

BIDS AND AWARDS COMMITTEE

"BAC RESOLUTION NO. 2022-852"

RECOMMENDING THE USE OF DIRECT CONTRACTING AS MODE OF PROCUREMENT FOR THE PURCHASE OF RFID LOAD AS REQUESTED BY THE COLEGIO NG LUNGSOD NG BATANGAS

WHEREAS, the Batangas City Government intends to procure RFID Load with an Obligated Purchase Request No. 200-2022-12-000655 charged under General Fund dated December 13, 2022 with an Approved Budget for the Contract (ABC) amounting to Thirty Thousand Pesos (Php30,000.00) for use of various service vehicles assigned at Colegio ng Lungsod ng Batangas;

WHEREAS, Section 48, Rule XVI Alternative Methods of Procurement of the Revised Implementing Rules and Regulations (IRR) of RA 9184, otherwise known as the "Government Procurement Reform Act" provides that in order to promote economy and efficiency, the procuring entity may resort to any of the alternative methods of procurement which are Limited Source Bidding, **Direct Contracting**, Repeat Order, Shopping and Negotiated Procurement, provided that the most advantageous price for the government will be obtained;

WHEREAS, the Bids and Awards Committee is authorized to resort to Alternative Mode of Procurement in accordance with the provisions of RA 9184, under Section 50 (Direct Contracting) as per approved authority;

WHEREAS, Section 50 provides further that Direct Contracting may be resorted under the following conditions: a.) procurement of goods of proprietary nature which can be obtained only from the proprietary source, b.) when the procurement of critical components from a specific supplier is a condition to hold a contractor to guarantee its project, in accordance with the provisions of its contract, and, c.) **those sold by an exclusive dealer or manufacturer which does not have sub-dealers setting at lower prices and for which no suitable substitute can be obtained at more advantageous terms;**

WHEREAS, it appearing that the price offered by **SMC SKYWAY CORPORATION (formerly Citra Metro Manila Tollways Corporation)** with business address located at 11th/F San Miguel Properties Center, St. Francis Ortigas Center, Wack Wack, Greenhills, Mandaluyong City was found to be reasonable and advantageous to the City Government, if accepted;

WHEREAS, there are no other dealer/sub-dealer in the locality offering the same at a much lower price than that being offered by the above-named supplier, hence, the Mode of Procurement used is thru Direct Contracting;

WHEREAS, upon review of the attached Approved Purchase Request, it appearing that the said procurement is included in the Annual Investment Plan and Annual Procurement Plan of the Colegio ng Lungsod ng Batangas for CY-2022 with the documentary attachments submitted therewith sufficed the requirements based on the IRR of RA 9184 for Alternative Mode of Procurement, the BAC finds the above condition for Direct Contracting is satisfied;

NOW, THEREFORE, RESOLVED as it is Hereby Resolved, to RECOMMEND to the HOPE for the APPROVAL of the AWARD and ACCEPT the offer made by **SMC SKYWAY CORPORATION (formerly Citra Metro Manila Tollways Corporation)** in the grand total amount of **P30,000.00** to wit: