



**DECLARATION OF FAILURE OF PROCUREMENT  
FOR THE DESIGN AND CONSTRUCTION OF  
REGISTRY OF DEEDS OF ISULAN, SULTAN  
KUDARAT**

X-----X

**LRA BAC INFRASTRUCTURE**

**RESOLUTION NO. 2023-28**

**WHEREAS**, the Land Registration Authority (LRA), through the Bids and Awards Committee (BAC) on Infrastructure, pursuant to the provision of Republic Act (R.A.) No. 9184, as amended, invited bidders through posting at the Philippine Government Electronic Procurement System (PhilGEPs), website of the LRA and at a conspicuous place reserved for this purpose in the premises of this Authority for the **Design and Construction of Registry of Deeds of Isulan, Sultan Kudarat**, with an Approved Budget for the Contract (ABC) in the amount of **Thirty One Million Eighty-Two Thousand Forty-Seven Pesos and 50/100 (Php 31,082,047.50), VAT Inclusive;**

**WHEREAS**, the procurement through competitive bidding has been conducted;

**WHEREAS**, the deadline for submission of bids was on 06 November 2023, two (2) sealed envelopes were received by the LRA-BAC (Infra) Secretariat which were from Kirskat Ventures and Kael Constructions and Supplies, Inc.;

**WHEREAS**, both sealed envelopes were then opened and presented during the LRA-BAC (Infra) meeting, called for the purpose, on 6 November 2023 at the LRA Conference Room;

**WHEREAS**, per the preliminary evaluation of the LRA-BAC (Infra) Technical Working Group (TWG), using a non-discretionary "pass / fail" criterion, the bidder, **Kirskat Ventures**, passed the eligibility requirements with the bid price amounting to TWENTY FOUR MILLION EIGHT HUNDRED SEVENTY-SEVEN THOUSAND TWO HUNDRED FIFTY-FIVE PESOS AND 37/100 (PHP 24,877,255.37), VAT Inclusive which is within the ABC; while the bidder, **Kael Construction and Supply** failed the eligibility requirements having been failed to attach two (2) copies of the Technical and Financial Components which should have been marked as Copy 1 and 2, as required under ITB Clause No. 16 of the Bid Data Sheet of the Philippine Bidding Documents;



**WHEREAS**, per the detailed evaluation of the LRA-BAC (Infra) Technical Working Group (TWG), the bidder, **Kirskat Ventures**, failed the technical requirements due to the following reasons, *to wit*:

- a. Did not include principal architect for the design phase;
- b. The notary public who notarized the Omnibus Sworn Statement and Bid Securing Declaration has no signature;
- c. There were no detailed estimates. The contractor only submitted a generic cost estimate. It failed to indicate the Detailed Estimates for this particular project;
- d. Non-submission of Geotechnical investigation – not indicated either in the Bill of Quantities or the Detailed Estimates Form;
- e. No detailed design and architectural design;
- f. Did not include furnitures and fixtures; and
- g. List of key personnel for the design and construction was too generic – did not indicate the specific personnel who will be deployed for each project.

**WHEREAS**, Section 35.1.c of the 2016 Revised Implementing Rules and Regulations of R.A. 9184 provides the following;

**Section 35. Failure of Bidding**

*35.1. The BAC shall declare the bidding a failure when:*

*xxx*

- b) All prospective bidders are declared ineligible;*
- c) All bids fail to comply with all the bid requirements or fail post-qualification, or, in the case of Consulting Services, there is no successful negotiation; xxx”*

**NOW THEREFORE**, the Chairperson and Members of the Bids and Awards Committee on Infrastructure, RESOLVE as it is hereby RESOLVED to:

1. DECLARE a failure of bidding for the Rehabilitation Works for the Registry of Deeds for Isulan, Sultan Kudarat; and
2. CONDUCT a re-bidding with re-advertisement therefore with the revised ABC and/or technical specification.

**RESOLVED** this 13<sup>th</sup> day of November 2023 at the Land Registration Authority, Quezon City.


FOR: 

**ENGR. CRISPIN O. DE LUNA**  
End User

  
**MS. MARILYN C. CUSTODIO**  
Member

  
**ENGR. GLORIETA P. LACAMBRA**  
Member

  
**ENGR. MARYANNE M. MORTEL**  
Member

  
**MR. ANGELO CHRIS LUIS M. DELLOSA**  
Vice Chairperson

  
**ATTY. TRISTAN E. DE GUZMAN**  
Chairperson

**APPROVED**

  
**GERARDO PANGA SIRIOS**  
Administrator

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