

INTERNATIONAL JOURNAL OF MULTIDISCIPLINARY: APPLIED BUSINESS AND EDUCATION RESEARCH

2023, Vol. 4, No. 5, 1456 – 1466

<http://dx.doi.org/10.11594/ijmaber.04.05.07>

Research Article

The Bidding Process of The Cebu Provincial Government: A Case Study

Kyll Deither E. Gabiana*, Mark Anthony N. Polinar, Grace Caroline H. Baquero

Center of Advanced Studies, Cebu Institute of Technology- University, Cebu City, Philippines

Article history:

Submission May 2023

Revised May 2023

Accepted May 2023

*Corresponding author:

E-mail:

kylldeither.gabiana@cit.edu

ABSTRACT

The government can choose the best and most qualified suppliers or contractors through the bidding process, getting the most value for the money spent by the taxpayers. It encourages government procurement to be effective, efficient, and accountable while ensuring the public receives the most for their money. However, the bidding process, particularly in the government, has gotten negative perceptions from the public. For this reason, this case study wanted to explore the bidding process conducted by the Bids and Awards Committee and their perceived constraints as they reflect on the whole process. Also, adjusting schemes made by the officers to the perceived constraints was discussed. Six (6) key informants were selected by the researchers and interviewed individually. As the study employed Creswell's method, three themes arose that serve the perceived constraints of the officers: (1) *Uninterested Buyers*, (2) *Unqualified Bidders*, and (3) *the Availability of Signatory*. On top of the themes, all key informants indicated that the Cebu Provincial Government's bidding process followed RA 9184, known as "The Government Procurement Reform Act." The researchers drew the conclusion that the Provincial Government should take action to ease these constraints by establishing a transformation program focused on improving the bidding process, notably in vetting the bidders' credentials and required paperwork in advance. As part of the program, the organization should embrace cutting-edge practices like digital project approval as the signatory is preoccupied with other crucial tasks.

Keywords: *Bidding process, Case study, Cebu city, Government, Procurement process, Qualitative study*

Introduction

The procurement process in government offices plays a critical role in ensuring that public resources are utilized efficiently and effectively. In bidding, the government ensures

transparency, fairness, and competitiveness in procuring goods, services, and construction projects. The bidding process allows the government to select the best and most qualified

How to cite:

Gabiana, K. D. E., Polinar, M. A. N., & Baquero, G. C. H. (2023). The Bidding Process of The Cebu Provincial Government: A Case Study. *International Journal of Multidisciplinary: Applied Business and Education Research*. 4(5), 1456 – 1466. doi: 10.11594/ijmaber.04.05.07

suppliers or contractors while obtaining the best value for taxpayer money.

By requiring suppliers or contractors to submit bids for a project, the government can evaluate proposals based on specific criteria such as price, technical ability, and delivery time. This ensures that the chosen supplier or contractor can complete the project on time and within budget while meeting the required quality standards. In addition to promoting competition, the bidding process encourages accountability and minimizes the risk of corruption or favoritism. The Department of Budget and Management (DBM) states that effective public expenditure management and timely, cost-effective, high-quality service delivery to residents depend on a sound procurement system. Following a transparent and objective process, the government can demonstrate to the public that procurement decisions are based on merit rather than personal or political connections.

As per section 3 of the revised implementing rules and regulations of the Republic Act of 9184, otherwise known as the "Government Procurement Reform Act," there is a series of principles that the government of the Philippines (GOP) should govern: a.) Transparency in the procurement process and the implementation of procurement contracts through wide dissemination of bid opportunities and participation of pertinent non-government organizations; b.) Competitiveness by extending equal opportunity to enable private contracting parties eligible and qualified to participate in public bidding; c.) Streamlined procurement process that will uniformly apply to all government procurement. The procurement process shall be simple and adaptable to modern technology advances to ensure an effective and efficient method; d.) A system of accountability where public officials are directly or indirectly involved in the procurement process and in the implementation of procurement contracts and the private parties that deal with GOP is, when warranted by circumstances, investigated and held liable for their actions relative to it; e.) Public monitoring of the procurement process and the implementation of awarded contracts with the end view of guaranteeing that these contracts are awarded under the provisions of

the Act and this IRR and that all these contracts are performed strictly according to specifications.

