



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

BOR RESOLUTION NO. 138, s. 2020

A RESOLUTION APPROVING THE SUSPENSION OF DELIBERATION ON THE MOTION FOR RECONSIDERATION OF THE DECISION DATED AUGUST 20, 2020 FILED BY ELECTROCOMPUTER DATA SYSTEM (EDS) TO GIVE THE NEW MEMBERS OF THE VSU BOARD OF REGENTS TIME TO READ THE RECORDS OF THE CASE OF BAYBAY PRINTSHOP VS. EDS

WHEREAS, the Leyte State University was created by virtue of Republic Act 9158 which converted Visayas State College of Agriculture (ViSCA) into a State University last 11 August 2001, and was later renamed Visayas State University (VSU) by virtue of R.A. 9437 on 27 April 2007;

WHEREAS, Section 4 of R.A. 9158 specifically provides that the University “*shall have the general powers of a corporation as set forth in the Corporation Law. The Administration of the University and the exercise of its power shall be vested exclusively in the Board of Regents*”;

WHEREAS, on August 20, 2020, the Board of Regents of VSU granted the petition for suspension and blacklisting filed by Baybay Printshop represented by Nello P. Roa IV against Electrocomputer Data System (EDS);

WHEREAS, on October 5, 2020, the Board Secretary of VSU received a copy of the motion for reconsideration (to the DECISION dated August 19, 2020) filed EDS. While on _____, the Board Secretary received an opposition to the motion for reconsideration (to the DECISION dated August 19, 2020) from Baybay Printshop represented by Nello P. Roa IV;

WHEREAS, Section 5 (5.7) of the Government Procurement Policy Board Resolution No. 40-2017 dated December 21, 2017 or the “Uniform Guidelines for Blacklisting of Manufacturers, Suppliers, Distributors, Contractors and Consultant,” provides that “*(t)he Head of the Procuring Entity shall resolve with finality the motion for reconsideration within seven (7) calendar days from the filing thereof and furnish suspended contractor a copy of the resolution immediately from its promulgation*”;

WHEREAS, during the 99th Board meeting on November 19, 2020, the Board of Regents of VSU welcomed its new members namely: Regent Bonifacio G. Uy, Regent Bon Anthony Costillas, and Regent Tisha Marie L. Cortez;

WHEREAS, mindful of the period to resolve the motion for reconsideration filed by EDR under GPPB Resolution No. 40-2017, however, to give the new members of the Board of Regents of VSU time to read the entire records of the instant case so that they can intelligently decide on the issue, the deliberations of the motion for reconsideration is hereby suspended;

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 the suspension of the deliberation on the Motion for Reconsideration of the Decision dated August 19, 2020 filed by Electrocomputer Data System (EDS) to give the new members of the Board of Regents of VSU time to read the records of the case of Baybay Printshop vs Electrocomputer Data System (EDS).

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



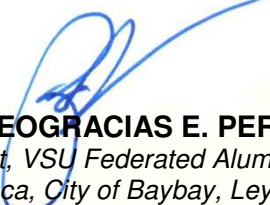
HON. BONIFACIO G. UY
*Regional Executive Director
National Economic & Dev. Authority-RO8
Government Center, Palo, Leyte*




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*