

Department of Budget and Management
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

NPM No. 169-2012

28 December 2012

MR. RUFINO E. MENGOTE

*Assistant Regional Director for Finance and Administrative Services
Chairman, Bids and Awards Committee (BAC)*

DEPARTMENT OF SCIENCE AND TECHNOLOGY (DOST)
Regional Office No. VIII

Re: Issuance of BAC Resolution

Dear Assistant Director Mengote:

We respond to your letter dated 15 October 2012, seeking clarification whether the BAC is required to issue a resolution recommending to the Head of the Procuring Entity (HOPE) resort to alternative mode of procurement such as Shopping under Section 52 and Small Value Procurement (SVP) under Section 53.9 of the revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184.

Please note that one of the functions of the BAC as provided in Section 12.1 of the IRR of RA 9184 is to recommend to the HOPE the use of Alternative Methods of Procurement. As a collegial body, this is exercised by the issuance of a Resolution to that effect.

Accordingly, we wish to clarify that the BAC is required to issue a Resolution recommending to the HOPE resort to Alternative Methods of Procurement such as Shopping under Section 52 and Negotiated Procurement under Section 53.9 of the IRR of RA 9184; and these procurement modalities should be reflected in the Annual Procurement Plan vis-à-vis particular Project Procurement Management Plan for approval of the hope.

We hope that our advice provided sufficient guidance on the matter. Please note that this opinion is being rendered on the basis of the facts and particular situation presented, and may not be applicable given a different set of facts and circumstances. Should you have additional questions, please do not hesitate to contact us.

Very truly yours,


DENNIS S. SANTIAGO
Executive Director III

//LSD3 *MS*