



30 April 2024

BAC RESOLUTION)
NO. 279 :
Series of 2024)

A RESOLUTION RECOMMENDING APPROVAL FOR ADOPTING ALTERNATIVE METHOD OF PROCUREMENT - DIRECT CONTRACTING AND AWARD

Section 50 and Annex "H" A of 2016 Revised IRR of RA 9184

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

WHEREAS, one of the functions of BAC is to recommend to the Head of Procuring Entity(H (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 58, Rule XVI Alternative Methods of Procurement of the 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 50 provides further that Direct Contracting or single source procurement is a method of procurement of goods that does not require elaborate Bidding Documents. The supplier is simply asked to submit a price quotation or a pro-forma invoice together with the condition of sale. Direct Contracting maybe resorted under any of the following conditions:

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

WHEREAS, the Agricultural Training Institute – 7 Center Director/Head of Procuring Entity had approved Purchase Request (P.R.) No. 2024-04-355 to procure Toners to be used for IEC Rice production and dissemination with an Approved Budget for the Contract (ABC) of Three Hundred Three Thousand Eight Hundred Pesos Only (**₱ 303,800.00**) in accordance to the End-user' Project Procurement Management Plan (PPMP);



BAC Resolution No. 2024- (279), page 3

WHEREAS, upon review of the cited P.R. No. 2024-04-355 indicating items that are included in the current APP and PPMP, and that the supplier's Certificate of Sole Distributorship and the condition of sale to support the procurement, the BAC finds that the above conditions of Direct Contracting are satisfied.

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 Direct Contracting as provided in Sec. 50 and Annex H (Consolidated Guidelines for the Alternative Methods of Procurement) of the 2016 Revised IRR of RA 9184; and
2. Recommend the approval and award by the ATI Center Director of this Resolution and Purchase Order/Contract to the Bonafede Supplier as indicated in the Request for Quotation as attached.

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

UNANIMOUSLY RESOLVED:

MERIGINE C. OTARA
BAC Member

IRENE L. BLASCO
BAC Member

DORIS ISABEL I. RACHO
BAC Member

RIZALDY E. MERCADAL, Ph.D., A.E.
BAC Vice Chairperson

MA. GRACIA SOLIVA-PUNGAY
BAC Chairperson

APPROVED this 30th day April 2024 at ATI- RTC 7, Cabawan District, Tagbilaran City, Bohol, Philippines.

APPROVED:

GRACIA F. ARADO, Ph.D.
Center Director