

RECEIVED FIRST SPECIAL SESSION

NORIA Y. IAHA

Signature

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RESOLUTION URGING THE CREATION OF SPECIAL BIDS AND AWARDS COMMITTEE IN THE BANGSAMORO TRANSITION AUTHORITY

WHEREAS, it is the declared policy of the State to promote the ideals of good governance in all its branches, departments, agencies, subdivisions, and instrumentalities, including government-owned and/or -controlled corporations and local government units;

WHEREAS, the Bangsamoro Government shall implement transparency and accountability mechanisms consistent with open government practices and generally accepted financial management principles.

WHEREAS, Sec. 11, Article V of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act, requires that each procuring entity shall establish a single Bids and Awards Committee (BAC) for its procurement. The BAC shall have at least five (5) members, but not more than seven (7) members. It shall be chaired by at least a third ranking permanent official of the procuring entity other than its head, and its composition shall be specified in the IRR;

WHEREAS, alternatively, as may be deemed fit by the head of the procuring entity, there may be separate BACs where the number and complexity of the items to be procured shall so warrant. Similar BACs for decentralized and lower level offices may be formed when deemed necessary by the head of the procuring entity. The numbers of the BAC shall be designated by the Head of Procuring Entity. However, in no case shall the approving authority be a member of the BAC.

WHEREAS, in compliance with the Procurement Act, the 2016 Revised Implementing Rules and Regulations of RA 9184 was issued;

WHEREAS, the Department of Budget and Management downloaded fund in the Bangsamoro Transition Authority to procure for each BTA member laptop, desktop computer, recorder, printer, air-conditioner, television, cabinets and other office equipments, furniture and fixtures;

WHEREAS, the procurement of said equipments is of necessity and urgency that warrant the creation of a Special Bids and Awards Committee;

NOW THEREFORE, be it **RESOLVED**, as it is hereby resolved, to create a Special Bids and Awards Committee in the procurement of abovementioned capital outlay in the Bangsamoro Transition Authority.

RESOLVED FURTHER, that the following shall be the functions of the SBAC: advertise and/or post the invitation to bid, conduct pre-procurement and pre-bid conferences, determine the eligibility of prospective bidders, receive bids, conduct the evaluation of bids, undertake post-qualification proceedings, recommend award of contracts to the Head of the Procuring Entity of his duly authorized representative: Provided, That in the event the Head of the Procuring shall

disapprove such recommendation, such disapproval shall be based only on valid, reasonable and justifiable grounds to be expressed in writing, copy furnished the SBAC; recommend the imposition of sanctions in accordance with Article XXIII, and perform such other related functions as may necessary, including the creation of a Technical Working Group from a pool of technical, financial and/or legal experts to assist in the procurement process. In proper cases, the SBAC shall also recommend to the Head of the Procuring Entity the use of Alternative Methods of Procurement as provided for in Article XVI of RA 9184.

RESOLVED FINALLY that the SBAC be assisted by a Technical Working Group as its Secretariat.

Adopted, July 29, 2019.

Certified Correct:

PROF. RABY B. ANGKAL
Secretary General

Attested:

ATTY. ALI PANGALIAN BALINDONG
Speaker, BTA