



Republic of the Philippines  
**LOCAL GOVERNMENT UNIT OF IBA**  
**Province of Zambales**

Municipal Hall, R. Magsaysay Ave.  
Zone 1, Iba, Zambales  
(047) 602-1115 / (047) 602-1122  
ibasz2013@gmail.com

**BAC Resolution Adopting Negotiated Procurement under Emergency Cases modality embodied in Section 53.2 of the 2016 Revised Implementing Rules and Regulations of (IRR) of Republic Act (RA) No. 9184 and in accordance with GPPB Resolution 03-2020**  
**“APPROVING THE ADOPTION F EFFICIENT, EFFECTIVE AND EXPEDIENT PROCUREMENT PROCEDURES DURING A STATE OF PUBLIC HEALTH EMERGENCY”**

**RESOLUTION NO. NPEC2021-01**

WHEREAS, this committee is cognizant of the pandemic corona virus disease 2019 and the state of public health emergency declared by President Rodrigo Roa Duterte;

WHEREAS, in the past, this committee proactively made a resolution addressing procurement of goods and services in times of calamity and emergency cases so as not to delay delivery of services in times of crisis;

WHEREAS, this committee in its previous resolutions already laid down the conditions specific to Negotiated Procurement under Emergency Cases modality pursuant 2016 *“Revised Implementing Rules and Regulations of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act”* and Republic Act No. 10121 *“An Act Strengthening the Philippine Disaster Risk Reduction and Management System”*;

WHEREAS, the above-mentioned resolution does not include of public health emergency or public health calamity/crisis;

WHEREAS, this committee realizes that it is necessary to harmonize and include conditions covered under RA No. 11332 *“An Act Providing Policies and Prescribing Procedures on Surveillance and Response to Notifiable Diseases, Epidemics, and Health Events of Public Health”* and issuances, orders, executive orders and other similar documents by the President of the Philippines and/or other authorized government agencies declaring State of Public Health Emergency or similar public health emergency;

WHEREAS, in GPPB Circular No. 04-2016 dated December 20, 2016 re: Clarification on Negotiated Procurement under Emergency Cases modality embodied in Section 53.2 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, there are three instances to consider before undergoing said modality or procurement, *1) in case of imminent danger to life or property during a state of calamity; 2) when time is of the essence arising from natural or man-made calamities; or 3) other causes where immediate action is necessary to prevent damage to or loss of life or property, or to restore vital public services, infrastructure facilities and other public utilities;*

WHEREAS, in GPPB Resolution No. 03-2020, the board included the paragraph, *“The instances or situations where the foregoing conditions may be applied included the provisions of immediate response and initial recovery steps to avoid loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation.”* After the enumeration of instances where Negotiated Procurement (Emergency Cases) modality may be resorted to by the Procuring Entity under Section 53.2 of the 2016 revised IRR and Item V(D)(2a) of Annex “H” of the same IRR” and also included *“in the Procurement Projects that may be covered by Negotiated Procurement (Emergency Cases) under Section 53.2 of the 2016 revised IRR and Item V(D)(2a) of Annex “H” of the same IRR the lease of real property or venue for use as quarantine centers, evacuation sites, medical relief and aid distribution locations, warehousing facilities, or similar temporary disaster or emergency response facility as among those that may be procured under Negotiated Procurement (Emergency Cases)”*;


NOW, THEREFORE, We, The Members of the Bids and Awards Committee, hereby RESOLVE, as it is hereby RESOLVED:

- a) To automatically adopt without further BAC Resolution for the Negotiated Procurement under Emergency Cases modality embodied in Section 53.2 of the 2016 Revised Implementing Rules and Regulations of (IRR) of Republic Act (RA) No. 9184 following the conditions set by GPPB Circular No. 04-2016 and GPPB Resolution No. 03-2020 or

- when there is a declaration of state of calamity by the Sangguniang Bayan Members and only upon the recommendation of the Local Disaster Risk Reduction Management Council that such declaration of state of calamity is necessary or if public health emergency by appropriate authority has been declared;
- b) Resolved further that the requirement of posting and advertisement as prescribed in Section 21.2.1 of the 2016 Revised IRR of RA 9184 is dispensed with. However, the other posting requirements shall be observed accordingly;
  - c) This resolution shall take effect upon approval by the Head of Procuring Unit / Municipal Mayor
  - d) To recommend to the Municipal Mayor of Local Government Unit of Iba the approval of the foregoing findings.

RESOLVED at the Office of the Bids and Awards Committee this January 04, 2021.

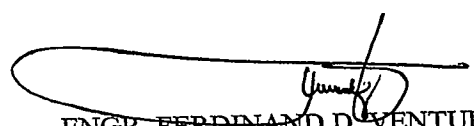
ATTESTED BY:

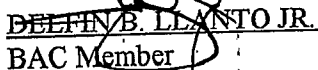
  
MARITES A. SAYAMAN  
BAC Head of Secretariat


RECOMMENDING APPROVAL:

  
SENEN A. BANGUG  
BAC Chairman

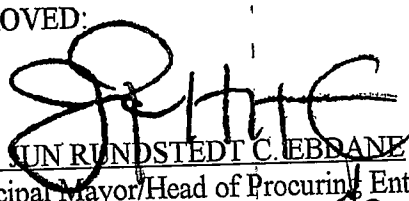
  
ENGR. ROGELIO A. AGUILON  
BAC Vice Chairman

  
ENGR. FERDINAND D. VENTURA  
BAC Member

  
DELFIN B. LLANTO JR.  
BAC Member

  
EDEN B. TABUA  
BAC Member

APPROVED:

  
HON. SUN RUNDSTEDT C. EBDANE  
Municipal Mayor/Head of Procuring Entity  
Approved on: \_\_\_\_\_