

Republic of the Philippines DEPARTMENT OF AGRICULTURE **National Irrigation Administration** Central Office

BIDS AND AWARDS COMMITTEE-A RESOLUTION NO. DB-NCB-2024-01-C

RESOLUTION RECOMMENDING THE AWARD OF CONTRACT FOR THE DESIGN AND CONSTRUCTION OF EARTHFILL DAM, RESERVOIR, APPURTENANT STRUCTURES, AND IRRIGATION FACILITIES OF LOPEZ SMALL RESERVOIR IRRIGATION PROJECT IN REGION IV-A PROCUREMENT ID NO. R4A-LSRIPD-DB-01

WHEREAS, the National Irrigation Administration (NIA), in its BAC-A Resolution No. DB-NCB-2024-01-B, duly approved by the Head of Procuring Entity (HoPE), which declared the bid of *EEI CORPORATION* as Lowest Calculated Bid for the Design and Construction of Earthfill Dam, Reservoir, Appurtenant Structures, and Irrigation Facilities of Lopez Small Reservoir Irrigation Project in Region IV-A, Procurement ID No. R4A-LSRIPD-DB-01, copy of the resolution attached as Annex "C-1";

WHEREAS, the BAC-A instructed the TWG and Secretariat to conduct the postqualification process on the bid of *EEI CORPORATION*, and to officially inform the said bidder that its bid was declared as the Lowest Calculated Bid (LCB) and required them to submit within three (3) calendar days, the post-qualification documents, copy of the letter is attached hereto as **Annex "C-2**";

WHEREAS, as part of the post-qualification process, the BAC-A, requested in writing the following government offices dealing with infrastructure projects for information on the status of on-going contracts of *EEI CORPORATION*, and its subcontractor for the project, *WOODFIELDS ENGINEERS COMPANY*, if there is any:

- 1) Department of Public Works and Highways (DPWH);
- 2) National Housing Authority (NHA);
- Philippine Ports Authority (PPA);
- 4) Department of Human Settlements and Urban Development (DHSUD); and

5) Department of Transportation (DOTr)

Copy of said letters dated August 12, 2024 are hereto attached as Annexes "C-3" to "C-7";

National Government Center, EDSA, Diliman, Quezon City, Philippines
 Trunk line Nos.: (02) 8 929 6071 to 78

 Telefax No.: (02) 8 928 9343
 Website: www.nia.gov.ph
 Facebook: www.facebook.com/nia.gov.ph



TIN: 000916415

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WHEREAS, the BAC-A sent a separate memorandum to NIA Construction Management Divison, Engineering Department of NIA Central Office and all NIA Regional/Department/Project Managers dated August 12, 2024, requesting for information on the status of on-going contract of *EEI CORPORATION*, and its subcontractor for the project, *WOODFIELDS ENGINEERS COMPANY*, with their office if there is any, copy of the memorandum attached hereto as **Annexes "C-8" & "C-9"**;

WHEREAS, the BAC-A sent a separate letter to Metropolitan Waterworks & Sewerage System (MWSS) asking for their confirmation regarding the authenticity of the documents attached in the submitted Single Largest Completed Contract (SLCC) of *EEI CORPORATION*, copy of the letter dated August 12, 2024 is attached hereto as Annex "C-10";

WHEREAS, the BAC-A sent a separate letter to DPWH Flood Control Management Cluster asking for their confirmation regarding the authenticity of the documents attached in the submitted Statement of Single Largest Completed Contract (SLCC) for Design, copy of the letter dated August 12, 2024 is attached hereto as Annex "C-11";

WHEREAS, the BAC-A sent a letter to the following offices requesting for information regarding the on-going contracts undertaken by *EEI CORPORATION*, and its subcontractor for the project, *WOODFIELDS ENGINEERS COMPANY*, as declared in its submitted Statement of On-going Government and/or Private Contracts including awarded but not yet started:

- 1) Shimizu Corp. Fujita Corp. Takenaka Civil Engineering Co. Ltd.;
- Malolos-Clark Railway Project-CP N-02;
- 3) Malolos-Clark Railway Project-CP N-04;
- 4) Malolos-Clark Railway Project-CP N-05;
- 5) Capitol Steel Corporation;
- 6) Cyberzone Properties, Inc.; and
- 7) Metropolitan Bank & Trust Co.

