

Republic of the Philippines
OFFICE OF THE SOLICITOR GENERAL
134 Amorsolo St., Legaspi Village
Makati City
Tel Nos. 818-6301 to 09
Fax. No. 817-9843

OSG BIDS AND AWARDS COMMITTEE

Resolution No. 2018-001

Declaring Failure of Bidding and Recommending to Resort to Negotiated Procurement Method for the Supply and Delivery of Toners (with Free Use of Printers)

Whereas, on 07 November 2017, the Director of the Financial Management Services of the Office of the Solicitor General (OSG) issued a Certification of Availability of Funds (CAF) in the amount of One Million Five Hundred Eighty Five Thousand Two Hundred Pesos (Php1,585,200.00) to cover the Contract for the Procurement of Supply and Delivery of Toners;¹

Whereas, indorsed to the Bids and Awards Committee (BAC) is the approved Purchase Request (PR) No. 017-11-368 for the Supply and Delivery of Toners (with Free Use of Printers) amounting to **One Million Five Hundred Eighty Five Thousand Two Hundred Pesos (Php1,585,200.00)**;²

Whereas, the first bidding for the said procurement conducted on 06 December 2017, resulted into a failed bid since no bids were received during the Submission and Opening of Bids;³

Whereas, with the resultant failed bid, the BAC issued BAC Resolution No. 2017-086, declaring the failure of bidding and recommended a second bidding thereof, which recommendation was approved by the Solicitor General;⁴

Whereas, the second bidding for the said procurement, conducted on 04 January 2018, resulted into another failed bid since no bids were received/submitted during the Submission and Opening of Bids;⁵

Whereas, under Section 53 of the 2016 Revised IRR of R.A. No. 9184,

¹ Annex "A"

² Annex "B"

³ Annex "C"

⁴ Annex "D"

⁵ Annex "E"

the "Negotiated Procurement" method may be adopted under the following grounds:

Sec. 53. Negotiated Procurement.

Negotiated Procurement is 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 in any of the following cases:

53.1 Two Failed Biddings. Where there has been failure of competitive bidding or Limited Source Bidding for the second time as provided in Section 35 of the Act and this IRR.

xxx...xxx...xxx

NOW, THEREFORE, be it resolved, as it is hereby resolved by the BAC to declare a **Failure of Bidding** for the Supply and Delivery of Toners (with Free Use of Printers).

RESOLVED FURTHER, the BAC recommend for the appropriate consideration of the Solicitor General the resort to **Negotiated Procurement** for the Supply and Delivery of Toners (with Free Use of Printers).

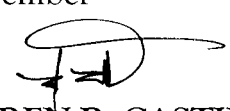
Makati City, January 09, 2018.


ASG JOHN EMMANUEL E. MADAMBA
Chairperson


SSS NOEL CEZAR T. SEGOVIA
Vice-Chairperson


SSI LAWRENCE MARTIN A. ALBAR
Member


ASII ALANNA GAYLE ASHLEY B. KHIO
Member


SS EARL WARREN B. CASTILLO
Alternate Member