyson Construction and Trading Corporation, vi.) Bluebird Builders Inc., and vii.) J810 Construction and Development Corporation. During the Prebid Conference, attendees raised various concerns and inquiries regarding the materials and scope of work associated with the project.

WHEREAS, on the same day, the Engineering Department emphasized the need for a comprehensive review of the project's scope and a revision of the estimates and pricing, which could lead to an increase in the budget for the contract.

WHEREAS, under Section 41[c](i) of the 2016 revised IRR of RA 9184, the Head of the Procuring Entity (HoPE) reserves the right to declare a failure of bidding for any justifiable and reasonable ground where the award of the contract will not redound to the benefit of the Government of the Philippines (GoP), i.e. 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;

WHEREAS, the BAC-Infra, taking into account the request from the Engineering Department, deliberated and, via Resolution No. 25-0424-23, resolved to: (1) recommend the cancellation of the project under the Reservation Clause (Section 41c) of the Revised IRR of RA No. 9184; (2) instruct the EAM/Engineering Department to conduct a mandatory review and evaluation of the terms, conditions, and specifications in the bidding documents, including the associated cost estimates; (3) permit a refund of the bidding document fee or carry over the sale of bidding documents to the re-advertisement of the project for any bidders who had previously purchased the documents; and (4) Conduct a new procurement process for the project through public bidding following the completion of necessary revisions.

NOW THEREFORE, in consideration of the abovementioned premises, the BAC-Infra **RESOLVES**, to wit:

“WE, the members of the BAC for Infrastructure RESOLVE, as it is hereby RESOLVED, the following:

- 1) Recommend the Cancellation of the Project under the Reservation Clause (Section 41 [c](i)) of the Revised IRR of RA No. 9184;
- 2) Instruct the EAM/Engineering Department to conduct a mandatory review and evaluation of the terms, conditions, and specifications in the bidding documents, including the associated cost estimates;
- 3) Permit a refund of the bidding document fee or carry over the sale of bidding documents to the re-advertisement of the project for any bidders who had previously purchased the documents;
- 4) Conduct a new procurement process for the project through public bidding following the completion of necessary revisions.

RESOLVED, via video conference and at Building 255, Barryman Road, Subic Bay Freeport Zone on April 24, 2025.

(On-Leave)

ATTY. JOHN V. AQUINO
Chairperson

REDACTED

ATTY. MELVIN L. VARIAS
Vice-Chairperson

REDACTED

JEROME A. MASCARDO
Member

REDACTED

JOSE G. LAXAMANA JR.
Alternate Member

REDACTED

DENNIS ROLAN E. BAVIERA
Member

ENGR. NESTOR C. SANTOS
Member

ENGR. GARY F. FERNANDEZ
EAM, Engineering Dept. Manager

APPROVED / DISAPPROVED

REDACTED

ENGR. EDUARDO JOSE L. ALIÑO
Chairman and Administrator
Head of Procuring Entity (HoPE)