



CONTRACT ID NO. 25DQ0051: ORGANIZATIONAL OUTCOME 1: Ensure Safe and Reliable National Road System - Network Development Program - Road Widening - Secondary Roads - Sta Rosa-Ulat-Tagaytay Rd - K0069 + 010 - K0069 + 279, K0069 + 312 - K0069 + 377, K0069 + 415 - K0069 + 495

BAC RESOLUTION No. C3rdDEO-25-0115

WHEREAS, the *Department of Public Works and Highways, Cavite 3rd District Engineering Office, Carmona City, Cavite* advertised the Invitation to Bid for the above-stated Contract at the websites of the DPWH and the PhilGEPS on December 05, 2024 and at a conspicuous place at the premises of the DPWH-Cavite 3rd District Engineering Office continuously for 7 days starting on December 05, 2024 – December 12, 2024;

WHEREAS, the Bids and Awards Committee (BAC) conducted the public bidding on December 27, 2024 with the Approved Budget for the Contract in the amount of Php 27,485,834.78 and two (2) bidders participated in the public bidding, namely;

1. PROTECH CONSTRUCTION & DEVELOPMENT CORP.
2. CMMJ CONSTRUCTION

WHEREAS, on April 21, 2025, this office issued a memorandum requesting for modification of the above-mentioned project to Central Office of this Department, as attached herewith;

Project Title based on GAA	Project Title Advertised (under modification)
ORGANIZATIONAL OUTCOME 1: Ensure Safe and Reliable National Road System - Network Development Program - Road Widening - Secondary Roads - Sta Rosa-Ulat-Tagaytay Rd - K0064 + 970 - K0065 + 108, K0065 + 173 - K0065 + 195, K0065 + 244 - K0065 + 274, K0065 + 374 - K0065 + 398, K0065 + 416 - K0065 + 436, K0065 + 540 - K0065 + 942	ORGANIZATIONAL OUTCOME 1 : Ensure Safe and Reliable National Road System - Network Development Program - Road Widening - Secondary Roads - Sta Rosa-Ulat-Tagaytay Rd - K0069 + 010 - K0069 + 279, K0069 + 312 - K0069 + 377, K0069 + 415 - K0069 + 495

WHEREAS, on June 23, 2025, the submitted modification of the above-mentioned contract name was disapproved due to the revised project scope and cost distribution was not in accordance to the Supplemental Guidelines on Project Modifications issued through the memorandum dated July 19, 2024;

WHEREAS, Section 41 of the Republic Act 9184 and its 2016 Implementing Rules and Regulations provides;

"The HoPE reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract in the following situations:

*c) For any justifiable and reasonable ground where the award of the contract will not redound to the benefit of the GoP, as follows: (i) **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;** (ii) if the project is no longer necessary as determined by the HoPE; or (iii) if the source of funds for the project has been withheld or reduced through no fault of the Procuring Entity."*

WHEREAS, due to the above reason, the BAC deliberated and unanimously agreed to cancel the contract;

WHEREAS, further, as per Memorandum dated May 10, 2019 of Undersecretary for Support Services, Ardeliza R. Medenilla, MNSA, CESO I, states that "In case of failure of bidding, the BAC is authorized to refund the payment made by the bidder for the purchase of bidding documents";

WHEREAS, relative thereto, the BAC also agreed that the Contractors who purchased the bidding documents have the option to refund the payment or to apply the equivalent cost for the future bidding of projects by this Office provided that they present the original copy of the Official Receipt and copy of the approved BAC Resolution for cancellation of the Project;

NOW, THEREFORE, We, the Members of the Bids and Awards Committee hereby resolve, as it is hereby RESOLVED to recommend to the District Engineer:

1. Declaration of cancellation for **Contract ID No. 25DQ0051** due to disapproved modification;
2. Cancellation of contract in the Civil Works Application (CWA), PhilGeps and DPWH Website;
3. Refund the payment of bidding documents fee as per Memorandum of Undersecretary for Support Services dated May 10, 2019 or to apply the equivalent cost for future biddings of projects by this Office upon presentation of the original copy of the Official Receipt and copy of the approved BAC Resolution for cancellation of the Project.

RESOLVED, at the Procurement Office, Department of Public Works and Highways, Cavite
3rd District Engineering Office, Carmona, Cavite, this **9th day of July, 2025**.


MARGIE FAYE T. GALIGAO
Provisional Member


CAESAR IAN C. SIMON
Provisional Member


JERKY O. PALENCIA
Regular Member


REIMART REGIN P. BAUTISTA
Regular Member


RUEL L. DITAN
BAC Vice Chairperson


JENNIFER F. ALMANZOR
BAC Chairperson

APPROVED:


DONNIE D. CUNA
District Engineer
Date Approved: _____