



Bids and Awards Committee

BAC RESOLUTION RECOMMENDING DIRECT CONTRACTING AS AN ALTERNATIVE MODE OF PROCUREMENT

BAC Resolution No. AMP-2024-11-1519

WHEREAS, Sec. 48, Rule XVI of the Revised IRR of RA 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 under Sec. 49, 50, 51, 52, 53 of the said IRR, provided that the most advantageous price for the government will be obtained.

WHEREAS, Sec. 50 provides that DIRECT CONTRACTING or single source procurement may be resorted to under any of the following conditions:


- Procurement of goods of proprietary nature which can be obtained only from the proprietary source, i.e. when patents, trade secrets, and copyrights prohibit others from manufacturing the same item;
- When the procurement of critical plant components from a specific supplier is a condition precedent to hold a contract to guarantee its project performance, in accordance with the provisions of its contract; or
- Those sold by an exclusive dealer or manufacturer which does not have sub-dealers selling at lower prices and for which no suitable substitute can be obtained at more advantageous terms to the GOP.

WHEREAS, upon review of the attached **Purchase Request No. 24-11-1701** submitted by the **City Legal Office (CLO)** indicating that the item/s is/are included in the current APP and PPMP, and the supplier's Certificate of Sole Distributorship, other documents as exclusive dealer or manufacturer/supplier's documents like patents, trade secrets and copyrights and the condition of sale to support the procurement, the BAC finds that the above conditions for Direct Contracting are satisfied.

WHEREAS, the City Budget Office has certified there is an existing budget for the foregoing purchase request under the General Fund 2024;

NOW, THEREFORE, in the light of the foregoing considerations, We, the members of the Bids and Award Committee, hereby **RESOLVE**, as it is hereby **RESOLVED** to recommend for approval by the Procurement Officer, **Alwin Nunez**, the foregoing recommendation for the use of alternative mode of procurement for the above-mentioned purchase request.

RESOLVED at the Office of the Bids and Awards Committee, Tabaco City Hall, Tabaco City, this 21st day of November 2024.


ENGR. DINDO E. BONGALOSA
BAC Member


REYNOLD P. MARTIREZ
BAC Member

(ON LEAVE)
SHERRY A. TRILLES
BAC Member


ARCH. FRANCO B. BITE
BAC Vice Chairman

Attested by:

ATTY. JOVITO BRON CODERIS, JR.
BAC Chairman

APPROVED:


ALWIN NUÑEZ
Procuring Officer

Date: November 22, 2024