



115TH BOARD OF REGENTS MEETING

BOR RESOLUTION NO. 81
Series of 2024

APPROVING THE REQUEST FOR AN AUTHORITY TO DECLARE FAILURE OF THE PROJECT, "SUPPLY DELIVERY AND INSTALLATION OF GENERATOR SETS FOR VSU POWER PLANT" WITH THE AMOUNT P33,011,000.00 DUE TO NON-OBSERVANCE OF THE REQUIRED 136 CALENDAR DAYS FOR THE COMPLETION OF WORKS FOR COMPETITIVE BIDDING OF GOODS AND SERVICES AND RESOLVING FURTHER TO AUTHORIZE THE UNIVERSITY PRESIDENT TO COMMENCE RE-BIDDING PROCESS AS PRESCRIBED IN REPUBLIC ACT NO. 9184 AND ITS IMPLEMENTING RULES AND REGULATIONS AS WELL AS THE EXISTING BUDGETING AND ACCOUNTING RULES AND REGULATIONS OF THE GOVERNMENT

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, BAC passed Resolution No. CB-48, s. 2023 dated December 7, 2023, declaring Fil Power Group and Marketing Corporation as the bidder with the Single Calculated and Responsive Bid for the Supply, Delivery and Installation of Generator Sets for VSU Power Plant;

Whereas, the proposal was deliberated by the BOR-Finance Committee during its meeting on January 16, 2024;

Whereas, after thorough deliberation on the matter, Regent Rosales expressed that she had no objection with the procurement of generator sets as these are important to the university but asserted that these units should not be delivered without a physical building to house them so as not to expose them to elements;

Whereas, the BOR FC deferred endorsement of the proposal to the Governing Board;

Whereas, RA 9184 requires a maximum of 136 calendar days for the completion of works for competitive bidding of goods and services;

Whereas, the project has already lapsed at it reached 159 days, 23 days beyond the allowable 136 calendar days thus IRR of RA 9184 was not observed;

Whereas, the University President proposed to declare failure of procurement activities for the project as it did not adhere to rules, as mandated by law, on competitive bidding of goods and services;

Whereas, to demonstrate VSU's commitment toward procurement effectiveness, a request for an authority to commence re-bidding process pursuant to Republic Act 9184 is also proposed;

Whereas, on May 23, 2024, the proposal was presented to the University Administrative Council during its meeting and obtained favorable action;

Whereas, finding the UADCO's recommendation in order, the Governing Board has agreed to approve the proposal;

Now, therefore, on motion, duly seconded, and unanimously approved, be it;

Resolved, as it is hereby resolved, that the Board of Regents of Visayas State University declares failure of the project, "Supply Delivery and Installation of Generator Sets for VSU Power Plant" with the amount P33,011,000.00 due to non-observance of the required 136 calendar days for the completion of works for competitive bidding of goods and services and further authorizes the University President to commence re-bidding following the processes prescribed in Republic Act No. 9184 and its implementing rules and regulations as well as the existing budgeting and accounting rules and regulations of the government.

IN WITNESS of our approval thereof, we hereby affix our signatures this 7th day of June 2024 at VSU, Baybay City, Philippines.

VSU BOARD OF REGENTS


HON. ETHEL AGNES P. VALENZUELA

CHED Commissioner and Chairperson
VSU-Board of Regents


HON. PROSE IVY G. YEPES

VSU President, Vice Chairperson
VSU-Board of Regents

HON. ALLAN PETER S. CAYETANO

Chairperson, Senate Committee on Higher,
Technical and Vocational Education
Member, VSU BOR
Represented by:

abstain
HON. BERNADETTE REMALLA-MAYBITUIN


HON. MEYLENE C. ROSALES

Regional Director, National Economic and
Development Authority Regional Office VIII
Member, VSU BOR


HON. ERNESTO F. BULAYOG

Faculty Regent - VSU System Faculty Union of
Baybay Leyte
Member, VSU BOR


HON. SHAINA MAE F. LACABA

Student Regent - VSU Student Council Federation
Member, VSU BOR

Private Sector Representatives:


HON. ALAIN CHARLES J. VELOSO

Member, VSU BOR
Villaba, Leyte

HON. MARK O. GO

Chair, Committee on Higher & Technical
Education House of Representatives
Member, VSU BOR
Represented by:


HON. MARK MICHAEL O. UNLU-CAY

(absent)

HON. ANDREW RODOLFO T. ORAIS

Regional Executive Director, Department of
Agriculture-RO8
Member, VSU BOR


HON. OSCAR B. POSAS

President, VSU Federated Alumni Association
Member, VSU BOR


HON. RUPERTO O. APARRI, III

Member, VSU BOR
Tacloban City, Leyte