Moreover, the bidding process promotes efficiency, effectiveness, and accountability in government procurement while ensuring the public receives the best possible value for their money. Following established procedures and guidelines, the government can ensure that procurement decisions are made based on merit and objective criteria rather than personal relationships or other subjective factors.

However, the procurement process in government offices is often characterized by bureaucratic procedures, corruption, lack of transparency, and inefficiencies. Some studies mentioned that the government's procurement process had obtained negative views for the following reasons: poor implementation and corruption (Magtalas et al., 2019; Ratunil, 2015). A study published in 2017 investigated procurement policy issues in the Philippines, considering the concerns about the delay of projects and underspending of the government (Navarro & Tingbal, 2016). It has been stated time and time again that delays in government expenditure in the past have been caused, in part, by problems with procurement. Procurement is mentioned as a cause of underspending in the Department of Budget and Management's (DBM) reports from 2014 and 2015, and this was frequently emphasized in media stories. The total disbursement outcome for 2014 was around Php302.7 billion less than the yearly budgeted spending. Even though not all the savings result from underspending (i.e., 14% of the amount is attributable to a combination of more significant interest payment savings and net lending, which reflects prudent debt management by the government), the majority is remembered as a decline in agency performance in disbursements and budget utilization. The difference between the actual payout and the scheduled disbursement in 2015 was 12.8% of the expected amount. This was a somewhat smaller deficit in the program compared to 2014 because the gap in that year was 13.3 percent more than planned. Nevertheless, the unpaid sum was substantial at Php328.3 billion and was more in monetary terms than the previous record of Php302.7 billion set in

2014. DSWD, DILG, DOH, DepEd, DOST, DND, CHED, DILG, Commission on Elections (COMELEC), Department of Agrarian Reform (DAR), National Irrigation Authority (NIA), National Housing Authority (NHA), and DOTC were the major underspenders in 2015 according to DBM statistics. Additionally, the evidence revealed that "public procurement issues" were the leading cause of the poor disbursement by several government entities. The problems with the public procurement process include the procurement timetable, the length of the bidding procedure, and inaccurate costing and technical details.

The researchers discovered a few pieces of literature that studied the procurement process. No literature existed in peer-reviewed journals discussing the procurement process, particularly the bidding process, from a provincial viewpoint. Aside from that, the primary researcher, who belongs to the entity where the bidding process was made, is curious about the systematic bidding process and the constraints encountered by the officers. Furthermore, the researchers wanted to know what adjusting schemes these officers employed to cope with the existing constraints.

Domains of Inquiry

This research investigated the lived experiences of the officers of the Cebu Provincial Government who have first-hand experience with the bidding process in the year 2023.

Specifically, it endeavors to fulfill the following inquiries:

1. How is the bidding process being conducted?
2. What do the officers face when conducting the bidding process?
3. What adjusting schemes are used by the officers to cope with the identified constraints in the bidding process?

Methods

Design

From the standpoint of its mode of inquiry, this research used purely qualitative research, precisely a case study approach. Researchers can thoroughly examine complex phenomena within a particular environment using the qualitative case study method, per Rashid et al.

(2019). According to Creswell and Poth (2018), case studies may involve actual realities such as a person, a small group of people, a company, or another entity that the researcher is attempting to evaluate, as well as the lived experiences of a person or group of people, among other things. Moreover, an instantaneous phenomenon is investigated in a case study within its naturally occurring setting with the understanding that context will make a difference (Kaarbo & Beasley, 1999).

Environment

The study will be conducted in the Cebu Provincial Capitol in Cebu City, where the key informants were employed as officers undergoing the procurement process.

The Cebu Provincial Capitol is a recognized landmark and is regarded as one of the country's oldest and most beautiful buildings. Since its construction in 1937, it has served as the provincial government of Cebu's headquarters. The structure, situated at the northern end of Osmeña Boulevard, is now a popular destination for domestic and international visitors.

Key Informants

Using a purposive sampling technique, the study drew six (6) key informants who volunteered to participate.

The key informants were officers in the Bids and Awards Committee (BAC) who served more than a year in their respective positions. Aside from that, these key informants were not forced yet willing to participate in the study.

Research Instruments

The study employed a semi-structured interview as a method of data collection with the aid of the interview guide created by the authors and approved by experts in the field to obtain crucial information from the participants. A popular research technique in the social sciences is the semi-structured interview (Mashuri et al., 2022). According to Hyman et al. (1954), interviewing is a form of inquiry in all social sciences. The semi-structured interview is exploratory, as per Magaldi and Berler (2020).

