



Office of the University
and Board Secretary

University System

SECRETARY'S CERTIFICATE

I, **MARK DAVE J. CERBITO**, of legal age, Filipino, with Office address at USTP, C.M. Recto Avenue, Lapasan, Cagayan de Oro City, hereby certify as follows:

- 1) That I am the duly appointed University and Board Secretary of the University of Science and Technology of Southern Philippines (USTP) Board of Regents (BOR);
- 2) That I am the custodian of the records of the USTP BOR, including the minutes of meetings and resolutions;
- 3) That at the Regular Meeting of the USTP BOR held on 5 December 2023, during which a quorum was present and acted throughout, the following resolution was passed:

BOR RESOLUTION NO. 309, S. 2023

APPROVING THE AWARD OF CONTRACT TO PRIMAX KONSTRUCT, INC. FOR THE PROJECT: PROPOSED CONSTRUCTION OF THE TWO (2) STOREY MOCK HOTEL BUILDING FOR FOOD PROCESSING AND TECHNOLOGY PROGRAM AT USTP OROQUIETA (PHASE 1) WITH THE AMOUNT OF PESOS: SEVEN MILLION NINE HUNDRED NINETY-FOUR THOUSAND NINE HUNDRED NINETY-NINE AND 99/100 (₱7,994,999.99), FUNDED THROUGH THE INTERNALLY GENERATED INCOME (IGI) FOR FISCAL YEAR 2023, SUBJECT TO THE IMPLEMENTING RULES AND REGULATIONS (IRR) OF REPUBLIC ACT NO. 9184

APPROVED.

- 4) That the foregoing resolution has not been altered, modified, nor revoked; and that the same is now in full force and in effect; and
- 5) That I am executing this Certificate for whatever legitimate purpose it may serve.

IN WITNESS WHEREOF, I have hereto affixed my signature this 7th day of December 2023 at the USTP, C.M. Recto Avenue, Lapasan, Cagayan de Oro City.

MARK DAVE J. CERBITO
University and Board Secretary/
Chief of Staff, Office of the USTP System President



Office of Bids and Awards Committee II

Cagayan de Oro

BAC RESOLUTION NO. 0607-2023

BAC RESOLUTION DECLARING SINGLE CALCULATED AND RESPONSIVE BID (SCRB) AND RECOMMENDING TO THE BOARD OF REGENTS THE AWARD OF CONTRACT TO PRIMAX KONSTRUCT, INC. OF THE NEGOTIATED PROCUREMENT UNDER TWO-FAILED BIDDINGS FOR THE PROPOSED CONSTRUCTION OF THE TWO (2) STOREY MOCK HOTEL BUILDING FOR FOOD PROCESSING AND TECHNOLOGY PROGRAM AT USTP-OROQUIETA CAMPUS (PHASE 1) CY 2023 IN THE AMOUNT OF P7,994,999.99

WHEREAS, the UNIVERSITY OF SCIENCE AND TECHNOLOGY OF SOUTHERN PHILIPPINES advertised the Invitation to Bid of the *Negotiated Procurement Under Two-Failed Biddings for the Proposed Construction of the Two (2) Storey Mock Hotel Building for Food Processing and Technology Program at USTP-Oroquieta Campus (Phase 1) CY 2023* in PhilGEPS, University website, and in conspicuous place at the premises of the University with an Approved Budget for the Contract (ABC) of EIGHT MILLION PESOS AND 00/100 (P8,000,000.00) ONLY;

WHEREAS, in response to the said advertisement, two (2) prospective bidders acquired the bidding documents, namely: Primax Konstruct, Inc. (Primax) and MRTS Construction Services (MRTS Construction);

WHEREAS, on the deadline and submission of bids last September 19, 2023, 09:30 A.M. the same prospective bidders submitted their bid proposals;

WHEREAS, the Committee then opened the first envelopes of the following prospective bidders in the order of their submission;

WHEREAS, Primax was rated "passed" in the preliminary examination of its legal, technical and financial documents;

WHEREAS, MRTS Construction was rated "failed" due to the following ground: *a) The submitted List of Contractor's Certifications on Key Personnel to be assigned to the Contract is inconsistent to the attached Key Personnel's Affidavit of Commitment to Work, specifically for Construction Manager;*

WHEREAS, the Committee informed the representative of MRTS Construction who were present during the bid opening that they may submit a request for reconsideration *within three (3) calendar days;*

WHEREAS, the Committee then immediately opened the second envelope of Primax;

WHEREAS, Primax made a bid of P7,995,000.00;

