



Republic of the Philippines
PROVINCE OF DAVAO DEL SUR
Barangay Matti, Digos City, Davao del Sur
Mobile Nos. 0905-229-0526 (Globe)/0908-332-2024 (Smart)
Email Add.: bac.davaodelsur2@gmail.com

OFFICE OF THE BIDS AND AWARDS COMMITTEE

Resolution No. 242 Series of 2021

A RESOLUTION

RECOMMENDING TO THE HEAD OF THE PROCURING ENTITY, GOVERNOR DOUGLAS RA. CAGAS, LLB, MBE, MNSA TO FURTHER AMEND SOME PROVISIONS OF THE 3-STRIKES POLICY IN THE PROCUREMENT OF CONTRACTS FOR GOODS AND CONSULTING SERVICES OF THE PROVINCIAL GOVERNMENT OF DAVAO DEL SUR -

WHEREAS, the Bids and Awards Committee was able to receive several answers in response to the Show Cause Orders issued to participating bidders/suppliers whose bid participation were outrightly rejected, disqualified, or post-disqualified for violating the 3-Strikes Policy of the Provincial Government of Davao del Sur embraced under BAC Resolution No. 547, series of 2017 as amended by BAC Resolution No. 913, series of 2018;

WHEREAS, the Bids and Awards Committee after series of deliberations on the matter realized the importance to revisit and/or amend the 3-Strikes Policy;

WHEREAS, after the justifications and reasons presented by the aforementioned participating bidders/suppliers were exhaustively examined and judiciously discussed by the Bids and Awards Committee, the latter is of the considered finding that such disqualifications that causes failure of biddings were not intentionally done by the bidders to defeat the purpose of public bidding;

WHEREAS, to have uniformity in the interpretation of the policy, and at the same time in order to attract and encourage more Suppliers/Bidders to participate in the procurement undertakings of the Provincial Government of Davao del Sur, the Committee **UNANIMOUSLY** agreed to Define with Clarity the imposable sanctions and in connection thereto some provisions of the 3-Strikes Policy be **AMENDED** which shall now read as follows:

To issue Show Cause Order for committing the following violations:

- a. A bidder that had purchased bidding documents, but (a) withdrawn from the bidding, or (b) submitted a letter of non-participation, or (c) did not submit a bid or late submission of bid – without a valid cause, as determined by the Bids and Awards Committee,
- b. Submission of erroneous, insufficient, defective documents such as, but not limited to, insufficient bid securities, any computational/typographical error in the submitted bidding documents and other deficiencies which causes bid disqualification,
- c. Non-submission of post-qualification and other requirements within the prescribed period as specified in the notice issued by the BAC,

WHEREAS, after thorough and considerable BAC deliberations to the Show Cause Order Reply of the erring supplier/bidder, the BAC may impose the following sanction/s:

- a. **ONE (1) STRIKE** for various IB Nos. participated by the bidder with the same nature of violation opened on the same date, or was disqualified during post-qualification stage with the same case of the latter;
- b. **MULTIPLE STRIKES** for different discrepancies/offenses under different IB Nos. opened on the same date, or was disqualified during post-qualification stage with the same case of the latter;

I LOVE DAVAO DEL SUR



Republic of the Philippines
PROVINCE OF DAVAO DEL SUR
Barangay Matti, Digos City, Davao del Sur
Mobile Nos. 0905-229-0526 (Globe)/0908-332-2024 (Smart)
Email Add.: bac.davaodelsur2@gmail.com

OFFICE OF THE BIDS AND AWARDS COMMITTEE

BAC Res. No. 242, S. 2021

Page -2-

X-X-X-X-X-X-X-X

WHEREAS, The counting of number of "strikes" in one (1) year period shall be meant Calendar Year. A Fresh Period of one (1) year in counting of "strikes" shall be observed in the succeeding year;

WHEREAS, For the bidders who were sanctioned for the 3rd Time with administrative suspension of 1 year from participating in the procurement process of the Provincial Government of Davao del Sur, the reckoning period of penalty shall be from the time he was sanctioned for the 3rd Strike until its Anniversary date for one (1) year;

WHEREAS, This Policy is applicable only to Competitive Bidding as mode of procurement;

WHEREAS, all previous resolutions relative to the Bids and Awards Committee (BAC) Three (3) Strikes Policy of the Province which are inconsistent with the provisions of the instant resolution are hereby repealed, modified or amended accordingly;

WHEREFORE, on motion of BAC Member, Dominic S. Bucol, J.D., duly Seconded by all BAC Members present, it was –

RESOLVED, as it is hereby RESOLVED, to recommend to the Head of the Procuring Entity, Governor DOUGLAS RA. CAGAS, LLB, MBE, MNSA to **Further Amend** some provisions of the 3-Strikes Policy in the Procurement of Contracts for Goods and Consulting Services of the Provincial Government of Davao Del Sur;

RESOLVED FINALLY, to furnish copies of this Resolution to the Commission on Audit, Suppliers, and the Concerned End Users, for their information and appropriate action;

UNANIMOUSLY APPROVED at the RALOTA Hall, Davao del Sur Provincial Coliseum, Barangay Matti, Digos City, Province of Davao del Sur, this 26th day of March, 2021.

I hereby certify the correctness of the above-mentioned resolution.

NORJANNA M. CAMAGUIN,MPA
(LTOO IV-PTO)
Head-BAC Secretariat

I LOVE DAVAO DEL SUR

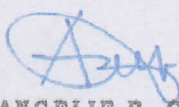


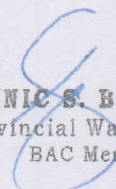
Republic of the Philippines
PROVINCE OF DAVAO DEL SUR
Barangay Matti, Digos City, Davao del Sur
Mobile Nos. 0905-229-0526 (Globe)/0908-332-2024 (Smart)
Email Add.: bac.davaodelsur2@gmail.com

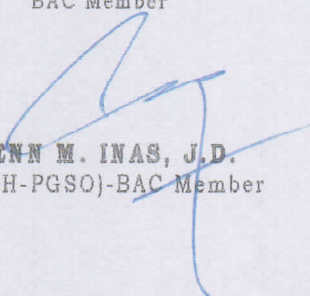
OFFICE OF THE BIDS AND AWARDS COMMITTEE


BAC Res. No. 242, S. 2021
Page -3-
x-x-x-x-x-x-x-x

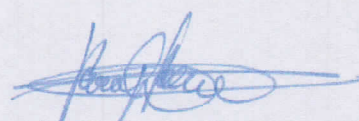
Attested by:


Engr. ANGELIE R. GELLA
(APGDH-PEO)
BAC Member

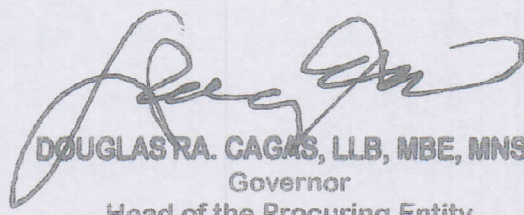

DOMINIC S. BUCOL, J.D.
(Provincial Warden-PWO)
BAC Member


GLENN M. INAS, J.D.
(APGDH-PGSO)-BAC Member


Engr. DULCESIMA D. PADILLO, EnP
(PGDH-PENRO)
BAC Vice-Chairperson


RAUL D. RAUT, EnP
(PGDH-PHRMO)
BAC Chairperson/Presiding Officer

Approved:


DOUGLAS R. CAGAS, LLB, MBE, MNSA
Governor
Head of the Procuring Entity

I LOVE DAVAO DEL SUR