The first part of the interview guide focuses on the officers' lived experiences in the bidding

process, how they award the program or project to the winning bidders, and how the deliveries on suppliers work and are eventually paid. Subsequently, the second phase of the interview centers on the officers' observations of constraints in the bidding process. Finally, the coping schemes made by the officers were also asked by the researchers.

Data Collection

The researcher wrote down the information needed from the key informants while recording it on her cell phone. This information served as the foundation for the study's aggregated data.

Data Gathering

The study employed a rigorous methodology to interview the important informants and obtain crucial data. After reviewing potential informants using the

Six (6) key informants who matched the requirements were found and chosen based on inclusion-exclusion criteria. They were written a letter requesting their consent to participate in the interview. Additionally, because the officers have various free time, the researchers used one-on-one interviews as their primary research method. Additionally, all interviews were performed face-to-face, and the recordings were produced with the primary author's cell phone.

During the audio recording of the interview, questions were asked by the guidance to comprehend the key informants' points of view and a proper justification for their actual experiences, obstacles encountered during the bidding process, and coping mechanisms. Through interviews, informants were allowed to discuss a phenomenon through their values, attitudes, and self-assessments. The audio-recorded interview transcripts were carefully read to identify distinct, overarching themes consistent with the informant's experiences.

The participants received a written and verbal orientation on the administration and method of the interview before it began and after they provided their written consent. Additionally, they will discover knowledge about their right to privacy and the terms of their vol-

untary involvement, as outlined in the permission form they previously accepted. This offers a preliminary view of the data collection technique and the interview guide. To preserve their anonymity, the participants received personal identity numbers.

Data Analysis

To get qualitative data, a variety of techniques might be utilized. One of the best ways to avoid content disparities is to make sense of the information gleaned from the officers' first-hand accounts of the bidding process. The interview transcripts, which will be rigorously scrutinized, will include each participant's exact response verbatim.

In the words of Creswell (2007), a qualitative study showed that the experiences of a few people are given more weight in examinations of a phenomenon that affects many. However, generalization is irrelevant when the researcher understands that the fact of interest was in the key informants. A case study design should be taken into consideration when a study addresses the "how" and "why" questions, b) participants' responses cannot be manipulated, c) one wishes to cover the contextual conditions of the phenomenon relevant to the study, or d) there are ambiguous boundaries between the study's background and the phenomenon being studied (Yin, 2003).

Ethical Considerations

In the study, the following considerations were considered:

All stages of the investigation in this study were conducted with the protection of human rights in mind. To achieve this, the researchers protected confidentiality by ensuring that the names of the key informants or any other identifying remarks or information were not represented in the questionnaire. Also, the study's key informants were able to reap possible rewards from taking part. They would have access to a potentially helpful intervention they might not have otherwise. Another consideration is the risk involved. During the interview question-answering procedure, they would experience bodily discomfort, including exhaustion and boredom. Self-disclosure, introspec-

tion, or mental pain when responding to interview questions could cause psychological or emotional anguish. Furthermore, the key informants always confirmed the confidentiality of their information and voluntary involvement in this study. To achieve this, the volunteers would get an Informed Consent Form that thoroughly explains the study's goals and a confidentiality commitment, among other things. Furthermore, the questionnaire would not contain the key informants' names or additional identifying information.

Result and Discussion

The results and discussion based on the study's domains of investigation are highlighted in this component.

How is the Bidding Process being Conducted?

As practiced by the Cebu Provincial Government based on RA 9184, known as "The Government Procurement Reform Act," all procurements by the requesting offices must be documented (e.g., Obligation Request, Purchase Request, etc.), and the following are submitted to the Bids and Awards Committee. The BAC members will hold a meeting regarding the procurement requests of the offices as to what mode of procurement will apply to the various proposals. Still, this study will focus on public bidding.

After determining the mode of procurement, the Bidding Award Committee (BAC) members will schedule these requests for Pre-Procurement and Pre-Bidding Conferences. During these conferences, the BAC will provide the SPA or the Schedule of Procurement Activities and the documentary requirements. It also includes posting the procurement requests to the Philippine Government Electronic Procurement System or PhilGEPS, BAC bulletin board, and other conspicuous places for seven days. The bidding documents, one of the documentary requirements, are available in the system and can be downloaded by the interested bidders. Then, the interested bidders will purchase these bid documents in the LGU and submit the receipt, together with the other requirements, for them to qualify.

