



Republic of the Philippines
PROVINCIAL GOVERNMENT OF ORIENTAL MINDORO
Provincial Capitol Complex, Calapan 5200, Oriental Mindoro

BIDS AND AWARDS COMMITTEE

BAC Resolution No. 01, Series of 2019

RESOLUTION ADOPTING THE ALTERNATIVE METHOD THE NEGOTIATED PROCUREMENT AS THE MODE OF PROCUREMENT FOR EMERGENCY CASES OF THE PROVINCIAL GOVERNMENT OF ORIENTAL MINDORO (PGOM)

WHEREAS, under Section 2 of Republic Act No. 9184, otherwise known as "Government Procurement Reform Act," as amended, it is the policy of the State to promote the ideals of good governance in all its branches, departments, agencies, subdivisions and instrumentalities, including government owned and controlled corporation and the local government units;

WHEREAS, Section 53 of the 2016 Revised Implementing Rules and Regulations of RA 9184 defines Negotiated Procurement as a method of procurement of Goods, Infrastructure Projects and Consulting services whereby the procuring entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or consultant;

WHEREAS, in the past, the Province of Oriental Mindoro has experienced extreme disasters, catastrophes and emergencies, both natural and man-made, which devastated the province, affected the lives of its people and caused damage to public services, infrastructure facilities and other public utilities;

WHEREAS, pursuant to Section 53(2) of Republic Act No. 9184 and its Implementing Rules and Regulations, procurement of Goods, Infrastructure Projects and Consulting services under the alternative mode of Negotiated Procurement (Emergency Cases) allowed in any of the following circumstances:

1. In case of imminent danger to life or property during a state of calamity;
2. When time is of the essence arising from natural or man-made calamities; or
3. Other causes where immediate action is necessary:
 - a. To prevent damage to or loss of life or property;
 - b. To restore vital public services, infrastructure facilities and other public utilities.

WHEREAS, the aforesaid provision of Republic Act No. 9184 on Negotiated Procurement is subject to the conditions, requirements and procedure outlined in Annex "H" (V)(D)(2) of the 2016 Revised Implementing Rules and Regulations of RA 9184;

WHEREAS, on 03 December 2019, Typhoon Tisoy mercilessly barrelled the province and left millions of pesos in damages and losses in the different sectors of the province;

WHEREAS, during the emergency meeting of the Bids and Awards Committee (BAC) held on **December 05, 2019**, its Members have discussed and agreed to adopt the alternative method of Negotiated Procurement in emergency cases and circumstances;