



BIDS AND AWARDS COMMITTEE

**RECOMMENDING THE USE OF ALTERNATIVE METHOD OF PROCUREMENT
RESORTING TO REPEAT ORDER**

(Resolution No. 2023-076)

WHEREAS, the Securities and Exchange Commission (SEC) conducted a Public Bidding for the **PROCUREMENT OF VARIOUS CONSTRUCTION MATERIALS AND ELECTRICAL SUPPLIES (LOT 2: SUPPLY AND DELIVERY OF FRAMEWORK)** ["Project"] with approved budget for the contract in the amount of **SEVEN HUNDRED NINETY THOUSAND TWO HUNDRED PESOS (Php 790,200.00)**;

WHEREAS, on 27 February 2023, the Project was awarded to Clearshot Builders OPC in the amount of **SEVEN HUNDRED SIXTY-TWO THOUSAND SIX HUNDRED EIGHT PESOS AND 36/100 (Php 762,608.36)** inclusive of VAT and applicable taxes, which include the following items among others:

Item Description	Quantity	Unit Price
Marine Plywood ½"	285 pcs.	Php 1,073.30

WHEREAS, the SEC, through the end-user, has determined the need to replenish the good awarded as above-mentioned, and Purchase Request 202305171 was transmitted to the BAC for facilitation, containing the following additional requirement/s;

Item Description	Quantity	Unit Price
Marine Plywood ½"	71 pcs.	Php 1,073.30

WHEREAS, Section 10 of the 2016 IRR of R.A. No. 9184 states that "All procurement shall be done through competitive bidding, except as provided in Rule XVI of this IRR";

WHEREAS, Rule XVI, Section 51 of 2016 IRR of R.A No. 9184 provides that:

Repeat Order, when provided for in the APP, is a method of procurement of Goods from the previous winning bidder, whenever there is a need to replenish goods procured under a contract previously awarded through Competitive Bidding. Repeat orders shall likewise be subject to the following conditions:

- a) *Unit prices of the repeat order must be the same as or lower than those in the original contract: Provided, That such prices are still the most advantageous to the GoP after price verification;*
- b) *The repeat order will not result in splitting of contracts, requisitions, or purchase orders, as provided for in Section 54.1 of this IRR;*
- c) *Except in cases duly approved by the GPPB, the repeat orders shall be availed of only within six (6) months from the date of the Notice to Proceed arising from the original contract: Provided, That there has been a partial delivery, inspection and acceptance of the goods within the same 6-month period; and*
- d) *Repeat orders shall not exceed twenty-five percent (25%) of the quantity of each item in the original contract. In order not to exceed the 25% threshold, the goods under the original contract must be:*
 - i) *Quantifiable;*
 - ii) *Divisible; and*

iii) Consisting of at least four (4) units per item.

WHEREAS, the SEC has determined that conditions under Section 51 of RA No. 9184 and its revised IRR are present or that it complies with the same, to wit:

- a) All unit prices as awarded are the same price in this repeat order and that the price is still advantageous to the government;
- b) The repeat order is being made as there is new demand for the item upon recommendation of the End-User, and without intent to circumvent any provision of R.A. 9184 and its IRR; and
- c) The quantity for repeat order is not more than 25% of the aggregate quantity of actual items ordered and delivered.

WHEREAS, Market Surveys were conducted in order to know the prevailing market price for the items and determined that the current buying prices are the most advantageous prices for the government;

WHEREAS, the SEC has determined that procurement through *Repeat Order* is proper, economical, and efficient under the present circumstances;

NOW THEREFORE, foregoing considered, the Bids and Awards Committee **RESOLVES** the recommend the use of Alternative Mode of Procurement through Repeat Order with the following details in compliance with Section 51 of RA 9184;

Item Description	Quantity	Unit Price
Marine Plywood ½"	71 pcs.	Php 1,073.30

RESOLVED, this 22nd day of May 2023 at The SEC Headquarters, Makati Avenue, Salcedo Village, Bel-Air, Makati City, Philippines 1209.


OLIVER O. LEONARDO
Vice-Chairman


DAISY B. PABUYA
Member


MARCELO Q. RABARA
Member


LESTER PAUL N. OBON
Member, End-User Representative


ARMANDO A. PAN, JR.
Chairman

Approved / Disapproved:


FILBERT CATALINO F. FLORES III
Head of the Procuring Entity /
Authorized Representative

Date: _____
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