



Republic of the Philippines
Department of Agriculture
AGRICULTURAL TRAINING INSTITUTE

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1

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

**A RESOLUTION RECOMMENDING APPROVAL FOR ADOPTING AN ALTERNATIVE METHOD
OF PROCUREMENT – DIRECT CONTRACTING AND AWARD TO HYUNDAI ELEVATOR
SERVICES PHIL., INC.**

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

BAC Resolution No. AFV-12-02, s. 2022

WHEREAS, as a general rule, all procurement shall be done through competitive bidding except whenever justified by the conditions 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 (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 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 do 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 may be resorted under any of the following conditions:

- a) Procurement of Goods of proprietary nature which can be obtained only from a proprietary source, *i.e.* when patents, trade secrets, and copyrights prohibit others from manufacturing the same item;
- b) When procurement of critical components from the specific supplier 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 the 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, the Agricultural Training Institute Director had approved **Purchase Request (P.R.) No. ADMIN (GH) FUND 2022-10-169 replacement of defective control inverter at RDEC Service Elevator** with Approved Budget for the Contract (ABC) of **Three Hundred Sixty Thousand Pesos (Php 360,000.00)** in accordance to the End-users Project Procurement Management Plan (PPMP);

WHEREAS, upon review of the cited **P.R No. ADMIN (GH) FUND 2022-10-169** indicating item/s that is/are included in the current APP and PPMP, and the supplier's Certificate of Sole Distributorship/ other documents as the exclusive dealer of manufacturer/supplier documents like patents, trade secrets, and copyrights 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**:

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 OIC-Director IV of this Resolution and Purchase Order/Contract to **HYUNDAI ELEVATOR SERVICES PHIL., INC.** amounting to **Three Hundred Sixty Thousand Pesos(Php 360,000.0).***

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

Done this 13th day of DEC 2022 at Agricultural Training Institute Bldg. Elliptical Road, Diliman, Quezon City.

THE BIDS AND AWARDS COMMITTEE:


JOVANEE S. DELA CUADRA
Member


GAY RITCHEL GQ. DIANALA
Member


YOVINA-CLAIRE A. PAUG
Member


LEONILA D. CAIZ
Vice Chairperson


EDITHA S. VINUYA
Chairperson

APPROVED BY:


REMELYN R. RECOTER, MNSA, CESO III
OIC-Director IV