



Republic of the Philippines
VISAYAS STATE UNIVERSITY
Visca, Baybay, Leyte

BOR RESOLUTION NO. 127, s. 2020

A RESOLUTION APPROVING BAC RESOLUTION NO. 50, S. 2020: DECLARING SECOND FAILURE OF BIDDING AND RECOMMENDING THE CONDUCT OF PROCUREMENT THROUGH ALTERNATIVE METHOD - NEGOTIATED PROCUREMENT (TWO FAILED BIDDINGS) FOR THE SUPPLY AND DELIVERY OF AUTO SUPPLIES AND EQUIPMENT (GOODS-20-39)

WHEREAS, the Leyte State University was created by virtue of Republic Act 9158 which converted the then Visayas State College of Agriculture (ViSCA) into a state university last 11 August 2001 which was later renamed Visayas State University (VSU) by virtue of R.A. 9437;

WHEREAS, Section 7 of R.A. 9158 specifically empowers the Board of Regents of the University to *“exercise all the powers granted to the Directors of a corporation under Section 36 of Batas Pambansa Blg. 68 otherwise known as the Corporate Code of the Philippines”*;

WHEREAS, Section 7, Paragraph (f) of R.A. 9158 empowers the Board of Regents of the University *“to authorize the ... acquisition of real and personal properties, including necessary supplies and equipment...”*;

WHEREAS, the Bids and Awards Committee (BAC) declared first failure of bidding for the Supply and Delivery of Auto Supplies and Equipment (GOODS-20-39) charged against General Fund, Special Trust Fund, Income Generating Project (IGP), and Trust Fund and with a total Approved Budget for the Contract (ABC) of **Three Million Five Hundred Sixty-Seven Thousand Seven Hundred Seventy-Six Pesos (P3,567,776.00)** due to no bids received as per BAC Resolution No. 30, s. 2020;

WHEREAS, the BAC after conducting mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents, including its cost estimates, scheduled rebidding with re-advertisement and posting of the aforementioned project, as provided for in Section 21.2 of the 2016 Revised IRR of RA 9184;

WHEREAS, the BAC re-advertised the Invitation to Bid for the above-mentioned project in the PhilGEPS, VSU Website’s transparency seal and in conspicuous places within the premises of the VSU - Main Campus for 22 calendar days;

WHEREAS, in response to the said advertisement, still no prospective bidder submitted bid proposals within the set deadline of bid submission and receipt of bids on 12 August 2020 at 1:59 PM;

WHEREAS, Section 35.1 (a) of the mentioned IRR states that the BAC shall declare the bidding a failure when no bids are received;

WHEREAS, Section 35.5 of the same IRR further states that should there occur a second failure of bidding, the Procuring Entity may resort to Negotiated Procurement - Two Failed Biddings (Section 53.1);

WHEREAS, BAC declared **Second Failure of Bidding** for the **Supply and Delivery of Auto Supplies and Equipment (GOODS-20-39)** due to no bids received within the set deadline of *bid submission and receipt of bids*;

WHEREAS, the BAC recommend for the approval to conduct the procurement of the **Supply and Delivery of Auto Supplies and Equipment (GOODS-20-39)** through **Negotiated Procurement - Two Failed Biddings** modality;

WHEREAS, the BAC Resolution No. 50, s. 2020 was reviewed and endorsed by the University Administrative Council (UADCO) for approval by the VSU BOR Finance Committee on 9 October 2020 via teleconference;

WHEREAS, the BAC Resolution 50, s. 2020 was reviewed by the BOR Finance Committee on 27 October 2020 via teleconference and was strongly endorsed to the BOR for approval;

WHEREAS, the VSU Board of Regents unanimously approved the resolution, as proposed and is strongly endorsing the same to the VSU Board of Regents for **Approval**.

THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED to approve BAC Resolution No. 50, s. 2020: Declaring the approval to conduct the procurement of the **Supply and Delivery of Auto Supplies and Equipment (GOODS-20-39)** through **Negotiated Procurement - Two Failed Biddings** modality;

IN WITNESS of our approval thereof, we hereby affix our signatures this 19th day of November 2020.

VSU BOARD OF REGENTS



HON. J. PROSPERO E. DE VERA III
*CHED Chairperson and Chairperson
VSU-Board of Regents*

HON. EDGARDO E. TULIN
Vice Chairperson and President, VSU

HON. EMMANUEL JOEL J. VILLANUEVA
*Chair, Committee on Education, Arts & Culture
Senate of the Philippines*

HON. MARK O. GO
*Chair, Committee on Higher & Tech. Educ.
House of Representatives*

Represented by:

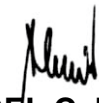


HON. MARK MICHAEL O. UNLU-CAY
Ex-Officio Member, SP-City of Baybay


Absent
HON. CARL NICOLAS C. CARI
Congressman, Fifth District of Leyte




HON. BONIFACIO G. UY
*Regional Executive Director
National Economic & Dev. Authority-RO8
Government Center, Palo, Leyte*



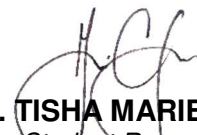
HON. ANGEL C. ENRIQUEZ
*Regional Executive Director
Department of Agriculture-RO8
Tacloban City*



HON. BON ANTHONY F. COSTILLAS
*Faculty Regent - VSU Faculty Association
VSU, Visca, City of Baybay, Leyte*



HON. DEOGRACIAS E. PERNITEZ
*President, VSU Federated Alumni Assn.
VSU, Visca, City of Baybay, Leyte*



HON. TISHA MARIE L. CORTEZ
*Interim Student Regent - VSU System
VSU, Visca, City of Baybay, Leyte*