



BAC RESOLUTION NO. 001 s. 2016

BAC RESOLUTION PROPOSING FOR ALTERNATIVE MODE OF PROCUREMENT FOR THE FOOD AND SNACKS OF PARTICIPANTS TO THE SENIOR HIGH SCHOOL (SHS) MASS TRAINING OF TEACHERS (MTOT) ON PE, HEALTH AND PERSONAL DEVELOPMENT FOR THE K TO 12 BASIC EDUCATION PROGRAM

WHEREAS, the Department of Education has scheduled the mass training of all Senior High School (SHS) Teachers to handle the different subject areas/specializations under the K to 12 Program before the opening of classes on June 13, 2016;

WHEREAS, the Senior High School (SHS) Mass Training of Teachers (MTOT) on PE, Health and Personal Development for the K to 12 Basic Education Program is scheduled on June 5 – 11, 2016 at Teachers Camp Baguio City;

WHEREAS, the Department of Education allotted a total amount of Eight Million Five Hundred Ninety Eight Thousand and Fifty Six Pesos (Php8,598,056.00) to cover the costs of the above Mass Training of Teachers (MTOT);

WHEREAS, there are Eight Hundred Sixty Seven (867) expected number of SHS teacher – participants to the MTOT;

WHEREAS, On May 19, 2016, the Department of Education – Bureau of Curriculum Development, Central Office, through Jocelyn DR Andrada, Director IV, in a Memorandum informed DepEd Division of Baguio City that DepEd Central Office will download the fund or cost allocation for board and lodging to be procured by the latter;

WHEREAS, the estimated cost of the board and lodging for the five-day MTOT amounts to Seven Million Two Hundred Eighty Two Thousand Eight Hundred Pesos (Php7,282,800.00); the lodging shall be paid to Baguio Teacher's Camp, a government owned facility, however, an estimated amount of Three Million Six Hundred Forty One Thousand Four Hundred Pesos (Php3,641,400.00) which is the estimated cost for the catering (meals and snacks) needs to be procured by DepEd Baguio City;

WHEREAS, RA 9184 in its Implementing Rules and Regulations (IRR) set the minimum period of procurement activities to twenty eight (28) days; the same being the earliest possible time for procurement of goods and services;

WHEREAS, there are merely seventeen (17) days from May 19, 2016 to June 5, 2016 which is the scheduled start of the Mass Training of Teachers;

WHEREAS, this BAC informed Dr. Andrada on the constraints on the procurement of the catering services wherein she was asked on the possibility to move the date of the MTOT to a later date purposely for this BAC to comply with the minimum days of the procurement which is twenty – eight (28) days;

WHEREAS, Dr. Andrada informed the Schools Division Superintendent and appealed that the scheduled MTOT will proceed considering the availability of the teacher – participants to be trained inasmuch as the teachers are needed once the classes start on June 13, 2016;

WHEREAS, this BAC is looking into the possibility of procuring the catering services through any of the applicable alternative methods of procurement;

WHEREAS, Rule XVI, RA 9184 in its IRR also provides for the guidelines on Alternative Methods of Procurement, thus:

Section 53. Negotiated Procurement

Negotiated Procurement is a method of procurement of goods and infrastructure projects and consulting services, whereby the procuring entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or consultant in any of the following cases:

53.2. Emergency Cases. *In case of imminent danger to life or property during a state of calamity, or when time is of the essence arising from natural or man-made calamities or 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. In the case of infrastructure projects, the procuring entry has the option to undertake the project through negotiated procurement or by administration or, in high security risk areas, through the AFP.*

WHEREAS, with the scheduled date of the opening of classes for SY 2016-2017 on June 13, 2016 and that there is no possibility of moving the date of MTOT otherwise there will be no trained teachers to handle PE & Health and Personal Development in the Senior High School all over the country; and considering the availability of classrooms to be used during the MTOT (MTOT requires at least 30 classrooms for 7 days straight) wherein no more available classrooms once the school year began, this BAC opines that this situation presents a case where time is of the essence;


WHEREAS, where this immediate MTOT is vital for the delivery of a basic governmental function which free education for all that needs competent, ready, and trained teachers;

