



Republic of the Philippines

DepED
DEPARTMENT OF EDUCATION

Region I
SCHOOLS DIVISION OFFICE
Dagupan City
BIDS and AWARDS COMMITTEE

RESOLUTION No. 2019-049

A RESOLUTION DECLARING FAILURE OF BIDDING IN THE PROCUREMENT FOR THE ELECTRIFICATION OF UN-ENERGIZED SCHOOLS AND MODERNIZATION OF ELECTRICAL SYSTEMS ON GRID-SCHOOLS AT DAGUPAN CITY NATIONAL HIGH SCHOOL

WHEREAS, the Department of Education, Dagupan City Division conducted a Pre-Procurement Conference on November 7-19, 2018 at the Conference Room, DepEd Dagupan City for the Electrification of un-energized schools and modernization of electrical systems on-grid schools at Dagupan City National High School with an **Approved Budget for the Contract (ABC) of Thirteen Million Nine Hundred Sixty-Nine Thousand Four Hundred Six Pesos and Sixty-nine/100 (Php 13, 969, 406.69);**

WHEREAS, said project is funded by the Government of the Philippines (GOP)- General Appropriations Act (GAA) FY 2019 through the Department of Education BEFF CY 2019 Repair;

WHEREAS, the BAC through its Secretariat posted the Invitation to Bid at the PhilGEPS portal with Reference No. 5754904, at the Division website and at the conspicuous places at the Division Office on October 31, 2018;

WHEREAS, a Pre-bid conference was held on November 14, 2018 at the DepEd Dagupan City and was attended by observers and prospective bidders;

WHEREAS, the Submission and Opening of Bids was held on November 28, 2018 at DepEd Dagupan City Division with two (2) bid proposals, namely: (1) Viking III Builders, and (2) Zota Trading and Construction;

WHEREAS, none of the two mentioned bidders passed the eligibility requirements considering that the Electrification of un-energized schools and modernization of electrical systems on-grid schools at Dagupan City National High School showed that the entire project consists of electrical works, and under **Republic Act No. 4566** or the **Contractors Licensing Law** and its **Implementing Rules and Regulations (IRR)**, only a contractor with a project kind of "electrical works", in its PCAB License may undertake the above-stated project;

WHEREAS, after conducting a review and reassessment of the requirements and qualification of the bidders, we found out that none of the bidders possess the specific PCAB License Classification which is "**Electrical Work**" for the project on electrification and modernization of electrical systems as **Sec. 3.3 (e)** and **Section 5.4** of the **IRR of R.A. 4566 (Contractors Licensing Law)** which provides that:

Sec. 3.3 Terms and Conditions of a Contractor's License:

e) The Licensee must not undertake/implement any construction project which is not within the scope of his License classification otherwise he shall be liable to appropriate disciplinary action and payment of additional licensing fee.

Sec. 5.4 Operation by Classification:

A licensed constructor shall operate within the classification(s) that he is authorized, by his License, to engage in. A Regular License constructor shall, however, be allowed to undertake an extra classification work, if it is incidental and/or supplementary to a project under his contract and to be undertaken in conjunction with his implementation of said project.

WHEREAS, on March 11, 2019, the BAC members, secretariat and the technical working group (TWG) personally went to the office of the Philippine Contractors Accreditation Board (PCAB) in Makati City, Philippines, and on the same day, the Executive Director of PCAB, Atty. Herbert D.G. Matienzo confirmed to us through a written statement that:

"A contractor with a principal classification of "General Engineering and General Building" may undertake electrical works if the same is an "incidental work" of the project. If the project is classified purely as "electrical works", only a licensed contractor with a project kind of "electrical works" may qualify to bid and/or undertake such project.

In this case, a perusal of the project "Electrification of Un-energized Schools and Modernization of Electrical Systems of the Dagupan City" showed that the entire project consists of electrical works. **Under Republic Act No. 4566 and its Implementing Rules and Regulations, only a contractor with a project kind of "electrical works", in its PCAB License may undertake the above-stated project."**

WHEREAS, considering that none of the two (2) bidders possess the specific PCAB License Classification which is "**Electrical Work**" for the project on electrification and modernization of electrical systems, neither of them passed the eligibility requirements; and therefore the BAC is left with no recourse but to declare a failure of bidding;

NOW, THEREFORE, we the members of the Bids and Awards Committee hereby resolve, as it is hereby resolved to **DECLARE FAILURE OF BIDDING IN THE PROCUREMENT FOR THE ELECTRIFICATION OF UN-ENERGIZED SCHOOLS AND MODERNIZATION OF ELECTRICAL SYSTEMS ON GRID-SCHOOLS AT DAGUPAN CITY NATIONAL HIGH SCHOOL.**

This resolution is signed by the Bids and Awards Committee this 15th day of March 2019.


ISABELITA M. DAROYA, Ed.D.
BAC Member


ATTY. JOSE O. OVIEDO
BAC Member


JAIME C. SIAPNO, Ph.D
BAC Member


ROSALIND R. LOMIBAO, Ed.D.
Vice Chairperson


LOURDES D. SERVITO, Ed.D.
BAC Chairperson

APPROVED:


LORNA G. BUGAYONG, Ph.D., CESO VI
Schools Division Superintendent