



BIDS AND AWARDS COMMITTEE
Procurement of Goods and Consultancy Services (BAC-PGCS)
Resolution No. 023-2023
Series of 2023

**RESOLUTION CHANGING THE MODE OF PROCUREMENT FROM
COMPETITIVE BIDDING TO NEGOTIATED PROCUREMENT
(TWO FAILED BIDDING)
BAC-PGCS-054-2023**

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Procurement of Pest Control Services for PPA Head Office, Motorpool, PPATI, GAD Center and Records Storage Facility, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila, first on 12 December 2022 and second on 17 March 2023, continuously for seven (7) calendar days;

WHEREAS, during the first and second Opening of Bids held on 10 January 2023 and 13 April 2023, respectively, only Pest Away Corporation secured the Bid Documents and submitted its Technical and Financial Proposals;

WHEREAS, the biddings held on 10 January 2023 and 13 April 2023, were both declared a failure pursuant to Section 35.1 (b) of the 2016 Revised IRR of R.A. 9184, which provides that:

“35.1 The BAC shall declare the bidding a failure when:

xxx xxx xxx

b) All prospective bidders are declared ineligible;

xxx xxx xxx.”

WHEREAS, the BAC-PGCS, on 11 January 2023 and 14 April 2023, issued BAC-PGCS Resolution Nos. 001 and 019 Series of 2023, respectively, declaring failure of bidding for the Procurement of Pest Control Services for PPA Head Office, Motorpool, PPATI, GAD Center and Records Storage Facility;

WHEREAS, Section 53.1 of the 2016 Revised IRR of R.A. 9184 states that, Negotiated Procurement (Two Failed Biddings) may be resorted to “where there has been failure of competitive bidding or Limited Source Bidding for the second time xxx”;

WHEREAS, considering that the method of procurement indicated in the Annual Procurement Plan (APP) for the Procurement of Pest Control Services for PPA Head Office, Motorpool, PPATI, GAD Center and Records Storage Facility was competitive bidding, the BAC-PGCS hereby recommends for the change in the method of procurement to Negotiated Procurement (Two Failed Biddings), considering that there has been failure of competitive bidding for the second time;

NOW, THEREFORE, for and in consideration of the foregoing premises, the BAC hereby RESOLVE as it is hereby RESOLVED to recommend the following:

1. To change the method of procurement for the Procurement of Pest Control Services for PPA Head Office, Motorpool, PPATI, GAD Center and Records Storage Facility, from competitive bidding as indicated in the APP, to Negotiated Procurement (Two Failed Biddings), for approval of the Head of the Procuring Entity (HOPE).
2. To directly negotiate with a technically, legally and financially capable supplier pursuant to Section V (D) of Annex "H" Consolidated Guidelines for the Alternative Methods of Procurement of the 2016 Revised IRR of R.A 9184.
3. To reflect in the APP such changes in the mode of procurement to be submitted to the GPPB, pursuant to Section 7.4 of the 2016 Revised IRR of R.A 9184.

APPROVED AND ADOPTED by the BAC on 27 April 2023.



DANAH S. JARAMILLO
Regular Member



JOSEPHINE M. NAPIERE
Regular Member



DIANE STEFFI T. GUILLAMON
Regular Member



ERIC E. DIMACULANGAN
Provisional Member



ANGELINA A. LLOSE
Vice-Chairperson

MARK JON S. PALOMAR
Chairperson, BAC

PAC

PHILIPPINE
PORTS
AUTHORITY



04 May 2023

MEMORANDUM

FOR : The General Manager

FROM : The Vice-Chairperson, HO-BAC-PGCS

SUBJECT : **BAC-PGCS RESOLUTION NO. 023-2023 SERIES OF 2023
CHANGING THE MODE OF PROCUREMENT FROM
COMPETITIVE BIDDING TO NEGOTIATED PROCUREMENT**

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With reference to the Opening of Bids for the Procurement of Pest Control Services for PPA Head Office, Motorpool, PPATI, GAD Center and Records Storage Facility, where there has been failure of competitive bidding for the second time on 13 April 2023, the BAC recommended to resort to Negotiated Procurement (Two Failed Biddings), pursuant to Section 53 of the 2016 Revised IRR of RA 9184. As such, the BAC, through Resolution No. 023-2023 Series of 2023 recommended for the change in the method of procurement from competitive bidding as indicated in the APP to Negotiated Procurement (Two Failed Biddings), for approval of the Head of the Procuring entity. Such changes must be reflected in the APP to be submitted to the GPPB.

In view thereof, we are submitting herewith BAC resolution No. 023-2023 Series of 2023, changing the mode of procurement from competitive bidding to Negotiated Procurement for the Procurement of Pest Control Services for PPA Head Office, Motorpool, PPATI, GAD Center and Records Storage Facility, for consideration and approval of the General Manager as Head of the Procuring Entity, pursuant to Section 24.5.4 of the Revised IRR of R.A. 9184.

Wallace

ANGELINA A. LLOSE

APPROVED/DISAPPROVED:

[Handwritten signature of Jay Daniel R. Santiago]

JAY DANIEL R. SANTIAGO
General Manager

023-2023-1029