



Office of the President of the Philippines
PRESIDENTIAL MANAGEMENT STAFF
Malacañang

PMS-BIDS AND AWARDS COMMITTEE
Resolution No. 60, Series of 2021

RECOMMENDING THE AWARD OF CONTRACT TO DR. ROSS JACOB A. ROSALES FOR THE ENGAGEMENT OF A HEALTH AND WELLNESS CONSULTANT UNTIL DECEMBER 31, 2021

WHEREAS, the Strategic Planning, Financial Management, and Human Resource Management Service (SPFM-HRMS) submitted to the PMS-Bids and Awards Committee (PMS-BAC) the Terms of Reference (ToR) and Purchase Request (PR) for the engagement of a Health and Wellness Consultant (**Annex A**) with an Approved Budget for the Contract (ABC) in the PMS Updated Annual Procurement Plan for Fiscal Year (FY) 2021, amounting to PhP245,000.00¹ (**Annex B**);

WHEREAS, said procurement is intended to provide competent, reliable, and immediate accessible health care services² to all PMS personnel so that the latter may be able to render responsive and unhampered staff support to the Presidency albeit the COVID-19 pandemic. Further, the ToR requires a physician that is also capable of conducting integrative medicine on top of the provision of general medicine. Currently, the PMS talent pool has no licensed medical professional to provide such services;³

WHEREAS, Item No. 7, Annex H of the 2016 RIRR of R.A. No. 9184, the procuring entity may engage the services of a “Highly Technical Consultant,” subject to the following conditions (**Annex C**):

- “i. The individual consultant will be hired to do work that is either:
 - (a) **Highly technical or propriety; or**
 - (b) **Primarily confidential or policy determining, where trust and confidence are the primary considerations.**
- ii. **The term of the individual consultant shall, at most, be on six (6) month basis, renewable at the option of the appointing HOPE, but in no case shall exceed the term of the latter.”** (Emphasis supplied);

WHEREAS, in a Memorandum dated August 3, 2021, which was received by the PMS-BAC Secretariat on August 10, 2021, the SPFM-HRMS Director recommended the engagement of services of Dr. Ross Jacob A. Rosales as a Health and Wellness Consultant for the PMS for four (4) months, or from September 1 to December 31, 2021, as he is legally,

¹ Item No. 6 therein.

² Personnel’s access to hospital-based services is adversely affected by the threats of the pandemic.

³ Despite having registered nurses, required health care services (i.e., diagnosis, prescription of drugs, among others) are only authorized to be conducted by a licensed physician. Section 10, Article III of R.A. No. 2382 (otherwise known as the Medical Act of 1959) provides that persons engaged in the practice of medicine shall, among others, physical examine any person and diagnose, treat, operate or prescribe any remedy for any human disease, injury, deformity, physical, mental or physical condition or any ailment, real or imaginary, regardless of the nature of the remedy or treatment administered, prescribed or recommended. Whereas, Section 28, Article VI of R.A. 9173 (otherwise known as the Philippine Nursing Act of 2002) states that a person practicing nursing shall provide nursing care, which includes administration of written prescription for treatment, therapies, oral, topical, and parenteral medications, internal examination during labor in the absence of antenatal bleeding and delivery, among others.

technically, and financially capable to undertake and fulfill the consultancy work stated in the ToR (**Annex D**);

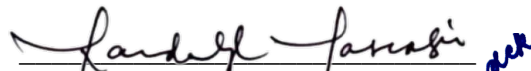
WHEREAS, the PMS-BAC finds the evaluation of the end-user to be in strict accordance with R.A. No. 9184 and its 2016 RIRR; and,

WHEREAS, Section 12.1(h), Rule V of the 2016 RIRR of R.A. No. 9184 empowers the BAC to recommend the award of contract to the Head of the Procuring Entity or his/her duly authorized representative.

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the PMS-BAC, hereby **RECOMMEND** to the Acting Deputy Head,⁴ the following:

- (1) **AWARD OF CONTRACT** to Dr. Ross Jacob A. Rosales as the Health and Wellness Consultant for the PMS for four (4) months, or from September 1 to December 31, 2021, amounting to PhP140,000.00 (PhP35,000.00 per month), inclusive of all applicable taxes and fees; and
- (2) **GRANT OF AUTHORIZATION** to the PMS-BAC Chairperson, or in his absence, the Vice-Chairperson, to sign the Notice of Award and the Notice to Proceed to implement this Resolution.

DONE in Manila this 13th day of August 2021.




Atty. RANDOLPH A. PASCASIO
Director and Chairperson



Atty. WILBURN L. TAN JR.
Acting Director and Vice-Chairperson



Atty. ROMAN CHINO A. RAMOS
Division Chief and Regular Member

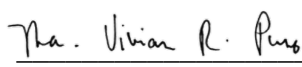


DOMINGA R. FLORES
Director and Provisional Member
(End-User Representative
for Administrative Services)



JOAQUIN ROMEO S. SANTIAGO
Assistant Director and Provisional Member
(Technical Expert
for Administrative Services)

APPROVED ~~DISAPPROVED~~:



MA. VIVIAN R. PUNO
Assistant Secretary and Acting Deputy Head
Date: 08/17/2021

⁴ Pursuant to Memorandum Order No. 2021-033 entitled "Updating the Signing Authorities for Various Matters in the PMS".