The interested bidders will participate in the opening of bids, wherein the technical

working group simultaneously reviews their documents. They will check first the technical specifications and then the financial specifications, which is the amount of the procurement. If there are bidders whose technical specifications did not meet the required standards, they are disqualified and will no longer review their financial specifications nor participate in public bidding. The BAC chairman will officiate the public bidding, and dropping the project cost per bidder will commence.

The BAC chairman will draw from the box all the project costs dropped by the bidders and announces the lowest bidder. The lowest bidder will then undergo post-qualification and evaluation to ensure all the documentary requirements are submitted and will submit additional conditions required by the law. Suppose the lowest bidder failed the post-qualification or could not offer the other needs within the specified date. In that case, the BAC will notify the said bidder of their disqualification and its grounds. The BAC will then proceed to post-qualify the second lowest bidder, which repeats until a bidder passes the post-qualification. If all the bidders pass the post-qualifications, or if there are no bidders in a particular project, the bidding is unsuccessful, and the BAC will conduct a rebidding. After two failed biddings, the BAC may proceed to another mode of procurement or return the request to the end user.

If the lowest bidder passes the post-qualification and evaluation, the BAC chairman will award the project and issue a Notice of Award. After issuance of the Notice of Award, the BAC will process through an SP Resolution authorizing the Governor to enter into a contract. The BAC will draft the agreement and Notice to Proceed. The winning bidder will provide a performance bond to secure its obligation to the LGU. After that, the bidder may deliver the goods/services or construct infrastructure.

The themes that emerged when the researchers studied the constraints faced by the officers in the bidding process were as follows:

Theme No. 1: Uninterested Bidders

Based on the responses collected, this theme came from the Approved Budget for the Contract (ABC) and the project specifications.

Subtheme No. 1: Approved Budget for the Contract

As stated in RA 9184, all procurement should be within the budget approved by the Sanggunian in line with the Annual Procurement Plan of the end user. According to the interviewees, occasionally, the ABC, as stated in the postings, could be more substantial given the time, effort, and money that they will spend to qualify to bid. In addition to their distress, there is no guarantee that they will be awarded as the bidder with the Lowest Calculated Bid, as there are other qualified bidders. Whether a particular bidder wins, the purchased bid documents and other payments made to secure bidding will not be refunded. This creates hesitation among other prospective bidders, some of whom attended the pre-bidding conference.

If the ABC is insubstantial, which may result in a failed bidding, the BAC will return the procurement request to the end user subject to adjustment. After the adjustment, the end user may request for rebidding of their procurement request up to two times the same request; otherwise, the BAC or the end user may shift to an alternative mode of procurement.

Subtheme No. 2: Specifications of the Project

During the pre-procurement conference, the BAC will conform with the representative of the end user about the documents relating to the procurement and finalize them before the pre-bidding meeting. However, in some procurements, the specifications stated tend to be superior or high quality at a cheaper cost. Thus, prospective bidders will need help passing the review by the TWG, considering that possessing excellent or high-quality goods or infrastructure projects constitutes a higher cost, which the ABC cannot cover.

If the specifications are of superior quality, the BAC will return the procurement request to the end user subject to adjustment, either changing the specifications to average or increasing the ABC.

Key informant No. 1 stated:

“Ang price jod, tungod sa balaod nga ang lowest..ang pinakabarato ang makadaog. Ang price nato kay low man sad pero ang specs nga

atong gusto kay taas.” (The price itself, because of the law that the lowest, the cheapest will prevail. Our price is low, but the specs we want are superior.)

Key Informant No. 4 also stated that:

“Sometimes, walay interested suppliers tungod kay hasulan sila sa fact nga daghang documents ang i-prepara unya gamay kaayo ang amount bitaw sa contract. So, meaning gamay ra kaayo ang mga ginansya nya hasol sa ilang part sa pag-prepare sa documents. Nya mu bayad pa silage bid fee, so meaning ipatong pa na nila sa ilang i-bid nga amount.” (Sometimes, there are no interested suppliers because it is troublesome and the mere fact that there are already many documents that need to prepare, but the contract price needs to be higher. So, the profit is also too low, and it is too much of a hassle on their part to prepare the documents. Moreover, they still need to pay the bid fee to add it.)

