



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

RESOLUTION NO. 15-278

A RESOLUTION AUTHORIZING THE CITY MAYOR HON. ATTY. JAIME R. FRESNEDI, IN BEHALF OF THE CITY GOVERNMENT OF MUNTINLUPA TO ENTER INTO A CONSTRUCTION AGREEMENT WITH ELKANKONSTRAK DEVELOPMENT CORPORATION FOR THE PROJECT CONSTRUCTION OF MCTI ANNEX BUILDING (PHASE 1) LOCATED AT SOUTHVILLE, BARANGAY POBLACION, MUNTINLUPA CITY IN THE AMOUNT OF TWENTY ONE MILLION NINE HUNDRED SEVENTY SIX THOUSAND TWO HUNDRED THIRTY NINE PESOS AND 49/100 (PHP21,976,239.49) WHICH AMOUNT SHALL BE TAKEN FROM THE 2015 EXECUTIVE BUDGET.

Sponsored by:

- Hon. Coun. Louisito A. Arciaga
- Hon. Coun. Atty. Patricio L. Boncayao, Jr.
- Hon. Coun. Bal Niefes
- Hon. Coun. Stephanie G. Teves
- Hon. Coun. Margarita Amythyst Labios, Md
- Hon. Coun. Ringo A. Teves
- Hon. Coun. Alexander Diaz
- Hon. Coun. Ma. Dhesiree G. Arevalo
- Hon. Coun. Luvi P. Constantino
- Hon. Coun. Engr. Neptali S. Santiago
- Hon. Coun. Elmer S. Espeleta
- Hon. Coun. Rafael T. Sevilla
- Hon. Coun. Vergel C. Ulanday
- Hon. Coun. Robert A. Abas
- Hon. Coun. Robert P. Baes
- Hon. Coun. Celso C. Dioko

WHEREAS, Republic Act No. 9184, otherwise known as the Government Procurement Reform Act, states that, "xxx authorizes the Bids and Awards Committee (BAC) to conduct competitive bidding in the procurement of infrastructure projects among others";

WHEREAS, pursuant to Section 76 of RA. 9184 states that, "any other Law, Presidential Decree or issuance of Executive Order, letter of Instruction, Administrative Order, Proclamation, Charter, Rules or Regulations and/or parts thereof contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly";

WHEREAS, pursuant to the provisions of Republic Act 9184, Section 37, paragraph 2, Section 37.3, Section 38.1 of the same Act, "saw no need to seek authority from the City Council prior to entering into a contract";

WHEREAS, however, to further enhance transparency and accountability the Hon. City Mayor Atty. Jaime R. Fresnedi submitted to the Sangguniang Panlungsod the Construction Agreement;



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WHEREAS, the City Government of Muntinlupa advertised the Invitation to Apply for Eligibility and to Bid of the project *Construction of MCTI Annex Building (Phase 1) located at Southville, Barangay Poblacion, Muntinlupa City* in a newspaper of nationwide general circulation, posted at the Government Electronic Procurement System (GEPS) and City's Website and posted the same in the conspicuous place at the premises of the City Government of Muntinlupa continuously for seven (7) days;

WHEREAS, in response to the said advertisements, two (2) contractor/bidders submitted letter of intent and application for eligibility, and one (1) was found eligible on July 28, 2015;

WHEREAS, two (2) bidders was submitted on July 28, 2015 and bid passed the preliminary examination of bid;

Name of Bidder	Bid Amount
<i>Elkankonstrak Development Corporation</i>	<i>Php21,976,239.49</i>
<i>Joint Venture of DSB Construction and Supply, Inc., and Trisan Construction and Development</i>	<i>21,971,246.06</i>

WHEREAS, upon post-qualification or careful examination, validation and verification of all the eligibility, technical and financial requirements submitted by the bidder with lowest calculated bid, **Joint Venture of DSB Construction and Supply, Inc., and Trisan Construction and Development** its bid has been found responsive to not responsive for the reason that bidder **Joint Venture of DSB Construction and Supply, Inc., and Trisan Construction and Development** does not have submitted a *Special PCAB License as a joint venture to undertake the project contrary to the provision of R.A.4566;*

WHEREAS, upon post-qualification or careful examination, validation and verification of all the eligibility, technical and financial requirements submitted by the bidder with lowest calculated bid, **ELKANONSTRACK DEVELOPMENT CORPORATION** its bid proposal has been found to be responsive;

WHEREAS, the amount appropriated for the said project shall be taken from the 2015 Executive Budget;

WHEREAS, the **Approved Budget for the Contract (ABC)** for the project construction of **MCTI Building (Phase 1)** is **Php21,981,682.19;**

WHEREAS, the project was awarded to **ELKANKONSTRACK DEVELOPMENT CORPORATION** who being the responsive bidder for the project, *Construction of MCTI Building located at Southville, Barangay Poblacion, Muntinlupa City;*



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NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 7TH Sangguniang Panlungsod, to authorize the **City Mayor Hon. Atty. Jaime R. Fresnedi**, in behalf of the City Government of Muntinlupa to enter into a Construction Agreement with Elkankonstrak Development Corporation for the construction of MCTI Annex Building (Phase 1) located at Southville, Barangay Poblacion, Muntinlupa City in the amount of Twenty One Million Nine Hundred Seventy Six Thousand Two Hundred Thirty Nine Pesos and 49/100 (Php21,976,239.49) which amount shall be taken from the 2015 Executive Budget.

ADOPTED, by the 7th Sangguniang Panlungsod of Muntinlupa this 2nd day of November 2015, on its 102nd Regular Session.

CONCURRED:

DISTRICT I:

COUN. ATTY. PATRICIO L. BONCAYAO, JR.
 Member

COUN. BAL NIEFES
 Member

COUN. STEPHANIE G. TEVES
 Member

COUN. LOUISITO A. ARCIAGA
 Member

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
 Member

COUN. RINGO A. TEVES
 Member

COUN. ALEXANDER B. DIAZ
 Member

DISTRICT II:

COUN. MA. DIESIREE G. AREVALO
 Member

COUN. LUVI P. CONSTANTINO
 Member

COUN. ENGR. NEPTALI S. SANTIAGO
 Member

COUN. ELMER S. ESPELETA
 Member



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COUN. RAFAEL T. SEVILLA
Member


COUN. ROBERT A. ABAS
Member


COUN. VERGEL C. ULANDAY
Member



COUN. ROBERT P. BAES
Member

COUN. CELSO C. DIOKO
Sectoral Representative
President
Association of Barangay Captains

ABSENT:

COUN. ATTY. RAUL R. CORRO
Member

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.


CECILIA C. LAZARTE
Secretary

ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor

Date: NOV 09 2015

Norie 7th SP