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1.0 PURPOSE

The Bids and Awards Committee (BAC) and the BAC Secretariat is in-charge of ensuring that the procurement of goods, infrastructure and consulting services is in accordance with the implementation of government purchasing laws, rules and regulations as provided under Republic Act No. 9184 (“Government Procurement Reform Law”).


2.0 SCOPE

The BAC and the BAC Secretariat is involved in the procurement of goods, infrastructure projects and consulting services, regardless of source of funds, whether local or foreign. The Secretariat acts as the main support unit of the Bids and Awards Committee and shall provide administrative support to the BAC and the TWG, if necessary. This Manual defines the actions and responsibilities of the Secretariat upon receipt of necessary documents from the Procurement Office in processing all requests for purchase. This covers activities from receiving the Approved Budget for Contract of procurement projects with the amount of Php 1,000,000.00 and above to serving of Notice to Proceed of the winning bidder. However, all procurement projects are still for approval of the Bids and Awards Committee (BAC) and the Head of the Procuring Entity (HoPE). The Secretariat shall also manage and undertake procurements using the following alternative methods - Repeat order and shopping - upon prior resolution of the BAC and approval by the Head of the Procuring Entity.

This Manual does not cover the procurement of goods and services that will fall under Small Value Procurement and Shopping, as this shall be covered by the Procurement Office.


3.0 DEFINITION OF TERMS

- 3.1 Approved Budget for the Contract (ABC) - Refers to the budget for the contract duly approved by the HoPE, as provided for in the General Appropriations Act (GAA), continuing, and automatic appropriations, in the case of national government agencies (NGAs).
- 3.2 Bids and Awards Committee (BAC) – Refers to the Committee established by the Procuring Entity in accordance with Rule V of the Revised Implementing Rules and Regulations of RA 9184. The BAC shall have the following functions: (a) advertise and/or post the invitation to bid/request for expressions of interest; (b) conduct pre-procurement and pre-bid conferences; (c) determine the eligibility of prospective bidders; (d) receive and open bids; (e) conduct the evaluation of bids; (f) undertake post-qualification proceedings; (g)


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resolve requests for reconsideration; (h) recommend award of contracts to the HoPE or his duly authorized representative: (i) recommend the imposition of sanctions in accordance with Rule XXIII; (j) recommend to the HoPE the use of Alternative Methods of Procurement as provided in Rule XVI hereof; k) conduct any of the Alternative Methods of Procurement; l) conduct periodic assessment of the procurement processes and procedures to streamline procurement activities pursuant to Section 3(c) of this IRR; and m) perform such other related functions as may be necessary, including the creation of a Technical Working Group (TWG) from a pool of technical, financial, and/or legal experts to assist in various 1.) Review of the Technical Specifications, Scope of Work, and Terms of Reference; 2.) Review of Bidding Documents; 3.) Shortlisting of Consultants; 4.) Eligibility Screening; 5.) Evaluation of Bids; 6.) Post-Qualification; and 7.) Resolution of Request for Reconsideration. To the extent possible, the BAC in central offices shall render necessary assistance to its regional or lower office BACs to facilitate the conduct of procurement from pre-procurement conference to the post-qualification stage.

- 3.3 Common-Use Supplies and Equipment (CSE) - Refer to those goods, materials and equipment that are used in the day-to-day operations of Procuring Entities in the performance of their functions. For the purpose of this IRR, CSE shall be those included in the Electronic Catalogue of the PhilGEPS.
- 3.4 Competitive Bidding - Refers to a method of procurement which is open to participation by any interested party and which consists of the following processes: advertisement, pre-bid conference, eligibility screening of prospective bidders, receipt and opening of bids, evaluation of bids, post-qualification, and award of contract. For purposes of, and throughout this IRR, the terms "Competitive Bidding" and "Public Bidding" shall have the same meaning and shall be used interchangeably.
- 3.5 Goods - Refer to all items, supplies, materials and general support services, except Consulting Services and infrastructure projects, which may be needed in the transaction of public businesses or in the pursuit of any government undertaking, project or activity, whether in the nature of equipment, furniture, stationery, materials for construction, or personal property of any kind, including non-personal or contractual services, such as, the repair and maintenance of equipment and furniture, as well as trucking, hauling, janitorial, security, and related or analogous services, as well as procurement of materials and supplies provided by the Procuring Entity for such services. The term "related" or "analogous services" shall include, but is not limited to, lease of office space, media advertisements, health maintenance services, and other services essential to the operation of the Procuring Entity.