Key Informant No. 1 further explained that:

“If wala, pwede man ta mu rebid. So mangita gihapon ta. Kung wala gihapon, i-uli nalang namo sa end user kay usually ang price man ang mali maong dili sila mu bid, so i-uli siya sa end user dayon naa nila if pa increasan nila ang presyo or kung baratuhon nya naa sila kwarta, pwede ra sad sila mu palit nya i-reimbursement nalang after.” (If no interested suppliers, we can rebid. So, we’ll repeat the process. If still no interested suppliers, we will return it to the end user and then it’s up to them if they will increase the price or if it is cheap and they still have budget available, they can buy it then process reimbursement after.)

Informant No. 4 also added that:

“If failed bidding, naay uban mu-go ug negotiated procurement pero usahay sad amo pud i-return sa end user, usbon and presyo. Unya mausab na pero failed gihapon, i-balik nalang sa end user kay ang presyo taas gihapon, ang specs way klaro mao nga sige mi ka failed bidding, which is dapat i-avoid kay hasol kayo sige balik.” (If bidding is failed, others would shift to negotiated procurement, but we will advise the end user to adjust their price. If the price has changed and the bidding fails, we will return

the procurement request to the end user because the price is still costly. The specifications are indeterminate, which should be avoided because it is inefficient to repeat the same request process.)

According to one study that looked at the public sector drug procurement in the Philippines, having few or no bidders would result in a lost bid (Abrigo et al., 2021). Participants in the study indicated that since suppliers were aware that the Approved Budget Contract (ABC) is too modest in comparison to the market price of the medication, they would not engage in the bidding owing to the low costs. Also, in the report of the Philippine Institute for Development Studies (PDIS) in 2012 as cited by the study of Navarro and Tanghal (2016), 50% of the delays in spending were caused by planning, including problems in technical specifications, late submission of purchase requests of end users, and poor cost estimates. Hence, the literature cited jointly means that bidders not interested in participating would delay the procurement process. Moreover, the contractors as prospective bidders should attend the conference where the technical and financial matters need to be clarified for the orderly execution of the bidding process (Canonigo et al., 2020).

Theme No. 2: Unqualified Bidders

It has been observed that during the evaluation by the Technical Working Group (TWG) and post-qualification, some of the documentary requirements of the bidders need to meet the specifications as stated in the procurement details. These documentary requirements are the legal, technical, and financial requirements. The Lowest Calculated Bidder will be evaluated first, and sometimes, the TWG will discover that some of these requirements need to comply with the procurement, thus making them ineligible. Then, they will evaluate the second lowest calculated bidder and repeat the process until a bidder qualifies, or all the prospective bidders will be considered. Still, none will allow, which may result in a failed bidding. So, upon submission, the BAC will provide a checklist that guides all prospective bidders on the necessary documentary requirements.

Key Informant No. 2 stated that:

“Daghan man gud requirements ang bid docs. Ang attachments nga ilang ipang-submit like mga BIR, dira sila kasagaran masangit mao nga mu-provide mi ug checklist.” (The bid documents have many needs. The prospective bidders usually have problems with the attachments, such as the BIR, so we provide them with a checklist.)

Key Informant No. 5 also stated that:

“Kanang mga incomplete documents kasagaran amo problema. Sayang man gud labi na ug single bidder nya dili pa jod maka comply kay makalimot ug attach or expired ba ron ang ubang dokumento. Kasagaran namo ma-encounter kay expired ang tax clearance nya mag-attach ug proof of renewal. Ang gi-allow ra man nga document nga expired nga pwede ma-attachan ug proof of renewal is ang Mayor’s Permit ra man, di man pwede ang tax clearance. During the opening of bids nya naay case nga ing-ana, I failed jod namo nya ibutang sa remarks nga non-complying. Pero pwede man siya mu-request for reconsideration, maghimo siyag letter address sa BAC chairman pero naa ra na sa chairman if I grant niya or deny. Naa mi checklist para sa mga required nga documents.” (Those with incomplete records are our recurring problem. It would be a waste, especially if they are a single bidder, but they cannot comply because they forgot to attach the documents, or the attached documents are expired. We usually typically encounter expired tax clearance with attached proof of renewal. The only passed document that is allowed to provide evidence of renewal is the Mayor’s Permit, not the tax clearance. During opening bids and such a case is incurred, we declare it as failed bidding with non-compliance as remarks. They can write a request for reconsideration and address it to the BAC chairperson; however, it is up to the BAC chairman will grant it or deny it. We provided a checklist for the list of required documents.)

