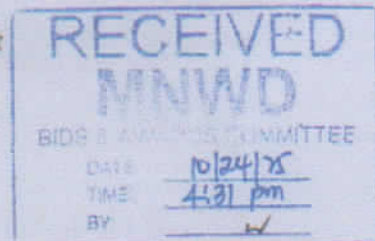




BIDS AND AWARDS COMMITTEE (BAC)
*Excerpt from the minutes of the Bids and Awards Committee Meeting
Held at MNWD Conference Room on October 13, 2025*



RESOLUTION NO. 27
Series of 2025

**BAC RESOLUTION RECOMMENDING APPROVAL OF THE HEAD OF
PROCURING ENTITY (HOPE)/CHAIRMAN OF THE BOARD OF DIRECTORS
OF METROPOLITAN NAGA WATER DISTRICT (MNWD) TO ADOPT
NEGOTIATED PROCUREMENT THROUGH AGENCY-TO-AGENCY
MODALITY, FOR THE PROCUREMENT OF GOODS, INFRASTRUCTURE
PROJECTS, AND CONSULTING SERVICES IN ACCORDANCE WITH
SECTION 35.5.2 OF THE IMPLEMENTING RULES AND REGULATIONS (IRR)
OF REPUBLIC ACT 12009 (RA 12009), ALSO KNOWN AS THE NEW
GOVERNMENT PROCUREMENT ACT**

WHEREAS, the Government of the Republic of the Philippines has enacted Republic Act No. 12009 (R.A. 12009), otherwise known as the New Government Procurement Act, which mandates the establishment of policies to streamline, enhance, and regulate the procurement processes in the government for the efficient, transparent, and accountable utilization of public funds;

WHEREAS, the MNWD Bids and Awards Committee (BAC) is mandated under the law to oversee the procurement process to ensure that it is conducted in accordance with the principles of transparency, fairness, competitiveness, and accountability, in compliance with the provisions of RA 12009 and its IRR;

WHEREAS, the MNWD BAC, in the performance of its functions, recognizes the necessity to adopt the Modes of Procurement as listed in R.A. 12009 consistent with the fit-for-purpose procurement approach;

WHEREAS, Section 35.5 of the aforementioned law and its IRR provides that Agency-to-Agency Procurement may be resorted to for the procurement of Goods, Infrastructure Projects, and Consulting Services from another agency of the government which has the mandate and absorptive capacity to undertake the project, subject to the following conditions required for its implementation:

1. Procurement of 10/21/25

For more information, please contact us:

- ☎ (+63) 928 681 1386 • (+63) 927 463 5974
- ☎ (054) 473 7813 • Local 114
- ✉ mnwaterdistrict@yahoo.com
- 🌐 www.mnwd.gov.ph

6 7 A 12



- a) The Servicing Agency has certified that it has the mandate and absorptive capacity to undertake the project, and the Procuring Entity has validated the same;
- b) The Servicing Agency owns or has access to the necessary tools and equipment required for the project;
- c) Sub-contracting is not allowed. However, the Servicing Agency may implement the Infrastructure Project in-house, by job order, or through the *pakyaw* contracting system; and
- d) For procurement of Infrastructure Projects, the Servicing Agency must have a track record of having completed, or supervised a project, by Administration or by contract, similar to and with a cost of at least fifty percent (50%) of the project at hand;

WHEREAS, Section 35.5.2 of the aforementioned law and its IRR provides for the exclusion of the Infrastructure Projects undertaken through the AFP Corps of Engineers, Procurement of Printing Services from recognized government printers, and Procurement of Goods from the PS-DBM;

WHEREAS, Infrastructure Projects undertaken through the AFP Corps of Engineers which shall continue to be governed by the Guidelines on implementation of Infrastructure Projects undertaken by the AFP Corps of Engineers, Procurement of Printing Services from recognized government printers shall be governed by their respective charter, and Procurement of Goods from the PS-DBM which is tasked with centralized procurement of commonly used Goods for the government in accordance with Section 40 of the IRR of RA 12009;

WHEREAS, Negotiated Procurement through Agency-to-Agency modality shall be adopted for the procurement of goods, infrastructure projects, and consulting services from another agency of the government in accordance with Section 35.5.2 of the IRR of RA 12009;

WHEREAS, this Resolution is subject to change upon the issuance of guidelines for the Modes of Procurement by the Government Procurement Policy Board (GPPB);

NOW THEREFORE, in the light of the foregoing considerations, we, the Members of the Bids and Awards Committee (BAC), hereby **RESOLVE** as it is hereby **RESOLVED**:

For more information, please contact us:

☎ (+63) 928 681 1386 • (+63) 927 463 5974

☎ (054) 473 7813 • Local 114

✉ mnwaterdistrict@yahoo.com

🌐 www.mnwd.gov.ph


5 8 A R

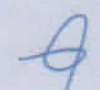


1. To recommend to the Head of Procuring Entity (HOPE)/ Chairman of the Board of Directors of Metropolitan Naga Water District (MNWD) the adoption of the **Negotiated Procurement through the Agency-to-Agency modality** for the procurement of **Goods, Infrastructure Projects, and Consulting Services** from another agency of the government which has the mandate and absorptive capacity to undertake the project in accordance of **Section 35.5.2** and subject to the requirements and conditions set by **R.A. 12009 and its IRR**;
2. To recommend for approval by the Head of the Procuring Entity (HOPE)/Chairman of the MNWD Board of Directors the foregoing resolution.

RESOLVED at the MNWD Conference Room, this 13th day of October 2025.

RESOLVED further to furnish the HOPE of this foregoing resolution.



JON LOUIE A. SANCHEZ
BAC Chairperson


ARTURO M. MARCO
Vice-Chairperson

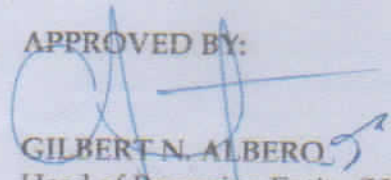
(Absent)

MELVIN B. MACARAIG
Regular Member

(Retired)
VIRGINIA I. NERO
Regular Member


NOEL A. MARTINEZ, JR.
Regular Member

APPROVED BY:


GILBERT N. ALBERGO
Head of Procuring Entity (HOPE)/
Chairman of the Board of Directors

Date: 10/23/2025

For more information, please contact us:

- ☎ (+63) 928 681 1386 • (+63) 927 463 5974
- ☎ (054) 473 7813 • Local 114
- ✉ mnwaterdistrict@yahoo.com
- 🌐 www.mnwd.gov.ph