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- 3.6 Head of the Procuring Entity (HoPE) -Refers to: (i) the head of the agency or body, or his duly authorized official, for NGAs and the constitutional commissions or offices, and other branches of government; (ii) the governing board or its duly authorized official, for GOCCs, GFIs and SUCs; or (iii) the local chief executive, for LGUs: Provided, however, That in an agency, department, or office where the procurement is decentralized, the head of each decentralized unit shall be considered as the HoPE, subject to the limitations and authority delegated by the head of the agency, department, or office.
- 3.7 Philippine Government Electronic Procurement System (PhilGEPS) - Refers to the electronic System as provided in Section 8 of this IRR. For purposes of, and throughout this IRR, the term “PhilGEPS” shall have the same meaning as, and shall be used interchangeably with, “G-EPS” referred to in the Act.
- 3.8 Procurement - Refers to the acquisition of goods, consulting services, and the contracting for infrastructure projects by the Procuring Entity. In case of projects involving mixed procurements, the nature of the procurement, i.e., Goods, Infrastructure Projects or Consulting Services, shall be determined based on the primary purpose of the contract. Procurement shall also include the lease of goods and real estate. With respect to real property, its procurement shall be governed by the provisions of R.A. 10752 and other applicable laws, rules and regulations.
- 3.9 Procuring Entity - Refers to any branch, constitutional commission or office, agency, department, bureau, office, or instrumentality of the GoP (NGA), including GOCC, GFI, SUC and LGU procuring goods, infrastructure projects and consulting services.
- 3.10 Republic Act No. 9184 – Known as the “Government Procurement Reform Act”, which is an Act providing for the modernization, standardization and regulation of the procurement activities of the government and for other purposes.
- 3.11 Request for Quotation (RFQ) – For Alternative Mode of Procurement, refers to the document that indicates the item to be purchased and other information related to the procurement activity to be posted in the Philippine Government Electronic Procurement System (PhilGEPS) website, the website of the Procuring Entity concerned, if available, and at any conspicuous place reserved for this purpose in the premises of the Procuring Entity for a period of at least three (3) calendar days.
- 3.12 Abstract of Canvass (AOC) – Refers to the tabulation of the prices quoted by suppliers for items to be purchased.

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3.13 Purchase Order (PO) – Refers to the accomplished by the Canvasser addressed to the supplier, listing all the items to be purchased and to be approved by the Executive Director.

4.0 REFERENCE DOCUMENTS

- 4.1 Republic Act No. 9184 (Government Procurement Reform Act) and its Revised Implementing Rules and Regulations effective as of October 28, 2016
- 4.2 Resolutions Issued by the GPPB
- 4.3 Guidelines, Circulars and Opinion from the Government Procurement Policy Board (GPPB)
- 4.4 Philippine Bidding Forms
- 4.5 Government Procurement Manual