One study showed the same finding as the second theme and suggested that once this problem is discovered in the bid opening and evaluation stage, the authorized personnel should be dealt with severely and should not tolerate this constraint to exist again (Cui et al.,

2018). In addition to the findings of the TWG's review, which the key informants cited in the present study, Mohd Kamil et al. (2022) asserted that contractors in Malaysia placed a lack of skilled technical people as the second most significant problem out of all the factors they had identified. This impacts the contractors' strategic choice in gathering relevant data and information to estimate correctly, particularly on the specification and material. Furthermore, Dzuke and Naude (2015) revealed that Zimbabwe's procurement procedure needed to properly evaluate and rate potential suppliers. Participants said prospective suppliers could only register after thoroughly assessing their capability and aptitude to fulfill government contracts if they supply the necessary paperwork and a \$100 registration fee. As a result, during the tender examination, bidders may satisfy the minimal standards of the offer document, but when the contract is awarded, they might need to fulfill their obligations. Thus, it causes delays in the procurement process.

Theme No. 3: Availability of Signatory

In the Local Government Unit, the Local Chief Executive is given the authority to sign all legal documents about the procurement, which includes the Notice of Award, Contract Agreement, and Notice to Proceed. In the case of the Province of Cebu, the authority is given to the Governor, and in the case of the Contract Agreement, the Sangguniang Panlalawigan will create a resolution authorizing the Governor to enter a contract. With the Governor's busy schedule, it is rare to see her in her office all day to sign all the documents.

Often, the BAC staff or member will only leave the documents in her office for signature with a guarantee that they will be signed first thing when she reports to her office, which will prolong the delivery or execution of the project. Since leaving the documents in the Governor's Office is noticeably ineffective, the BAC chairman will personally deliver them to the Governor when she is available in her office. Moreover, it will be easier for the Governor to address her concern directly to the BAC chairman regarding these documents.

Key Informant No. 3 shared that:

"Ang problema ra jod nato ana kay si Gov kay dugay siya makapirma. Diba busy siya, wala siya dinha unya pagpa-receive didto, dili dayon ma-handos sa iyaha so madugay jod. Usahay ang in-charge nga magpapirma dili maka-support bitaw like what if mangutana si Gov inig pa-sign nila. Usahay ang BAC members mismo ang magpa-sign niya labi ka katong urgent bitaw." (The reason why it takes time for the documents to be signed is because of the Governor. She is always preoccupied, sometimes she is not in her office, and the documents will not be immediately forwarded to her. Also, the person in-charge for transmitting the documents cannot answer all the queries of the Governor. Oftentimes, the BAC members themselves are the ones delivering the documents, especially the urgent ones.)

Key Informant No. 6 indicated that:

"Kung BAC chairman mismo ang magpapirma ni Gov, wa ray problema, mu-pirma ra siya labi na kung infrastructure nya dinalian. Kay kung i-endorse pa na sa Governor's Office, malangay siya tungod sa ka daghang pirmanahan ni Gov, ma ilawman among mga documents." (There won't be any problems if the BAC chairman himself/herself will personally deliver the documents to the Governor, especially those infrastructure projects that are urgent. If they will just endorse it to the Governor's Office, tendency is, the documents will be overlaid by another pile of documents, causing a delay.)

The key informants identified the approval or review process as one of the causes of the procurement process delays due to the FGD conducted by the Technical Support Office of DBM, particularly because the Provincial Government used multi-level approval or signatories in the process. To decrease or prevent this difficulty from happening again, it was suggested that delegation of the degree of approval by amount be put into place.

Conclusion

Considering everything, this case study houses the bidding process of the Cebu

Provincial Government and BAC officers' perceived constraints. In addition, adjusting schemes were indicated to know how these officers cope with the explored constraints. Furthermore, themes emerged after scrutinizing the collated data.