Copy of said letters dated August 12, 2024 are hereto attached as Annexes "C-12" to "C-18";

WHEREAS, the BAC-A sent a letter to the following lessors for verification and confirmation of the authenticity of the Lease Agreements submitted by *EEI CORPORATION*:

- 1) Certeza Infosys Corp.;
- 2) Exan Builders Corporation;
- Joel Chavez Equipment Rentals Corp.;
- 4) Ravago Equipment Rentals, Inc.; and
- 3) Surveytech Trading

Copy of said letters dated August 12, 2024 are hereto attached as Annexes "C-19" to "C-23";

WHEREAS, the TWG, with the assistance of the Secretariat, conducted Post-Qualification on *EEI CORPORATION*, and its subcontractor for the project, *WOODFIELDS ENGINEERS COMPANY*, on August 13, 2024 to August 17, 2024, and August 21, 2024;

WHEREAS, the verification letters sent to Government and Private Offices were recorded as follows:

Department / NIA Regional Office / NIA Project Management Office / Lessors Government and Priva	Remarks ate Offices
Department of Transportation August 14, 2024 (Annex "C-24")	Ms. Armi Cecilia L. Dela Cruz, BAC Secretariat Chief, informed that <i>EEI CORPORATION, and WOODFIELDS ENGINEERS COMPANY</i> have no ongoing contract with their office.
National Housing Authority (NHA) August 21, 2024 (Annex "C-25")	Mr. Joeben A. Tai, General Manager, informed that <i>EEI CORPORATION,</i> and <i>WOODFIELDS ENGINEERS COMPANY</i> have no ongoing project/contract with their office as of July 2024.
Philippine Ports Authority (PPA) August 15, 2024 (Annex "C-26")	Mr. Carlito M. Castillo, Port Construction and Maintenance Department Manager, informed that <i>EEI CORPORATION, and</i> <i>WOODFIELDS ENGINEERS COMPANY</i> have no previous or existing projects/contracts with their office.

Department of Public Works and Highways (DPWH) August 20, 2024 (Annex "C-27")	Usec. Ador G. Canlas informed that as per the records available in the Project and Contract Management Application (PCMA) as of July 31, 2024, <i>EEI CORPORATION, and WOODFIELDS ENGINEERS</i> <i>COMPANY</i> have no ongoing contract/project with their office.
DPWH UPMO -FCMC August 16, 2024 (Annex "C-28")	Engr. Ramon A. Arriola III, Project Director, confirmed that the attached Notice to Proceed, and Certificate of Completion for the submitted SLCC for Design, Consulting Services for Detailed Engineering Design of Urgent Protection Works for Cagayan River, undertaken by <i>WOODFIELDS ENGINEERS COMPANY</i> , are genuine and authentic.
Capitol Steel Corporation August 19, 2024 (Annex "C-29")	Mr Roberto Casoni, Project Manager, confirmed that EEI Corporation has been performing satisfactorily with their ongoing contract.
Metropolitan Waterworks & Sewerage System Regulatory Office (MWSS RO) August 21, 2024 (Annex "C-30") NIA Central and Regio	Ms. Joan Michelle S. Antonio, Department Manager for Public Information, informed that no procurement related to the Proposed Rehabilitation of the Manila Central Sewerage System in the City of Manila was undertaken by their office, and instructed to reach out to their Corporate Office for further assistance. The TWG, on August 21, 2021, visited the Maynilad Office, where Ms. Analiza Santos, Head of Contracts Management, presented their Monthly Progress Report for May 2004, and validated that the contract of <i>EEI CORPORATION</i> is with Maynilad.
Cordillera Administrative Region August 14, 2024 (Annex "C-31")	Engr. Leonardo A. Lamangen, BAC Chairperson, informed that <i>EEI</i> <i>CORPORATION</i> , and <i>WOODFIELDS ENGINEERS COMPANY</i> have no ongoing, newly-awarded, or recently approved but not yet started contract with their office.
Region II August 20, 2024 (Annex "C-32")	Engr. Raymundo B. Apil, Regional Manager, informed that <i>EEI</i> <i>CORPORATION</i> , and <i>WOODFIELDS ENGINEERS COMPANY</i> have no ongoing, or recently awarded contract with their office, including Irrigation Management Offices in their Region.