WHEREAS, the Committee considered the bid of Primax for evaluation;

WHEREAS, the Technical Representative and Technical Working Group (TWG) submitted a Technical Report dated September 21, 2023;

WHEREAS, the Detailed Bid Evaluation was conducted by the Committee, with the assistance of the TWG, last September 21, 2023, 10:00 A.M. on the bid of Primax. The Committee made an arithmetical correction in the financial bid of Primax, the amount of bid as read was not the same as calculated;

WHEREAS, in the Bid Form of Primax, there is a discrepancy in the total amount of bid. As per 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act 9184 Section 32.2.3 "In case of discrepancies between xxx, (c) stated total price and the actual sum of prices of component items,

BAC Resolution No. 0607-2023, Declaring Single Calculated and Responsive Bid (SCRB) and Recommending to the Board of Regents the Award of Contract to Primax Konstruct, Inc. of the Negotiated Procurement Under Two-Failed Biddings for the Proposed Construction of the Two (2) Storey Mock Hotel Building for Food Processing and Technology Program at USTP-Oroquieta Campus (Phase 1) CY 2023 in the Amount of P7,994,999.99

the latter shall prevail". Therefore, the actual sum of prices of component items is considered;

WHEREAS, the Committee, with the assistance of the TWG, after scrutiny, careful evaluation and deliberation, found the bid of Primax to be complying and declared the bid of Primax as the Single Calculated Bid (SCB) at the amount of P7,994,999.99;

WHEREAS, MRTS Construction did not submit any request for reconsideration;

WHEREAS, the Committee conducted an on-site post-qualification of Primax at their branch office in 2nd Floor, One Beacon Building, Upper Carmen, Cagayan de Oro City last September 27, 2023, 10:00 A.M.;

WHEREAS, the Committee convened and deliberated the results of their Post Qualification on October 04, 2023. It was found that all the documents submitted by Mr. Dax Rey D. Cahanap of Primax were genuine, authentic and responsive;

WHEREAS, pursuant to the Section 53 (Annex H.V.D.1.b.iv) of the Revised IRR of R.A. 9184, following completion of the negotiations, the Committee requested Primax to submit not later than October 07, 2023 their best offer-based on the final technical and financial requirements;

WHEREAS, on October 07, 2023, Primax submitted their best offer in a form of accomplished financial bid form (bill of quantities). Their best offer is identical to the original bid;

WHEREAS, the Post-Qualification activities had to be extended for four (4) days beyond the 12-day period on account of the delay for the confirmation of the SLCC Project of Primax;

NOW, THEREFORE, the Bids and Awards Committee, hereby RESOLVES, as it is hereby RESOLVED, to:

- a) recommend for approval the extended period of post-qualification activities, that is, on October 04 – 07, 2023 as per Section 34.8 of the Revised IRR of R.A. No. 9184;
- b) declare the bid of *Primax Konstruct, Inc.* as the Single Calculated and Responsive Bid (SCRB) of the *Negotiated Procurement Under Two-Failed Biddings for the Proposed Construction of the Two (2) Storey Mock Hotel Building for Food Processing and Technology Program at USTP-Oroquieta Campus (Phase 1) CY 2023*; and
- c) recommend the award of the contract to the said bidder in the total amount of **SEVEN MILLION NINE HUNDRED NINETY-FOUR THOUSAND NINE HUNDRED NINETY-NINE PESOS AND 99/100 (P7,994,999.99) ONLY.**

RESOLVED this 7th day of October, 2023, at the University of Science and Technology of Southern Philippines, Cagayan de Oro City.


DR. GLORIMER L. CLARIN
Prov. Member, End-User Rep.


AR. JOSEPH JAMES D. PERNITES
Member, TWG


DR. VENESSA A. GARCIA
BAC II Member


ATTY. MICHELLE M. BACARRA
BAC II Vice-Chairperson


AR. MARLON SUAZO
Prov. Member, Technical Rep.


AR. KIRBY S. ABLANQUE
Member, TWG


AR. FERDINAND A. SUMPA
BAC II Member


ATTY. ERWIN B. BUCIO
BAC II Chairperson

BAC Resolution No. 0607-2023, Declaring Single Calculated and Responsive Bid (SCRB) and Recommending to the Board of Regents the Award of Contract to Primax Konstruct, Inc. of the Negotiated Procurement Under Two-Failed Biddings for the Proposed Construction of the Two (2) Storey Mock Hotel Building for Food Processing and Technology Program at USTP-Oroquieta Campus (Phase 1) CY 2023 in the Amount of P7,994,999.99