The first domain of the study highlighted the process of bidding in the provincial government wherein, according to the key informants, the entity strictly follows the RA 9184, often known as "The Government Procurement Reform Act," which stipulates that all procurement requests by end users must be documented (e.g., in the form of an obligation request, a purchase request, etc.) and presented to the bids and awards committee. The BAC members will meet to discuss the offices' procurement requests and decide which manner of procurement will be appropriate for the various proposals. In addition, the key informants shared that the Bids and Awards Committee (BAC) members will schedule these requests for Pre-Procurement and Pre-Bidding Conferences after deciding on the form of procurement. The Schedule of Procurement Activities, or SPA, and the necessary documentation will be provided by the BAC during these conferences. The procurement requests must also be posted on the BAC bulletin board, the Philippine Government Electronic Procurement System (PhilGEPS), and other conspicuous places for seven days. The prospective bidders may download the bidding documents from the system, which is one of the documentary criteria. Then, to be eligible, interested bidders must purchase and submit these bid documents to the LGU's BAC office. The Technical Working Group (TWG) will validate these documents by the procurement details. The BAC chairperson will draw the bids dropped from a box and reveal the Lowest Calculated bidder. The Lowest Calculated bidder will then go through post-qualification and evaluation and may be requested to submit of whatever additional requirements to confirm that all legal, financial, and technical specifications have been met. Otherwise, the winning bidder is disqualified. The BAC will then inform the specified bidder of their exclusion and its reasons and will proceed to post-qualify the next Lowest Calculated bidder. If all the bidders failed to pass the post-

qualification and evaluation or the BAC did not receive any bids, the BAC chairman will declare it as a failed bidding and opt for rebidding, giving all the prospective bidders a chance to qualify. The BAC may switch to another mode of procurement after two unsuccessful bids or return the request to the end user. Moreover, the key informants further indicated that the BAC chairman would award the project and grant a Notice of Award if the Lowest Calculated bidder passes the evaluation and post-qualification process. The BAC will process the SP Resolution authorizing the Governor to enter a contract when the Notice of Award has been issued. The BAC will draft the Contract Agreement and issue a Notice to Proceed. To fulfill its contract with the LGU, the winning bidder is required to secure a performance bond. Then, the winning bidder may deliver the products or services and construct the necessary infrastructure.

The second and third domain center on the perceived constraints of the Bids and Award Committee (BAC) officers and their adjusting schemes, yielding three themes: (1) *Uninterested Bidders* with a subtheme of (a) *Approved Budget of the Contract* and (b) *Specification of the Project*; (2) *Unqualified Bidders*, and (3) *Availability of Signatory*. One of the remarkable statements given by a critical informant about the first theme is the project's *Approved Budget of the Contract (ABC)*. According to the officer, the bidders were not interested in participating in the bidding. The critical informant added that because of the "bidder who has the lowest price, wins" principle, qualified and competent bidders will not pursue accepting projects in the government. With that in mind, a second theme emerged in the study. A key informant shared that many unqualified bidders are due to incomplete requirements like BIR documents or expired papers like tax clearance. Although it is a recurring problem, many bidders fail to do so, leading to bidding delays. Lastly, the third theme identified also affects the bidding process and approval of projects. As per the critical informant, due to the Governor's busy schedule, the documents that need to be signed will be pending until the Governor returns to her office.

Considering the identified themes, the study concluded that the bidding process had encountered constraints that significantly affected the bidding process and the approval of a few projects. It has been observed that despite religiously following the competitive bidding process, there are still factors that will prompt a delay in serving the general public. The researchers also concluded that the Provincial Government should take action to mitigate these constraints by having a transformation program that centers on enhancing the process of bidding, particularly in examining ahead the bidders' qualifications and necessary documents. As part of the program, the entity should adopt innovative ways such as digital approval of projects since the signatory is busy with other important things. These innovative ways will help the LGU realize the Governor's projects swiftly but not compromise the quality of the service. Moreover, the researchers foresee the bidding process as more efficient, optimizing resources and realizing an overall improvement.

Acknowledgment

The researchers would like to express their heartfelt gratitude to all those who have contributed to the completion of this research.

First and foremost, the researchers thank the Cebu Provincial Capitol for allowing us to conduct a study. Also, to the key informants who give their precious time in the data gathering process made by the primary researcher. Their willingness to share their experiences and perspectives has been instrumental in the success of this research.

Moreover, the researchers want to thank their families and close friends for their unflagging support and inspiration. The researchers were inspired and driven by their support and love throughout the study.