Region III August 21, 2024 (Annex "C-33")	Engr. Christian C. Manalo, BAC Chairperson, informed that <i>EEI CORPORATION</i> , and <i>WOODFIELDS ENGINEERS COMPANY</i> have no existing awarded contract with their office.
Region IV-A CALABARZON August 16, 2024 (Annex "C-34")	Engr. Erwin M. Lucela, BAC Chairperson, informed that <i>EEI CORPORATION</i> , and <i>WOODFIELDS ENGINEERS COMPANY</i> have no awarded or ongoing contract with their office.
Region V August 19, 2024 (Annex "C-35")	Engr. Gaudencio M. De Vera, Regional Manager, informed that <i>EEI</i> <i>CORPORATION</i> has no ongoing project with their office, while <i>WOODFIELDS CONSULTANT, INC.</i> , has an omngoing consultancy project with their office.
Region X August 16, 2024 (Annex "C-36")	Ms. Janele Desiree J. Dioquino, BAC Vice Chairperson, informed that <i>EEI CORPORATION,</i> and <i>WOODFIELDS ENGINEERS COMPANY</i> have no existing or ongoing contract with their office.
Region XI August 20, 2024 (Annex "C-37")	Engr. Jimmy L. Apostol, Regional Manager, informed that <i>EEI CORPORATION</i> , and <i>WOODFIELDS ENGINEERS COMPANY</i> have not conducted business with their office as to date.
Region XII June 21, 2024 (Annex "C-38")	Engr. Diosdado A. Rosales, Regional Manager, informed that <i>WOODFIELDS CONSULTANT, INC.</i> has no existing contract with their office, while <i>EEI CORPORATION</i> has nine (9) recently awarded contracts with their office.
CARAGA August 20, 2024 (Annex "C-39")	Engr. Ruby C. Tuan, Jr., Reional Manager, informed that <i>EEI</i> <i>CORPORATION</i> has no ongoing project with their office, while <i>WOODFIELDS CONSULTANT, INC.,</i> is currently engaged as a consultant in an ongoing project, Feasibility Study of Malihaw Small Reservoir Impounding Project.
Magat River Integrated Irrigation System August 28, 2024 (Annex "C-40")	Engr. Roldan D. Bermudez, BAC Chairperson, informed that <i>EEI CORPORATION</i> has no ongoing contract/project with their office.
Lease Agreement	
Certeza Infosys Corp. August 19, 2024 Annex "C-41 "	Mr. Reynaldo R. Adorador, President, confirmed that their office has provided relevant support and commitment to <i>EEI</i> <i>CORPORATION</i> for this project.

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WHEREAS, the Technical Working Group (TWG) was set to report the result of their post-qualification on August 28, 2024. However, the meeting was rescheduled to September 4, 2024, due to the suspension of work in government offices as an effect of inclement weather brought about by the Southwest Monsoon, copy of the Memorandum Circular No. 61 from the Office of the President is attached as **Annex "C-42"**;

WHEREAS, due to multiple suspensions of work in government offices, and the request of TWG Members to give sufficient time to review and evaluate the letters from other government agencies / private companies in response to our verification letters in order for them to be able to comprehensively update their report based on their postqualification and verification of the performance and capacity of EEI Corporation to undertake the above-mentioned project, the Bids and Awards Committee – A (BAC-A) decided to reschedule the reporting on the earliest possible schedule, copy of the Memorandum Circulars are attached as Annex "C-43" and Annex "C-44";

WHEREAS, in the BAC-A meeting held on September 13, 2024, the Technical Working Group (TWG), in their presentation of post-qualification results, reported that the bid of *EEI CORPORATION* is complying and passed all the criteria in the bidding documents. Copy of Post-qualification Evaluation Report is attached hereto as Annex "C-45";

WHEREAS, upon post qualification, validation, and verification of all the eligibility, technical, and financial requirements submitted by *EEI CORPORATION*, its bid has been found to be the Lowest Calculated and Responsive Bid (LCRB);

NOW THEREFORE having considered the foregoing circumstances, we, the members of the Bids and Awards Committee-A hereby RESOLVED, as it is hereby RESOLVED to:

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- 1) Declare the bid of *EEI CORPORATION* as the bidder with the Lowest Calculated and Responsive Bid for the Design and Construction of Earthfill Dam, Reservoir, Appurtenant Structures, and Irrigation Facilities of Lopez Small Reservoir Irrigation Project in Region IV-A, Procurement ID No. R4A-LSRIPD-DB-01; and
- Recommend to the NIA Executive Committee and thereafter, to the NIA Board of Directors the award of contract to *EEI CORPORATION*, in the total amount of One Billion Five Hundred Three Million Five Hundred Thousand Pesos (PhP 1,503,500,000.00).

