



RESOLUTION NO. 642

Series of 2024

WHEREAS, the agency has an original project, Procurement of Works for the Improvement of Agtatacay Diversion Dam, at Agtatacay, Dingle Iloilo (IB 2024-046) with an Approved Budget for the Contract (ABC) of Three Million Nine Hundred Sixty Thousand Three Hundred Ninety-Six Pesos & 04/100 (Php 3,960,396.04);

WHEREAS, the BAC Resolution recommending for award was approved by the Head of the Procuring Entity and a Notice to Proceed was issued and received by EQUALS FIVE CONSTRUCTION on July 4, 2024;

WHEREAS, a Purchase Request for the Procurement of Additional Work for the Improvement of Agtatacay Diversion Dam, at Agtatacay, Dingle Iloilo with an ABC of Eight Hundred Six Thousand Eighty-One Pesos & 67/100 (Php 806,081.67) was made;

WHEREAS, EQUALS FIVE CONSTRUCTION issued a Program of Works for the said Additional Work project in the amount of Eight Hundred Four Thousand Seven Hundred Thirteen Pesos & 40/100 (Php 804,713.40);

WHEREAS, under Section 53.4, of R.A. 9184 and its Revised Implementing Rules and Regulations and when provided for in the Annual Procurement Plan, Adjacent or Contiguous as an Alternative Method of Procurement may be allowed where the consultants have unique experience and expertise to deliver the required service, subject to the following conditions;

- a. Original contract is the result of a Competitive Bidding
- b. Subject contract to be negotiated has similar or related scopes of work;
- c. It is within the contracting capacity of the contractor/consultant considering the legal, technical (e.g., PCAB license, SLCC) and financial (e.g., NFCC for the contiguous project) requirements for eligibility;
- d. In determining the SLCC, NFCC and PCAB license, the sum of the value of the remaining works for the existing contract and the ABC of the contiguous or adjacent work shall be considered;
- e. The contractor/consultant uses the same prices or lower unit prices as in the original contract less mobilization cost;
- f. The ABC of the contiguous or adjacent work involved does not exceed the contract amount of the ongoing project;
- g. The contractor/consultant has no negative slippage/delay in the original contract during the time of negotiation; and
- h. Negotiations for the procurement are commenced before the expiry of the original contract.

THEREFORE, the Bids and Awards Committee RESOLVE as it is hereby RESOLVED that Negotiated procurement under Sec. 53.4 (Adjacent or Contiguous) of RA 9184 and its IRR shall be the mode of procurement in favor of EQUALS FIVE CONSTRUCTION for the Procurement of Additional Works for the Improvement of Agtatacay Diversion Dam, at Agtatacay, Dingle Iloilo in the amount of Eight Hundred Four Thousand Seven Hundred Thirteen Pesos & 40/100 (Php 804,713.40).

Done this 18th day of September, 2024 at DA Western Visayas, Buntatala, Jaro, Iloilo City

BIDS AND AWARDS COMMITTEE


ZARLINA B. CUELLO
Chairperson


ATTY. ROLIN M. ASUNCION
Vice-Chairperson

MARIA TERESA T. SOLIS
Member

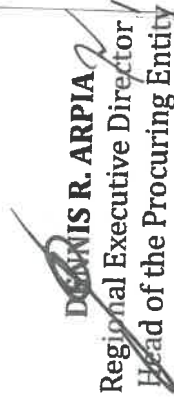

LORIE D. DEASIS
Member

DR. JONIC NATIVIDAD
Member

MAE P. NONES
Member


ESTER RUTH F. TORREVERDE
Member

Approved:


DENNIS R. ARPIA
Regional Executive Director
Head of the Procuring Entity