



PAO BIDS AND AWARDS COMMITTEE (PBAC)

EXCERPTS FROM THE MINUTES OF THE MEETING OF THE PAO BIDS AND AWARDS COMMITTEE (PBAC) DATED 07 AUGUST 2018 RE: PROCUREMENT OF THE BOND PAPER SUPPLY OF THE PUBLIC ATTORNEYS OFFICE.

RESOLUTION

DECLARING A SECOND (2nd) FAILURE OF BIDDING IN THE PROCUREMENT OF THE BOND PAPER SUPPLY FOR 2018 OF THE PUBLIC ATTORNEY'S OFFICE AND TO UNDERTAKE NEGOTIATED PROCUREMENT UNDER SECTION 53.1 IN RELATION TO ANNEX "H," NO. V, SUBSECTION (D)1-(a-b) OF THE REVISED IMPLEMENTING RULES AND REGULATIONS (IRR) OF REPUBLIC ACT NO. (RA) 9184.

WHEREAS, The PUBLIC ATTORNEY'S OFFICE (PAO), through the General Appropriations Act (GAA) 2018¹ intends to apply the sum of Seven Million, Six hundred seventy-five thousand, three hundred twenty-eight pesos (Php 7,675,328.00) being the Approved Budget for the Contract (ABC) to payments under the contract for the procurement of Bond Papers, for a minimum of 36,400 reams for 80 gsm size: 216mm x 330mm (Long), and 13,200 reams for 80 gsm size: 210mm x 297mm (A4), at a maximum total cost of Seven Million, Six hundred seventy-five thousand, three hundred twenty-eight pesos (Php 7,675,328.00).

WHEREAS, PAO posted a second invitation to bid under PhilGEPS Reference No. 5490608 on 16 July 2018 and published in Manila Times² on 16 July 2018, but no bids were received until today's scheduled opening of bids;

WHEREAS, Section 35.1 (a) of the Revised IRR of R.A. 9184 provides that the BAC shall declare the bidding a failure when no bids are received;

WHEREAS, Section 35.5 of the same Act provides that after a second failure of bidding, the Procuring Entity may resort to negotiated procurement, as provided for in Section 53.1 of the same IRR;

WHEREAS, considering the foregoing, BAC Member Atty. Demiteer Huerta moved to declare a second failure of bidding and to resort to negotiated procurement in the purchase of the subject bond paper supply, thereafter BAC Member Atty. Mariel Baja moved to second the motion;

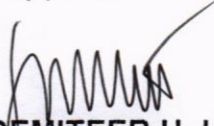
¹ In the case of National Government Agencies, the General Appropriations Act and/or continuing appropriations; in the case of GOCCs, GFIs, and SUCs, the Corporate Budget for the contract approved by the governing Boards; in the case of (LGUs, the Budget for the contract approved by the respective Sanggunian. (Section 5(a), R.A. 9184)


² Manila Times, Page E1, 16 July 2018.

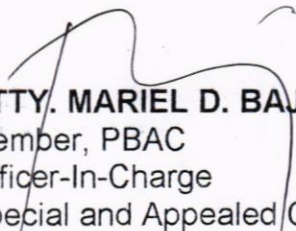
WHEREAS, in compliance with the procedures set forth in Annex "H" No. V Subsection (D)1-b of the IRR of RA 9184, this committee, after discussing and conducting a mandatory review of the terms, conditions, specifications, and cost estimates of the second bidding, adopts the same terms and references in its decision to undertake negotiated procurement as the method in the procurement of the subject bond paper supply of PAO;

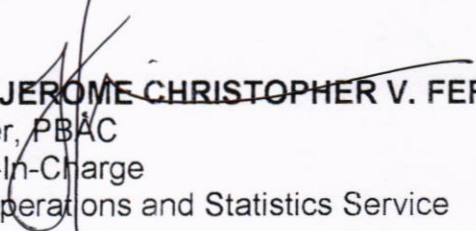
NOW THEREFORE, WE, the Members of the PAO Bids and Awards Committee (PBAC), by virtue of the powers vested on Us by Law, after duly considering the recommendations of the Technical Working Group (TWG), and all members here present, including The Secretariat, **hereby resolve to DECLARE A SECOND (2nd) FAILURE OF BIDDING IN THE PROCUREMENT OF THE 2018 BOND PAPER SUPPLY OF THE PAO AND TO UNDERTAKE A NEGOTIATED PROCUREMENT UNDER SECTION 53.1 IN RELATION TO ANNEX "H," NO. V, SUBSECTION (D)1-(a-b) OF THE REVISED IMPLEMENTING RULES AND REGULATIONS (IRR) OF REPUBLIC ACT NO. (RA) 9184.**

APPROVED this 7th day of August 2018 at the Field Operations and Statistics Services (FOSS), Public Attorney's Office (PAO) Central Office, 4th Floor DOJ Agencies Building, NIA Road corner East Avenue, Diliman, (1104) Quezon City, Philippines.

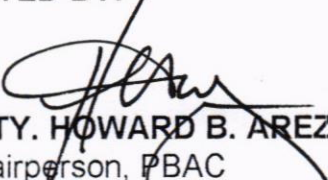

ATTY. DEMITEER U. HUERTA
Member, PBAC
Officer-In-Charge
Administrative Service


ATTY. REVELYN V. RAMOS-DACPANO
Member, PBAC
Regional Public Attorney
PAO-MIMAROPA Region, and concurrent
Head Executive Assistant of Executive
Support Staff


ATTY. MARIEL D. BAJA
Member, PBAC
Officer-In-Charge
Special and Appealed Cases Service


ATTY. JEROME CHRISTOPHER V. FERIA
Member, PBAC
Officer-In-Charge
Field Operations and Statistics Service

NOTED BY:


ATTY. HOWARD B. AREZA
Chairperson, PBAC
Regional Public Attorney
PAO-CALABARZON Region

(COMMINAR SIGNED)
ATTY. MARLON E. BUAN
Regional Public Attorney
Vice-Chairperson, PBAC
PAO-NCR and concurrent
District Public Attorney
Manila District Office