



Republic of the Philippines  
**DEPARTMENT OF LABOR AND EMPLOYMENT**  
Intramuros, Manila



**BAC Resolution No. 100**  
Series of 2021

**RECOMMENDING AGENCY-TO-AGENCY UNDER NEGOTIATED PROCUREMENT  
AS THE METHOD OF PROCUREMENT FOR THE INSURANCE PROVIDER  
FOR THE DOLE CENTRAL OFFICE PROPERTY, PLANT AND EQUIPMENT (PPE)**

**WHEREAS**, Section 7.6 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 provides that “To facilitate the immediate implementation of procurement of Goods, Infrastructure Projects or Consulting Services, even pending approval of the Government Appropriations Act (GAA), corporate budget or appropriations ordinance, as the case may be, and notwithstanding Section 7.2 hereof, the Procuring Entity may undertake the procurement activities short of award”;

**WHEREAS**, same provision, further states that NGAs, SUCs, Constitutional Commissions or Offices are encouraged to start their procurement activities immediately after the National Expenditure Program (NEP) has been submitted by the President to Congress, provided that the HoPE has approved the corresponding indicative APP. This will facilitate the awarding of procurement contracts after the enactment of the GAA, enabling the timely implementation and completion of programs and projects;

**WHEREAS**, the Implementing Guidelines under Annex A of the Government Procurement Policy Board (GPPB) Resolution No. 14-2019 states that Early Procurement Activities (EPA) shall refer to the conduct of procurement activities, from posting of the procurement opportunity, if required, until recommendation of the Bids and Awards Committee (BAC) to the HoPE as to the award of the contract, for goods to be delivered, infrastructure projects to be implemented and consulting services to be rendered in the following fiscal year, pending approval of their respective funding sources;

**WHEREAS**, the Department of Labor and Employment (DOLE) Central Office requisitioned for an Insurance Provider for its Property, Plant and Equipment (PPE) and other PPEs;

**WHEREAS**, the Bids and Awards Committee was authorized to resort to Alternative Methods of Procurement in accordance with the provisions of Section 53.5

of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, (Negotiated Procurement thru Agency-to-Agency);

**WHEREAS**, Section 5 of Republic Act No. 656 or the Property Insurance Law provides that **“every government, except a municipal government below first class, is hereby required to insure its properties, with the Fund (Property Insurance Fund placed under the Government Service Insurance System) against any insurable risk** herein provided and pay the premiums thereon, which, however, shall not exceed the premiums charged by private insurance companies: Provided, however, That the System reserves the right to disapprove the whole or a portion of the amount of insurance applied for: Provided, further, That such property or part thereof as may not be insurable or acceptable for insurance may be insured with any private insurance company. A municipal government below first class may upon application insure its properties in the Fund under such rules and regulations as the System may prescribe.”

**WHEREAS**, Section 1 of Office of the President Administrative Order No. 33, Series of 1987 provides that “all heads of departments, commissions, boards, bureaus, offices of the national and local governments concerned except municipal governments below first class, government-owned and/or controlled corporations, subsidiaries and acquired asset corporations **shall secure from the General Insurance Fund directly, all insurances or bonds covering properties, contracts, rights of action and other insurable risks of their respective offices, including all those in which their respective offices have an insurable risk and all those in which they have an insurable interest only.** For this purpose, no insurance agent or general agent shall hereafter be appointed or maintained to represent the General Insurance Fund and/or the Government Service Insurance System.”

**NOW THEREFORE**, We, the members of the DOLE-Bids and Awards Committee, by virtue of the powers vested on us by law, hereby **RESOLVE** as it is hereby **RESOLVED** to recommend Negotiated Procurement thru Agency to Agency as the mode of procurement for the project **“Insurance Provider for the DOLE Central Office Property, Plant and Equipment (PPE)”**.

**RESOLVED**, at the DOLE Main Building, Intramuros, Manila, this 19<sup>th</sup> day of October 2021.

**DOLE BIDS AND AWARDS COMMITTEE**

Recommending Approval:

  
**LILY PEARL L. GUERRERO**  
OIC-Director, Administrative Service  
and Regular Member, BAC/End-user



**WARREN M. MICLAT**

Assistant Secretary

Concurrent Director, Financial and Management Service  
and Regular Member, BAC



**MARIA CONSUELO S. BACAY**

Director, Bureau of Labor Relations  
and Alternate Vice Chairperson, BAC



**PHILIP A. PAREDES**

Undersecretary

Concurrent Director, Legal Service  
and Chairperson, BAC

Approved by:



**SILVESTRE H. BELLO III**

Secretary

Approved: on: 18 JAN 2021