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5.0 PROCESS FLOW

| RESPONSIBLE | FLOW CHART | REFERENCE |
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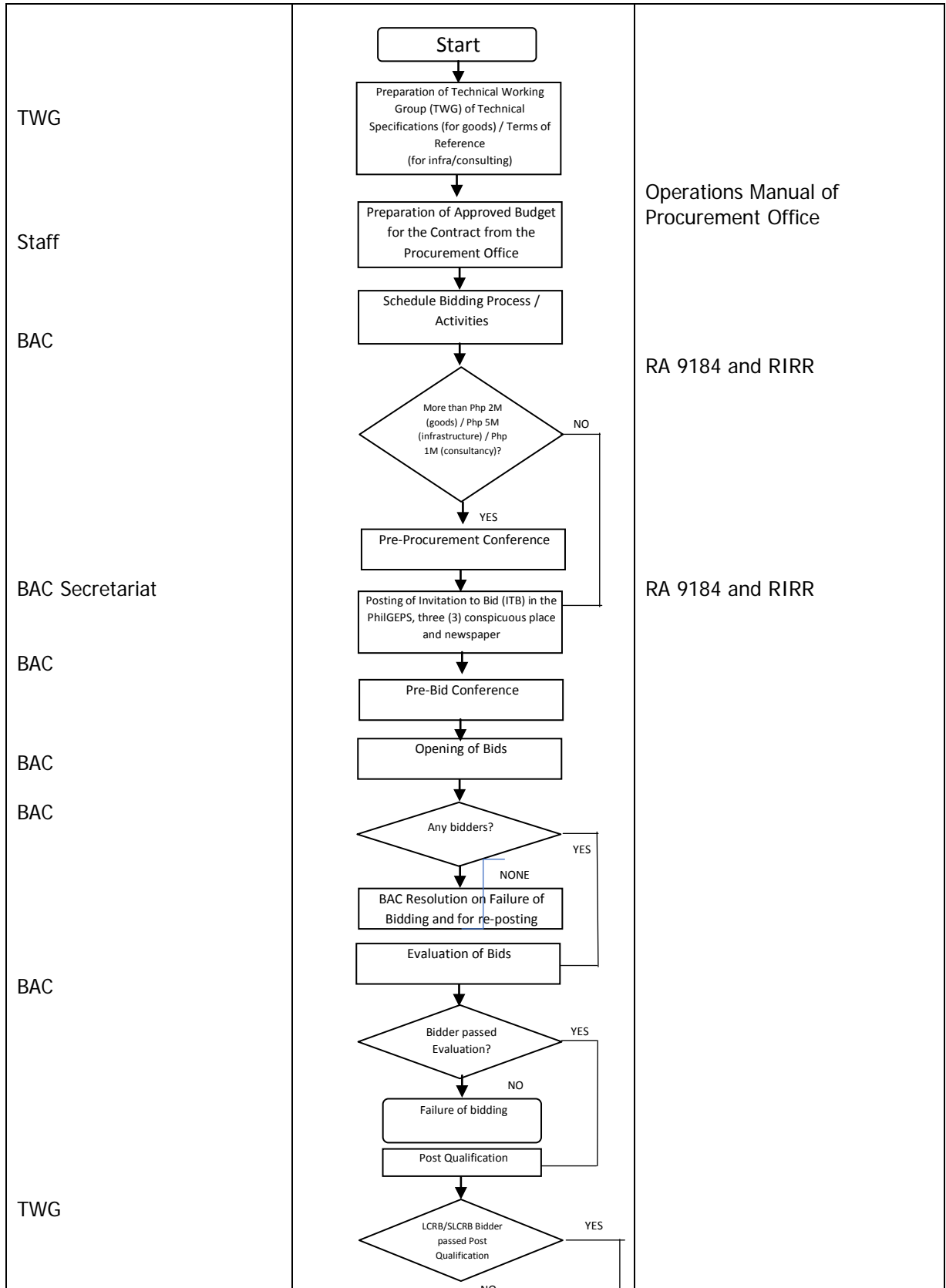
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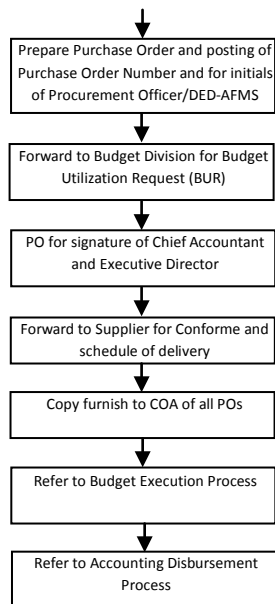
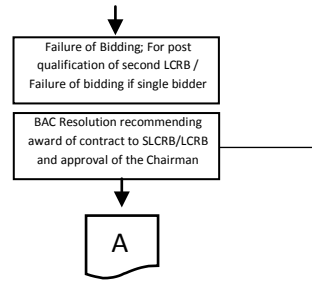
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| RESPONSIBLE | FLOW CHART | REFERENCE |
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| BAC Secretariat and HOPE |  <pre> graph TD A[A] --> B[Issuance of Notice of Award] B --> C["Contract Preparation (Refer to Legal Affairs Office) to be signed of the supplier"] C --> D[Issuance of Notice to Proceed] D --> E[Signing of Contract] E --> F[Refer to Budget Execution Process] F --> G[Refer to Accounting Disbursement Process] </pre> | RA 9184 and IRR |

