



Republic of the Philippines
Department of Agriculture
AGRICULTURAL TRAINING INSTITUTE

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**AGRICULTURAL TRAINING INSTITUTE – CENTRAL OFFICE
BIDS AND AWARDS COMMITTEE**

**A RESOLUTION RECOMMENDING APPROVAL TO ADOPT NEGOTIATED PROCUREMENT - TWO
FAILED BIDDING AS THE ALTERNATIVE METHOD OF PROCUREMENT AND AWARD TO
RIELOU GENERAL MERCANDISE**

Section 53.1 and Annex "H" V, D-1 of the 2016 Revised IRR of RA 9184

BAC Resolution No. 15D-07-05, s. 2021

WHEREAS, as a general rule, all procurements shall be done through competitive bidding except whenever justified by the conditions in order to promote economy and efficiency, Agency may resort to any alternative method of procurement;

WHEREAS, the **Bid and Awards Committee Secretariat** prepared a Purchase Request with ITB No. **ITB-ATI-CO-2021-06** for the **Official Regular Common Supplies for CY 2021 for ATI Divisions and Admin and Finance Offices** with an Approved Budget for the Contract (ABC) of **Php 2,096,477.00**, in accordance with its PMP;

WHEREAS, relative to PR No./ITB No. **ITB-ATI-CO-2021-06**, the BAC conducted 2 public bidding activities (particularly the bid opening scheduled last May 26 and June 17, 2021) which resulted to failure of bidding since no bidder bought and submitted their bid;

WHEREAS, Article X, Section 35-a of Republic Act 9184 (Government Procurement Reform Act) states that, there shall be a failure of bidding if no bids are received;

WHEREAS, one of the functions of BAC is to recommend to the Head of Procuring Entity (HOPE) the mode of procurement to be undertaken to meet the actual conditions and to ensure that the same is most advantageous to the government;

WHEREAS, Section 48, Rule XVI: Alternative Methods of Procurement of the 2016 Revised Implementing Rules and Regulations (IRR) of R.A. 9184, otherwise known as the "Government Procurement Reform Act" provides that in order to promote economy and efficiency, the procuring entity may resort to any of the alternative methods of procurement provided that the most advantageous price for the government will be obtained;

WHEREAS, Section 53.1 of RA 9184 states that, a Negotiated Procurement resulted from Two Failed Biddings maybe undertaken when there has been a failure of competitive bidding or Limited Source Bidding for the second time;

WHEREAS, Annex "H" of the same IRR sets the conditions for the Negotiated Procurement - Two Failed Biddings enumerated as follows: i. No bids are received; ii. All prospective bidders are declared ineligible; iii. All bids fail to comply with all the bid requirements or fail post-qualification, or, in the case of consulting services, there is no successful negotiation; or iv. The bidder with the Lowest/Single Calculated Responsive Bid or Highest/Single Rated Responsive Bid refuses, without justifiable cause, to accept the award of contract, and no award is made in accordance with Section 40 of RA 9184 and its IRR;

WHEREAS, The BAC shall invite at least three (3) suppliers, contractors or consultants, including those disqualified in previous biddings for the project, for negotiations to ensure effective competition. This, notwithstanding, those who responded through any of the required postings shall be allowed to participate. Even if only one (1) bidder should respond to such invitation or posting, the BAC shall proceed with the negotiation subject to the rules prescribed hereunder;

Handwritten signatures and initials in blue ink.

WHEREAS, ATI-BAC shall validate the technical, legal and financial capability of the supplier/s by submission of relevant documents or through other means of exercising due diligence prior to the recommendation of award to the Head of Procuring Entity (HOPE).

NOW THEREFORE, in the consideration of the foregoing, We, the Members of the Bids and Awards Committee, hereby **RESOLVE AS IT HEREBY RESOLVED** to:

1. **Recommend Alternative Method of Procurement through Negotiated Procurement- Two Failed Biddings as provided in Sec. 53.1 and Annex H (Consolidated Guidelines for the Alternative Methods of Procurement) of the 2016 Revised IRR of RA 9184 for the above-cited goods; and**
2. **Recommend the approval and award by the ATI Director of this Resolution and Purchase Order/Contract to RIELOU GENERAL MERCANDISE amounting to Php 1,879,804.00.**

Let copies of this Resolution be posted at the ATI website, and other conspicuous place inside the premises of ATI.


Done this 19th day of JULY 2021 at Agricultural Training Institute Central Office, Elliptical Road, Diliman, Quezon City.

THE BIDS AND AWARDS COMMITTEE:


JOSEPHINE K. ABEN
 Member


RUMELIA G. DELA CRUZ
 Member


GAY RITCHEL GQ. DIANALA
 Member


LEONILA D. CAIZ
 Vice Chairperson


ANTONIETA J. ARCEO
 Chairperson

APPROVED BY:


ALFREDO S. ATON, MPS-DM
 Director IV