

**BAC-C RESOLUTION NO. BC-2018-003**

**RESOLUTION TO HIRE A PRIMARILY CONFIDENTIAL CONSULTANT FOR THE  
OFFICE OF THE EXECUTIVE VICE PRESIDENT WHERE TRUST AND CONFIDENCE  
ARE THE PRIMARY CONSIDERATIONS**

**WHEREAS**, the Office of the Executive Vice President (O EVP) endorsed to the Bids and Awards Committee for Consulting Services (BAC-C), the hiring of an individual consultant to render the following duties and responsibilities (Annex A):

1. Assist the Executive Vice President in matters concerning and assigned to the O EVP
2. Provide technical assistance and recommendation to the Executive Vice President on matters relating to BCDA projects
3. Oversee the implementation of BCDA projects
4. Perform other functions as may be directed by the President and CEO and/or Executive Vice President;

**WHEREAS**, the engagement of Mr. Victor C. Luna was recommended to render the above-mentioned services, having extensive experience in various fields for more than 40 years as consultant or officer of different companies;

**WHEREAS**, while Section 48.2 of the Revised IRR of RA 9184 reiterates the general rule that public bidding is the general mode of procurement, the same section allows procuring entities to resort to alternative methods of procurement in highly exceptional cases and subject to the conditions required by RA 9184, its Revised IRR, and applicable guidelines. Among these highly exceptional cases is Negotiated Procurement of Highly Technical Consultants under Section 53.7 of the Revised IRR;

**WHEREAS**, Section 53 of the Revised IRR of RA 9184 defines Negotiated Procurement as "a method of Procurement of Goods, Infrastructure Projects and Consulting Services, whereby the Procuring Entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or consultant xx";

**WHEREAS**, Section 53.7 of the Revised IRR of RA 9184 allows negotiated procurement as a mode of procuring the services of "individual consultants hired to do work that is (i) highly technical or proprietary; or (ii) primarily confidential or policy determining, where trust and confidence are primary considerations for the hiring of the consultant..." In this case, the main consideration for hiring the consultant is the trust and confidence of the Executive Vice President;

**WHEREAS**, pursuant also to Section 53.7 of the Revised IRR of RA 9184, the term of the individual consultant shall, at the most, be on a six months basis, renewable at the option of the appointing Head of the Procuring Entity (HoPE), but in no case shall exceed the term of the latter;

**WHEREAS**, pursuant to Section 54.6 of the Revised IRR of RA 9184, consultants hired pursuant to Section 53.7 are mandated to register with PhilGEPS and provide a PhilGEPS Registration Number as a condition for award of the contract;

**WHEREAS**, the total approved budget for the abovementioned consulting services for a term of six (6) months is Pesos: Four Hundred Fifty Thousand (Php450,000.00), inclusive of all applicable taxes;

**WHEREAS**, the BAC-C in its evaluation determines that the foregoing main consideration qualifies the procurement of the abovementioned consultant in accordance with Section 53.7

of the Revised IRR of RA 9184 with a monthly consultancy fee of Pesos: Seventy Five Thousand, inclusive of all applicable taxes (Php75,000);

**NOW, THEREFORE**, we the members of the Bids and Awards Committee for Consulting Services, hereby RESOLVE, as it is hereby RESOLVED:

1. To recommend the procurement of the services of an individual consultant where trust and confidence are the primary considerations through Negotiated Procurement under Section 53.7 of the Revised IRR of RA 9184;
2. To recommend the award of contract to Mr. Victor C. Luna with a monthly consultancy fee of Pesos: Seventy Five Thousand (Php75,000), inclusive of all applicable taxes for a period of six (6) months from February 1, 2018, renewable at the option of the appointing HoPE, but in no case shall exceed his term on the condition that the consultant register with the PhilGEPS and provide a PhilGEPS Registration Number; and
3. To direct the end user to furnish the BAC-C Secretariat original copies of the duly conformed Notice of Award, Notice to Proceed and executed contract.

Done in Taguig City this 30th day of January, 2018.

**BIDS AND AWARDS COMMITTEE FOR CONSULTING SERVICES**

*On official business*  
**JOSHUA M. BINGCANG**  
Chairman

  
**BGEN. CARLOS F. QUITA (Ret.)**  
Vice-Chairman

  
**HEDDA LOURDES Y. RULONA**  
Member

  
**MARIA SOLEDAD C. SAN PABLO**  
Member

  
**RITCHIE P. PACLIBAR**  
Member

Approved by:

  
**NENA D. RADO**  
Officer-in-Charge