References

Abrigo, M. R. M., Opiniano, G. A., Tam, Z. C., Yee, S. A., & Estopace, K. M. M. (2021). *Public Sector Procurement of Medicines in the Philippines*. © Philippine Institute for Development Studies. <http://hdl.handle.net/11540/14719>.

- Canonigo, J. T., Siega, K. J. D., & Guisadio, J. (2020). The Impact of Government Procurement Reform Act to Infrastructure Development. *International Journal of Social Science and Humanities*. Vol. 8, Issue 1, pp. 122-143. [*THE IMPACT OF GOVERNMENT PROCUREMENT-8415.pdf \(researchpublish.com\)](https://www.researchpublish.com)
- Creswell, J. W., & Poth, C. N. (2018). *Qualitative inquiry and research design: Choosing among five approaches* (4th ed.). Thousand Oaks, CA: Sage Publications.
- Cui, R., Yang, H., Wang, M., & Gao, L. (2018). Research on Existing Problems and Improvements Measures of Bidding for Construction Projects. *Advances in Engineering Research*. Vol. 170.
- Dzuke, A., & Naude, M. J. A. (2015). Procurement challenges in the Zimbabwean public sector: A preliminary study. *Journal of Transport and Supply Chain Management*, 9(1), 9 pages. <https://doi.org/10.4102/jtscm.v9i1.166>
- Government Procurement Policy Board- Technical Working Group. *Challenges in Procurement Process*. PowerPoint Presentation (www.pagba.com)
- Hyman, H.H., Cobb, W.J., Feldman, J.J., Hart, C.W. and Stember, C.H. (1954) Interviewing in Social Research. Chicago: The University of Chicago
- Implementing rules and regulations of republic act no. 9184 | govph*. (2016, August 29). *Official Gazette of the Republic of the Philippines*. <https://www.officialgazette.gov.ph/2016/08/29/implementing-rules-and-regulations-of-republic-act-no-9184/>
- Kaarbo J., Beasley R. K. (1999). A practical guide to the comparative case study method in political psychology. *Political Psychology*, 20, 369-391.
- Magaldi D. and Berler M. (2020) Semi-structured Interviews. In: Zeigler-Hill V., Shackelford T.K. (Eds.) *Encyclopedia of Personality and Individual Differences*. Springer, Cham. https://doi.org/10.1007/978-3-319-24612-3_857
- Magtalas, A. M. F., Flores, M. J., & Domingo, R. D. (2019). Assessing the Transparency Practices in Public Bidding of Philippine Rice Research Institute in the Philippines. *International Institute for Science, Technology, and Education*. Volume 9, No. 2. DOI: 10.7176/PPAR

- Mashuri, S., Sarib, M., Rasak, M. S. A., Alhabsyi, F., & Syam, H. (2022). Semi-Structured Interview: A Methodological Reflection on the Development of a Qualitative Research Instrument in Educational Studies. *Ruslin's Lab*. https://www.researchgate.net/publication/358893176_Semi-structured-Interview-A-Methodological-Reflection-on-the-Development-of-a-Qualitative-Research-Instrument-in-Educational-Studies
- Mohd Kamil, A. `Izz, Mokhtar, B., Saidin, M. T., Ejau, R. L., Zaki, Z. A., & Hassan, A. A. (2022). Challenges in conducting strategic decisions in tendering among contractors in Malaysia. *IOP Conference Series: Earth and Environmental Science*, 1067(1), 012044. <https://doi.org/10.1088/1755-1315/1067/1/012044>
- Navarro, A. M. and Tingal, J. A. (2016). The Promises and Pains in Procurement Reforms in the Philippines. *The Philippine Institute for Developmental Studies*. <https://pidswebs.pids.gov.ph/CDN/PUBLICATIONS/pidsdps1716.pdf>
- Procurement Reform. C2. Procurement Reform updated.pdf (dbm.gov.ph)
- Rashid, Y., Rashid, A., Warraich, M. A., Sabir, S. S., & Waseem, A. (2019). Case study method: A step-by-step guide for business researchers. *International Journal of Qualitative Methods*, 18, 160940691986242. <https://doi.org/10.1177/1609406919862424>
- Ratunil, A. L. (2015). Procurement process at the department of education philippines, division of cagayan de oro city: Looking beyond the legal framework. *IAMURE International Journal of Social Sciences*, 13(1), 1-1. <https://ejournals.ph/article.php?id=2403>