



Republic of the Philippines  
Professional Regulation Commission  
Manila



**BIDS AND AWARDS COMMITTEE**

Resolution No. 2020 - 49

**RECOMMENDING TO THE CHAIRMAN OF THE PROFESSIONAL REGULATION COMMISSION, FOR HIS APPROVAL, THE REVISION OF THE ANNUAL PROCUREMENT PLAN, REFLECTING THE MODIFICATION OF FUND FROM THE INFORMATION AND COMMUNICATION TECHNOLOGY SERVICES SUBSCRIPTION EXPENSES – OTHER MOOE, PORTION ONLY AMOUNTING TO TWO HUNDRED THOUSAND PESOS (PHP200,000.00) FOR THE PROCUREMENT OF WEBSITE MAINTENANCE - SSL WEBSITE CERTIFICATE AND TO ADOPT NEGOTIATED PROCUREMENT: SMALL VALUE PROCUREMENT IN ACCORDANCE WITH SECTION 53.9 OF THE 2016 REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9184 AS THE METHOD FOR PROCUREMENT**

**WHEREAS**, funding for the Information and Communication Technology Service (ICTS) Subscription Expenses-Other MOOE is included in the Commission's Approved FY 2020 Annual Procurement Plan (APP) with Competitive Bidding as the mode for procurement.

**WHEREAS**, the Systems Development & Maintenance Division (SDMD) submitted a request for the modification of fund from the ICTS Subscription Expenses-Other MOOE, portion only amounting to Two Hundred Thousand Pesos (Php200,000.00) for the procurement of Website Maintenance-SSL Website Certificate, and to include and revise the APP in view of the approved Modification/Amendment of Project Procurement Management Plan (PPMP) provided herein (Annex "A").

**WHEREAS**, Section 48, of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184, states:

- 48.1. *Subject to the prior approval of the HoPE, and whenever justified by the conditions provided in this Act, the Procuring Entity may, in order to promote economy and efficiency, resort to any of the alternative methods of procurement provided in this Rule. In all stances, the Procuring Entity shall ensure that the most advantageous price for the Government is obtained.*
- 48.2. *In accordance with Section 10 of this IRR, as a general rule, the Procuring Entities shall adopt competitive bidding as the general method of procurement and shall see to it that the procurement program allows sufficient lead time for such competitive bidding. Alternative methods of procurement shall be resorted to only in highly exceptional cases provided for in this Rule.*
- 48.3. **The method of procurement to be used shall be as indicated in the approved APP.** *If the original method of procurement recommended in the APP was competitive bidding but cannot be ultimately pursued, the BAC, through a resolution, shall justify and recommend the change in the method of procurement to be approved by the HOPE. Such changes must be reflected in the APP to be submitted to the GPPB, pursuant to Section 7.4 of this IRR. (emphasis supplied)*

**WHEREAS**, Section 53, Negotiated Procurement, of the Implementing Rules and Regulations of R.A. No. 9184, otherwise known as the Government Procurement Reform Act, provides:

*“Section 53. Negotiated Procurement*

*Negotiated Procurement is a method of procurement of Goods, Infrastructure Projects and Consulting services, whereby the Procuring Entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or consultant in any of the following cases:*

xxx

**53.9. Small Value Procurement.** *Procurement of Goods, Infrastructure Projects and Consulting Services, where the amount involved does not exceed the threshold prescribed in Annex “H” of this IRR: Provided, That in case of Goods, the procurement does not fall under shopping in Section 52 of this IRR”*

xxx (emphasis supplied)

**WHEREFORE**, the **BIDS AND AWARDS COMMITTEE RESOLVES**, as it is hereby **RESOLVED**, to recommend to the Chairman of the Professional Regulation Commission, for his approval, the revision of the APP in view of the modification of fund from the ICTS Subscription Expenses-Other MOOE, portion only amounting to Two Hundred Thousand Pesos (Php200,000.00) for the procurement of Website Maintenance-SSL Website Certificate and to adopt Negotiated Procurement: Small Value Procurement in accordance with Section 53.9 of the 2016 Revised Implementing Rules and Regulations of R.A. No. 9184 as the method for procurement for procurement.

Done in the City of Manila, Philippines, this 22<sup>nd</sup> day of September 2020 .

**BIDS AND AWARDS COMMITTEE**



**ARISTOGERSON T. GESMUNDO**

BAC Chairman



**OMAIMAH E. GANDAMRA**

Vice-Chairman



**MARIA PINKY M. DE PANO**

Member



**KHEMLE JANE T. VISCA-MARTINO**

Member



**WILMA T. UNANA**

Member (Alternate)



**RICHARD M. ARANIEGO**

Provisional Member, IT Projects

**APPROVED:**



**TEOFILO S. PILANDO, JR.**

Chairman