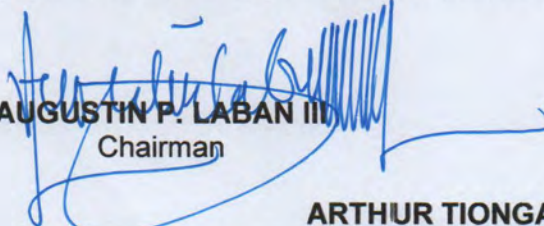
WHEREAS, the Negotiated Procurement under emergency cases might not be entirely applicable to this situation, thus, negotiated procurement may not be a proper remedy;

WHEREAS, this BAC finds it as a proper remedy to go through the usual public bidding procedure under the Procurement Law, however to lessen the number of days for the catering services to be available on June 5, 2016;

NOW, THEREFORE, be it RESOLVED as it is hereby RESOLVED that this Division Bids and Awards Committee (BAC) recommends to the Head of Procuring Entity (HOPE) to proceed with the public bidding of the catering services for the scheduled MTOT for Senior High School Personal Development and PE & Health but the number of days for the procurement activities will be lessened to catch up with the already scheduled and immediately upcoming June 5-11, 2016 MTOT citing reasons already stated above.

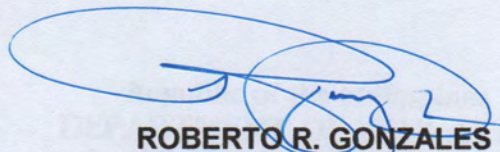
RESOLVED, this 25th day of May 2016, at the Department of Education – Division Office Conference Hall, Baguio City.


ELMA D. DONAAL
Vice - Chairman


AUGUSTIN P. LABAN III
Chairman

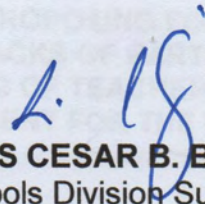
ARTHUR TIONGAN
Member

JULIET C. SANNAD
Member


ROBERTO R. GONZALES
Member

FERNANDO ELEPONGA
Member

APPROVED:


FRANCIS CESAR B. BRINGAS, CESO VI
Schools Division Superintendent

WHEREAS, the Department of Education has scheduled the mass training of all Senior High School (SHS) teachers in the offered subject areas/specialization under the K to 12 Program before the start of classes on June 13, 2016;

WHEREAS, the Senior High School (SHS) Mass Training of Teachers (MTOT) on PE, Health and Personal Development for the K to 12 Basic Education Program is scheduled on June 9 - 11, 2016 at Teachers Camp Baguio City;

WHEREAS, the Department of Education allocated a total amount of Eight Million Five Hundred Ninety Eight Thousand and Fifty Six Pesos (Php8,598,056.00) to cover the costs of the Senior High Training of Teachers (MTOT);

WHEREAS, there are Eight Hundred Sixty Seven (867) expected number of SHS teacher - participants to the MTOT;

WHEREAS, On May 19, 2016, the Department of Education - Bureau of Curriculum Development, Central Office, through Jocelyn DR. Andrade, Director IV, via Memorandum informed Schools Division of Baguio City that DepEd Central Office will disburse the fund or cost allocation for board and lodging to be procured by the latter;

WHEREAS, the estimated cost of the board and lodging for the five-day MTOT amounts to Seven Million Two Hundred Eighty Two Thousand Eight Hundred Pesos (Php7,282,000.00); the lodging shall be paid to Baguio Teacher's Center, a government-owned facility however, an estimated amount of Three Million Six Hundred Fifty Five Thousand Four Hundred Pesos (Php3,655,400.00) which is the estimated cost for the catering (meals and snacks) needs to be procured by DepEd Baguio City;

WHEREAS, RA 9104 in its implementing rules and Regulations (IRR) set the minimum notice of procurement timeline to twenty-eight (28) days, the same being the earliest possible time for procurement of goods and services;

WHEREAS, there are merely seventeen (17) days from May 19, 2016 to June 5, 2016 which is the scheduled start of the Mass Training of Teachers;

WHEREAS, the BAC informed Dr. Andrade on the constraints on the procurement of the catering services wherein she was asked on the possibility to move the date of the MTOT to a later date purposely for this BAC to comply with the minimum days of the procurement which is twenty-eight (28) days;

WHEREAS, Dr. Andrade informed the Schools Division Superintendent and apprised that the scheduled MTOT will proceed considering the availability of the teacher - participants to be needed inasmuch as the teachers are needed once the classes start on June 13, 2016;

WHEREAS, the BAC is looking into the possibility of procuring the catering services through any of the applicable alternative methods of procurement;