



Republic of the Philippines
PROVINCE OF DAVAO DEL SUR
Barangay Matti, Digos City, Davao del Sur
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OFFICE OF THE BIDS AND AWARDS COMMITTEE

Resolution No. 913
Series of 2018

A RESOLUTION

RECOMMENDING TO THE HEAD OF THE PROCURING ENTITY, GOVERNOR DOUGLAS RA. CAGAS, LLB, MBE, MNSA TO DEFINE, CLARIFY AND/OR AMEND SOME OF THE 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 replies from the Show Cause Order issued to participating bidders/suppliers whose bid participation were outrightly rejected, disqualified, and post-disqualified for violations committed as specified in the 3-Strikes Policy of the Provincial Government of Davao del Sur covered under BAC Resolution No. 547 dated August 15, 2017;

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

WHEREAS, justifications and reasons presented by the aforementioned participating bidders/suppliers were discussed and examined by the Bids and Awards Committee, and concludes that such disqualification that causes failure of biddings were not done intentionally by the bidders to defeat the purpose of competitive bidding;

WHEREAS, to have uniformity and clarity in the interpretation of the policy, and at the same time to attract and encourage more Suppliers/Bidders to participate in the procurement activities of the Provincial Government of Davao del Sur, it was Unanimously agreed to Define, Clarify and/or Amend some of the provisions of the 3-Strikes Policy as enumerated hereunder:

1. To issue Show Cause Order for violations specified under 2.a of BAC Resolution No. 547, Series of 2017:
 - A bidder that had purchased bidding documents, but (a) withdrawn from the bidding, or (b) submitted a letter of non-participation, or (c) did not submit a bid or late submission of bid – without a valid cause, as determined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,
2. To impose Automatic Violation (1st or 2nd or 3rd strikes) to the bidders that committed violations under line items 2.b and 2.c of BAC Resolution No. 547, Series of 2017,
 - 2.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;
 - 2.c Non-submission of post-qualification and other requirements within the prescribed period as specified in the notice issued by the BAC;
3. To issue one (1) Strike only - for various IB Nos. participated in 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;
4. To issue Multiple Strikes - with 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;



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5. 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;
6. 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 will be from the time he was sanctioned for the 3rd Strike until its Anniversary date for one (1) year;
7. This Policy is applicable only to Competitive Bidding as mode of procurement;

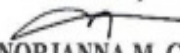
WHEREFORE, on motion of BAC Vice-Chairperson, EnP Raul D. Raut, J.D., duly Seconded by all BAC Members present, it was -

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

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

UNANIMOUSLY APPROVED at the PGSO Conference Room, PGSO Building, Provincial Capitol, Matti, Digos City, Province of Davao del Sur, this 11th day of December, 2018.

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


NORJANNA M. CAMAGUIN,MPA
(AO V-PTO)
Head-BAC Secretariat



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Attested by:


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


 Engr. ISABEL O. CAMOCAMO, EnP
 (APGDH-PPDO)
 BAC Member


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


 EnP RAUL D. RAUT, J.D.
 (HRMO IV-PGO-HRMO)
 BAC Vice-Chairperson


 GLENN M. INAS, J.D.
 (PGDH-PGSO)-BAC Chairperson
 Presiding Officer

Approved:

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


 IN AUTHORITY OF THE GOVERNOR
 CHRISTIANO M. PORRANO IV
 OFFICE OF THE PROVINCIAL GOVERNOR