



BIDS AND AWARDS COMMITTEE

Silay City Government

2/F Silay City Hall, Zamora Street, Silay City, Negros Occidental

IN THE MATTER OF:

REQUEST FOR SUSPENSION OF DELIVERY OF NASHE ENTERPRISES RELATIVE TO THE PURCHASE OF THE PURCHASE OF FIREARMS, AMMUNITIONS AND ACCESSORIES FOR USE IN OF SPECIAL WEAPON AND TACTICS DIVISION, SILAY CITY PNP WITH P.O. NO. 0743

(Mary Jane N. Roxas),
(Company President)

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SUSPENSION OF DELIVERY ORDER

WHEREAS, on November 20, 2020, the **BIDS AND AWARDS COMMITTEE (BAC)** conducted a Public Bidding for the Project entitled **“PURCHASE OF FIREARMS, AMMUNITIONS AND ACCESSORIES FOR USE IN OF SPECIAL WEAPON AND TACTICS DIVISION, SILAY CITY PNP”** (hereinafter **“Project”**) with PR No. 0617, ITB No. 0191, and with an Approved Budget for the Contract (**ABC**) in the amount of **Php 5,781,500.00**;

WHEREAS, NASHE ENTERPRISES (hereinafter **“NASHE”**) was determined and declared by the BAC as the Lowest Calculated and Responsive Bidder (**LCRB**) and was subsequently issued a Notice of Award on December 1, 2020 and Purchase Order bearing No. 0743 on December 21, 2020, giving **NASHE** a period of thirty (30) days from December 23, 2020 or until January 22, 2021, within which to make full delivery of the Project;

WHEREAS, on January 7, 2021, the **SILAY CITY BIDS AND AWARDS COMMITTEE (BAC)** received a letter from **NASHE** requesting for an extension within which to deliver the Project due to absence of Camp Rafael Crame’s certification;

WHEREAS, the request was made due to an unforeseen fortuitous event;

WHEREAS, ANNEX “D” of the Revised IRR of RA 9184 - **CONTRACT IMPLEMENTATION GUIDELINES FOR THE PROCUREMENT OF GOODS, SUPPLIES AND MATERIALS**, provides:

x x x

Suspension of Work

2.1. The procuring entity may suspend the work wholly or partly by written order for a certain period of time, as it deems



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necessary due to force majeure or any fortuitous events as defined in the contract. The supplier shall take all reasonable steps to minimize the costs allocable to the work covered by such order during work stoppage.

2.2. Before the suspension order expires, the procuring entity concerned shall either lift such order or terminate the work covered by the same. If the suspension order is lifted, or if the period of the order expires, the supplier shall have the right to resume work. Appropriate adjustments shall be made in the delivery or contract schedule, or contract price, or both, and the contract shall be modified accordingly.

x x x

NOW WHEREFORE, premises considered, there being a justifiable ground or the existence of a fortuitous event to suspend delivery, the request of **NASHE ENTERPRISES** is hereby **GRANTED**. Ninety (90) days is given until April 22, 2021 within which to deliver the afore-said Project.

SO ORDERED.

Silay City, Negros Occidental, January 8, 2021.


MARK ANDREW ARTHUR J. GOLEZ
City Mayor/Head of the Procuring Entity