



Republika ng Pilipinas
KAGAWARAN NG KATARUNGAN
Department of Justice
Manila

03 June 2010

DEPARTMENT CIRCULAR NO. 43

TO : Undersecretaries and Assistant Secretaries
All Heads of Bureaus, Commissions and Offices
under the Department
Chiefs of Service/Staff in the Office of the Secretary
All Concerned

Attached herewith is a copy of the Resolution dated 25 June 2009 of the Department of Justice – Bids and Awards Committee (DOJ-BAC) imposing the administrative penalty of suspension for a period of one (1) year commencing from the said date to participate in the public bidding of the Department to the following contractors, namely:

1. ITP Construction Inc.;
2. Jits Construction Corporation;
3. Atlantic Erectors; and
4. D.K. Jocson Construction

for their failure to secure the necessary bid documents that tend to defeat the purpose of competitive bidding and which is in violation of the provisions of Section 69.1.9 Rule XXIII of the Implementing Rules and Regulations of Republic Act No. 9184 otherwise known as the "Government Procurement Reform Act"

For information and guidance.


ALBERTO C. AGRA
Acting Secretary

Encl.: As stated.



**RESOLUTION SUSPENDING ITP CONSTRUCTION, INC., JITS
CONSTRUCTION CORP., ATLANTIC ERECTORS AND D. K. JOCSON
CONSTRUCTION FROM PARTICIPATING IN THE PUBLIC BIDDING OF
THE DEPARTMENT OF JUSTICE**

RESOLUTION

WHEREAS, on 16 May 2009 the Bids and Awards Committee (BAC) advertised its Invitation To Apply For Eligibility and To Bid in one (1) newspaper of general nationwide circulation and posted the same in the web site of (Philippine Government Electronic Procurement System) PhilGEPS, bulletin boards of the City of Manila and this Department for the following projects:

1. Construction of Hall of Justice building located at Gumaca, Quezon; and
2. Rehabilitation of the Hall of Justice building located at Iloilo City.

WHEREAS, in response to said Invitation To Apply For Eligibility and To Bid, 1) ITP Construction, Inc., 2) Jits Construction Corporation, 3) Atlantic Erectors, 4) J Bros Construction and 5) F. Guerra Construction, Inc. had signified their intention to bid and submitted their eligibility requirements;

WHEREAS, the Technical Working Group (TWG) of the Bids and Awards Committee (BAC), evaluated that said five (5) firms were eligible as prospective bidders;

WHEREAS, on 28 May 2009 the BAC through the TWG/BAC Secretariat announced that the bid documents are available from 29 May 2009 until 2:30 p.m. of 01 June 2009;

WHEREAS, after having been duly informed by the TWG/BAC Secretariat that they were considered as eligible; ITP Construction, Inc., Jits Construction Corporation and Atlantic Erectors failed to secure the necessary bid documents; while, J. Bros Construction and F. Guerra Construction, Inc. came late and therefore not allowed to secure the bid documents;

WHEREAS, D. K. Jocson Construction was post-disqualified for submitting a credit line and bid security issued by Land Bank, Cainta Branch, which are not honored by the said Bank under the letter dated 22 June 2009 of Ms. Patricia P. Punzalan, Branch Head;

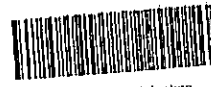
L. De Leon
LIZA B. DE LEON
Member

A. M. Yulo
ACHILLES M. YULO
Member

P. Rojas
PRECIOUS AUREA L. POJAS
Member

APPROVED, this _____ day of June 2009, in the City of Manila.

A. V. Devanadera
AGNES VST DEVANADERA
Acting Secretary



Department of Justice
ATD-09-0000627