RESOLVED FURTHER, that upon approval of this Resolution, to issue the Notice of Award to EEI Corporation, and to enter into a contract with the same in accordance with the terms and conditions of the bid documents.

IN WITNESS WHEREOF, we have hereunto affixed our signatures this ____ day of SEP 2.5 2024____, 2024.

Done in Quezon City, Metro Manila, Philippines.

Recommending Approval:

ENGR. ROBERT RUZ ENGR. EUS EBIO Ś. VILLAMANTO Prov ional 🕅 mber Member ATTY. RIZZ **IEZ** ENGR. REYNÉ B. UGAY ALBINE DA Membe Vice Chairperson Mei ENGR ROBERT C. SUGUITAN Chairperson, BAC-A ENGR. EDUARDO EDDIE G. GUILLEN Administrator .°° Head of Procuring Entity

Approved by the NIA Board of Directors:

Board of Director's Resolution No. 8965-24 series 2024 dated NOV. 20,2024

Contract ID	: R4A-LSRIPD-DB-01
Contract Name	: Design and Construction of Earthfill Dam, Reservoir, Appurtenant
	Structures, and Irrigation Facilities of Lopez Small Reservoir Irrigation Project in Region IV-A
Location of the Contract	: Cawayanin, Lopez, Quezon
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NATIONAL IRRIGATION ADMINISTRATION

EDSA, Diliman, Quezon City

NOTICE OF AWARD FOR DESIGN-AND-BUILD CONTRACT

November 20, 2024

MR. CHRISTOPHER F. ESGUERRA

Authorized Representative EEI CORPORATION #12 Manggahan St., Brgy. Bagumbayan Quezon City

Dear Mr. Esguerra:

We hereby accept your bid for the above-stated Contract, and therefore award the Contract to you, as the Bidder with the Lowest Calculated and Responsive Bid, at a total Contract price equivalent to One Billion Five Hundred Three Million Five Hundred Thousand Pesos (PhP 1,503,500,000.00).

You are, therefore, required, within ten (10) calendar days from your receipt of this Notice of Award, to submit to us the following documents as conditions for the signing of the Contract:

- a. Notice of Award (NOA) with the bidder's signed "conforme."
- b. Performance Security in any of the forms specified in the Instructions to Bidders (Use Form NIA-INFRA-44, or NIA-INFRA-45 as applicable).
- c. Design and Construction Methods (Use Form NIA-INFRA-54)

- d. Construction Safety and Health Program (Use Form NIA-INFRA-50).
- e. Contractor's All Risk Insurance (CARI)

You are also required, within the said ten (10) calendar days, to formally sign the Contract Agreement.

National Irrigation Administration

Contract ID	: R4A-LSRIPD-DB-01
Contract Name	: Design and Construction of Earthfill Dam, Reservoir, Appurtenant
	Structures, and Irrigation Facilities of Lopez Small Reservoir
	Irrigation Project in Region IV-A
Location of the	: Cawayanin, Lopez, Quezon
Contract	·

Your failure to comply with these requirements shall constitute a sufficient ground for the cancellation of this award and forfeiture of your Bid Security.

Recommending Approval:

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ENGR. ROB ŔUZ ENGR. EU MANTO Provisional Member ALBINE DAYE V. JUBILADO, CPA ATTY. RIZZA BANEZ ENGR. REYN **B. UGAY** Membe Vice Chairperson Membe SUGUITAN ENGR ROBERT Chairperson, BAC-A ENGR. EDUARDO ÉDDIE G. GUILLEN Administrator Head of Procuring Entity Approved by the NIA Board of Directors:

Board of Director's Resolution No. 8965-24 series 2024 dated NOV. 20,2024

Conforme:

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The

MR. CHRISTOPHER F. ESGUERRA Authorized Representative EEI CORPORATION Date: <u>DECEMBER 2, 2024</u>