



**RESOLUTION RECOMMENDING THE MODE OF PROCUREMENT THROUGH NEGOTIATED PROCUREMENT (DIRECT RETAIL PURCHASE) FOR THE PAYMENT OF PETROLEUM FUEL, OIL AND LUBRICANT (POL) PRODUCTS**

**WHEREAS**, the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, otherwise known as the "Government Procurement Reform Act", provides that the procurement of Petroleum Fuel, Oil and Lubricant (POL) products shall be done through competitive bidding, except whenever the Procuring Entity has determined and justified that Direct Retail Purchase is the best modality for procurement of POL products to promote economy and efficiency;

**WHEREAS**, Section 48 of the 2016 (IRR) of RA No. 9184, provides that in order to promote economy and efficiency, the procuring entity **may resort to any of the alternative methods of procurement** provided that the most advantageous price for the government will be obtained;

**WHEREAS**, Section 53.6 of the 2016 Revised IRR of RA No. 9184 allows the **mode of procurement through Negotiated Procurement (Direct Retail Purchase of Petroleum Fuel, Oil and Lubricant (POL) products)** under conditions where Goods and Services are required by the Procuring entity **for the efficient discharge of its principle mandate, government function, or day to day operations;**

**WHEREAS**, Annex H of the same IRR further provides specifically the conditions to the procurement of POL contracted by the end-user to identified direct suppliers or service providers under the following conditions, to wit:

**a. For Petroleum fuel (Gasoline, Diesel and Kerosene), Oil and Lubricants**

- i. *Direct retail purchase of POL products estimated to be necessary for the operations of the Procuring Entity within the fiscal year, including provisions for foreseeable emergencies based on historical records, shall be reflected in the annual procurement plan (APP) in its entirety including any amendment thereto which shall be reflected in the supplemental APP;*
- ii. *Direct purchase must be made from any available retailers, dealers or gas stations at retail pump price;*
- iii. *The requirement must be intended to be used for any official government vehicles and equipment for immediate consumption; and*
- iv. *Payment may be made through cash advance, reimbursement or other allowable payment modalities subject to pertinent auditing and accounting rules (Emphasis supplied)*

**WHEREAS**, there is an approved Purchase Request No. CN-25-01-18 under Fund 101 with a total approved budget of **Two Million Four Hundred Ninety-Nine Thousand Nine Hundred Forty Five and 80/100 (Php2,499,945.80) for the supply and delivery of petroleum fuel, oil and lubricants for the university;**

**WHEREAS**, said procurement activity is included and conformed to the approved budget of the end user's Project Procurement Management Plan (PPMP), and NVSU Annual Procurement Plan (APP) for CY 2025;

**WHEREAS**, the Nueva Vizcaya State University (NVSU) requires a steady and reliable supply of fuels, oils, and lubricants to support its operational and logistical needs;

Ryan S. Bautista  
Member

Keziak Ann D. Rositt  
Member

Lean Paolo R. Salvosa  
Member

Emmanuel Danguilan  
Member

Melba Eugene B. Gantallib  
Member

Cecilia Martin  
Vice-Chairperson

Elma P. Apostol  
Chairperson





**UBAC RESOLUTION**

BACR No.: 2025-01-002AMP

**WHEREAS**, the procurement of petroleum products through Public Bidding is **not the feasible option due to the frequent price fluctuations in the fuel market**, which may result in financial losses or price mismatches between the bid price and the prevailing market price at the time of delivery;

**WHEREAS**, as public bidding entails a complex and lengthy process, which may lead to failed biddings and procurement delays, the **Committee has evaluated that Negotiated Procurement through Direct Retail Purchase of petroleum fuels, oils, and lubricants will ensure a timely and continuous supply**, which is critical to the university's operations and services, and **will allow the university to engage with authorized suppliers immediately**, ensuring compliance with regulatory requirements and obtaining competitive pricing through direct negotiation;

**WHEREAS**, after thorough deliberation, the BAC has determined that the procurement of **petroleum fuels, oils, and lubricants through Negotiated Procurement - Direct Retail Purchase** is the most efficient and practical mode, ensuring compliance with procurement laws while addressing the operational needs of the university;

**NOW, THEREFORE**, We, the members of the University Bids and Awards Committee on Goods, Services and Consultancy, based on the foregoing, hereby **RESOLVED**:

1. To recommend the **Alternative Method of Negotiated Procurement Method through DIRECT RETAIL PURCHASE OF PETROLEUM FUEL, OIL AND LUBRICANT (POL) PRODUCTS** as provided in Section 53.14 and Annex H (Consolidated Guidelines for the Alternative Methods of Procurement) of the 2016 Revised IRR of R.A 9184; and
2. To recommend for the approval of the University President the foregoing findings.

DONE in NVSU Bayombong Campus, Bayombong, Nueva Vizcaya this **16<sup>th</sup> day of January 2025**

**UNIVERSITY BIDS AND AWARDS COMMITTEE  
GOODS, SERVICES AND CONSULTANCY**

  
**RYAN VICTOR D. BAUTISTA**  
Member

  
**KEZIAH ANN D. ROSINI**  
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Chairperson