



Republic of the Philippines
Professional Regulation Commission
Manila



BIDS AND AWARDS COMMITTEE

Resolution No. 2021 - 07

RECOMMENDING TO THE CHAIRMAN OF THE PROFESSIONAL REGULATION COMMISSION, FOR HIS APPROVAL, THE MODIFICATION OF FUNDS FROM INTERNET SUBSCRIPTION FOR THE PROCUREMENT OF ICT SUPPLIES (DUPLO INK G14 AND MASTER ROLL DRG20) FOR THE BRAND NEW DUPLO MACHINES OF THE PRC NATIONAL CAPITAL REGION, WITH THE TOTAL AMOUNT OF NINE HUNDRED FIFTY THOUSAND EIGHT HUNDRED FIFTY PESOS (PHP950,850.00), AND TO ADOPT DIRECT CONTRACTING UNDER SECTION 50 OF THE 2016 REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9184 AS THE METHOD FOR PROCUREMENT

WHEREAS, the Commission's Approved Annual Procurement Plan (APP) for FY 2021 indicated Competitive Bidding as the method for procurement of Internet Subscription;

WHEREAS, the Professional Regulation Commission - National Capital Region (PRC-NCR) Office was provided with Two (2) brand new Duplo Machines for the used during conducts of licensure examinations for various professions;

WHEREAS, the supplies and consumables for the said brand new equipment was not originally programed in the Project Procurement Management Plan (PPMP) for FY 2021;

WHEREAS, a request for the revision of the APP was submitted to the Bids and Awards Commission (BAC) by the PRC-NCR Office in view of their approved Modification/Amendment of PPMP for the funding of corresponding supplies and consumables, amounting to Nine Hundred Fifty Thousand Eight Hundred Fifty Pesos (Php950,850.00);

WHEREAS, there is a need for the allocation of fund for the procurement of the necessary supplies and consumables for the said brand new Duplo equipment which is under exclusive distributorship of GAKKEN (PHILIPPINES) INC., to ensure continuous and orderly conduct of licensure examinations;

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

- 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 50 of the 2016 IRR of R.A. No. 9184, among others, allows direct contracting or single source procurement under the following conditions:

“(a) 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;

b) When the procurement of critical components from a specific supplier is a condition precedent to hold a contractor to guarantee its project performance, in accordance with the provisions of its contract; or

(c) 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. “

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 modification of Funds from Internet Subscription for the procurement of ICT Supplies (Duplo InkG14 and Master Roll DRG20) for the Brand New Duplo Machines of the Professional Regulation Commission-National Capital Region, with the total amount of Nine Hundred Fifty Thousand Eight Hundred Fifty Pesos (Php950,850.00), and to adopt Direct Contracting under Section 50 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 as the method for procurement.

Done in the City of Manila, Philippines, this June 09, 2021.

BIDS AND AWARDS COMMITTEE


ARISTOGERSON T. GESMUNDO

BAC Chairman


OMAIMAH E. GANDAMRA

Vice-Chairperson


WILMA T. UNANA

Member


CRISANTO L. DECENA

Member


CARLA ANGELINE B. UJANO

Member


TEODORO V. MENDOZA II
Provisional Member, Non-IT Projects

APPROVED:


TEOFILO S. PILANDO, JR.

Chairman

BAC RESOLUTION 2021

RECOMMENDING TO THE CHAIRMAN OF THE PROFESSIONAL REGULATION COMMISSION, FOR HIS APPROVAL, THE MODIFICATION OF FUNDS FROM INTERNET SUBSCRIPTION FOR THE PROCUREMENT OF ICT SUPPLIES (DUPLO INK G14 AND MASTER ROLL DRG20) FOR THE BRAND NEW DUPLO MACHINES OF THE PRC NATIONAL CAPITAL REGION, WITH THE TOTAL AMOUNT OF NINE HUNDRED FIFTY THOUSAND EIGHT HUNDRED FIFTY PESOS (PHP950,850.00), AND TO ADOPT SECTION 50, DIRECT CONTRACTING AS THE METHOD FOR PROCUREMENT