6.0 PROCEDURE

Under the Republic Act No. 9184, all procurement of goods, infrastructure and consulting service should be done through a competitive and transparent process, and therefore shall go through public bidding, unless otherwise stated in the IRR.

The End-User must have an approved Purchase Request for all goods and services to be purchased or to be bided out. Purchases above Php 1,000,000.00 shall undergo competitive public bidding as stated in RA 9184 and shall be forwarded to the BAC Secretariat for preparation of Technical Specifications (for goods)/Terms of Reference (for infrastructure and consulting). The BAC shall then prepare the Invitation to Bid, stating the schedule of the procurement activities for the project. Said purchases should be indicated in the Annual Procurement Plan of the Agency submitted to the GPPB. For purchases above Php 2,000,000.00 (for goods) / Php 5,000,000.00 (for infrastructure) / Php 1,000,000.00 (for consultancy), a pre-procurement conference shall be held prior to posting of Invitation to Bid (ITB) in the PhilGEPS, a major newspaper and three (3) conspicuous places. In accordance with the schedule stated in the Revised IRR of RA 9184, a Pre-Bid Conference shall be held after posting the ITB to discuss the requirements and technical specifications of

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the project to prospective bidders and observers. After the prescribe period, the Opening and Evaluation of Bids shall be held in order to evaluate all bids submitted. Should there be no qualified bidder, the BAC shall declare a failure of bidding for the project and shall be subject for review and reposting.

For projects with qualified bidder, the Single/Lowest Calculated and Responsive Bid shall be subjected to Post-Qualification by the Technical Working Group. If the bid is declared as non-responsive, the second lowest calculated and responsive bid shall be subject to post-qualification. If there are no bidders who passed the post-qualification, the BAC shall declare a failure of bidding and shall be subject for review and second posting.

If bid is responsive, the BAC shall issue a BAC resolution recommending the award of contract to the SLCRB/LCRB and shall be subject for approval of the Head of Procuring Entity. The BAC Secretariat shall prepare the Notice of Award, for signature of the HoPE and for signature of the authorized representative of the winning bidder. The Contract shall be prepared by the Legal Affairs Office. The Notice to Proceed shall be served to the supplier for signature of the HoPE and for signature of the authorized representative of the winning bidder. Copies of the Notice of Award, Contract and Notice to Proceed shall be forwarded to the Budget Division and Accounting Division to facilitate preparation of voucher.

7.0 FORMS ATTACHED

- 7.1 Purchase Request
- 7.2 Approved Budget for Contract (ABC)
- 7.3 Invitation to Bid
- 7.4 Bidding Documents
- 7.5 Abstract of Bids
- 7.6 BAC Resolution
- 7.7 Notice of Award
- 7.8 Contract
- 7.9 Notice to Proceed