

**BIDS AND AWARDS COMMITTEE (BAC)**  
**Resolution No. 20-03-052**

**RECOMMENDING THE USE OF NEGOTIATED PROCUREMENT THROUGH EMERGENCY CASES AND AWARD OF CONTRACT FOR THE SUPPLY AND DELIVERY OF 40,000 SETS FAMILY KITS FOR THE FAMILIES AFFECTED BY THE TAAL VOLCANO ERUPTION (PR NO. 01-20001-PR2020-02-00373)**

**WHEREAS**, on 03 March 2020, the Procurement Management Service-Procurement Planning and Management Division (PMS-PPMD), submitted an endorsement memorandum to the Bids and Awards Committee (BAC), requesting the use of Negotiated Procurement – Emergency Cases for the Supply and Delivery of 40,000 sets of Family Kits for the Families Affected by the Taal Volcano Eruption, classified according to the following:

Particulars	Quantity	Unit	Unit Cost	Approved Budget for the Contract
<b>Supply and Delivery of Family Kits for the Families Affected by the Taal Volcano Eruption</b> <ul style="list-style-type: none"> <li>- 5 pieces Bath Towel size at least 24" x 46", cotton, assorted color and design;</li> <li>- 2 pieces Ladies Panty cotton, large, washable, assorted color except white;</li> <li>- 2 pieces Men's Brief cotton, large, washable, assorted color except white;</li> <li>- 3 pieces Girl's Panty Cotton, Medium washable, assorted except white;</li> <li>- 3 pieces Boy's Brief Cotton, Medium washable, assorted except white;</li> <li>- 2 pieces Sando Bra adult, cotton, color white, size large, washable;</li> <li>- 3 pieces Sando Bra Child, cotton, color white, size medium, washable;</li> </ul>	<b>40,000</b>	<b>set</b>	<b>2,500.00</b>	<b>100,000,000.00</b>

<ul style="list-style-type: none"> <li>- 4 pieces T-Shirt, adult unisex, cotton, assorted color except white size 2 Medium, 2 Large, washable, round neck;</li> <li>- 6 pieces T-Shirt, children unisex, cotton, assorted color except white size 3 Medium, 3 Large, washable, round neck;</li> <li>- 4 pieces Shorts adult, unisex, cotton, assorted color except white, size 4 Medium, 4 Large, washable, garterized;</li> <li>- 6 pieces Short Children, unisex, cotton, assorted color except white, size 3 Medium, 3 Large, washable, garterized;</li> <li>- 2 pairs Slippers adult, rubber slipper, any color, size 9-11”;</li> <li>- 3 pairs Slippers child, rubber slipper, any color, size 5-8”;</li> <li>- Packaging:             <ul style="list-style-type: none"> <li>o Printed in Black with DSWD Logo and “Family Kit, for Emergency Purpose, Not For Sale” in 4 sides including the list of items;</li> <li>o Supplier to submit prototype kit (1 complete set);</li> <li>o Box size shall be supplier specifications</li> </ul> </li> </ul>				
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Copies of the Endorsement Memorandum and Purchase Requests (PRs) from National Resource and Logistics Management Bureau (NRLMB) are hereto attached, marked as Annexes “A”, and “B” respectively, and are made integral parts hereof;

**WHEREAS**, Section 53.2<sup>1</sup> of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (RA No. 9184) otherwise known as the Government Procurement Reform Act, allows the use of Negotiated Procurement-

<sup>1</sup> In case of imminent danger to life or property during a state of calamity, or when time is of the essence arising from natural or man-made calamities or other causes where imminent action is necessary to prevent damage to or loss of life or property, or to restore vital public services, infrastructure facilities and other public utilities. In case of Infrastructure Projects, the Procuring Entity has the option to undertake the project through negotiated procurement or by administration or, in high security risk areas, through the AFP.

Emergency Cases whereby the Procuring Entity can directly negotiate a contract with a technically, legally and financially capable supplier. Negotiated Procurement-Emergency Cases may be resorted on the following instances;

- i. *In case of imminent danger to life or property during a state of calamity, or*
- ii. *When time is of the essence arising from natural or man-made calamities or*
- iii. *Other causes where immediate action is necessary:*
  - a) *To prevent damage to or loss of life or property, or*
  - b) *To restore vital public services, infrastructure facilities and other public utilities.*

**WHEREAS**, the NRLMB, through Director Emmanuel P. Privado, submitted a justification requesting for the emergency procurement of 40,000 family kits to provide immediate relief assistance to the families affected by the Taal Volcano Eruption who are currently staying inside evacuation centers for the duration of one (1) month or until March 2020. The said justification was supported by documents such as state of calamity of Batangas and Cavite Province, Disaster Response Operations Monitoring and Information Center (DROMIC) Report No. 43 and Minutes of the Executive Committee Meeting. A copy of the Justification Letter of NRLMB is hereto attached, marked as **Annex “C”** and made an integral part hereof;

**WHEREAS**, on 21 February 2020, the President of the Philippines declared a state of calamity in Region IV-A (CALABARZON) through Proclamation No. 906 series of 2020. It was indicated in the Proclamation that all Departments and other concerned government agencies were directed to implement and execute rescue, recovery, relief and rehabilitation work in accordance with pertinent operational plans and directives. Further, it was also stated that the state of calamity shall remain in force and effect for one (1) year unless sooner lifted in accordance with law. A copy of the Proclamation No. 906 is hereto attached, marked as **Annex “D”** and made an integral part hereof;

**WHEREAS**, on 09 March 2020, Director Emmanuel P. Privado of NRLMB issued a Memorandum to the Bids and Awards Committee, reflecting the following information based on the conducted market research for Supply and Delivery of Family Kits:

<b>Supplier’s Name</b>	<b>As to Technical Specification</b>	<b>As to Financial Capacity</b>	<b>As to Legal Capacity</b>
Dextel Trading	complied with all the items and has the capacity to deliver the items within the set delivery schedule	quotation submitted is PhP 2,300/kit and within the actual budget cost per set/kit	submitted its, valid Mayor’s Permit, Latest Income Tax Return and PhilGEPS Registration Certificate
Emmaiah Marketing	complied with all the items but do not have the capacity to deliver the items	quotations submitted is PhP2,954.00/set above the actual	submitted only a reference number of their Mayor’s Permit, Income Tax

	within the set delivery schedule	budget cost per set	Registration and PhilGEPS Registration Number
Mosler Philippines	complied with all the items but has no the capacity to deliver the items within the set delivery schedule	quotations submitted is Php3,000/set above the actual budget cost per set	did not submit any copy of reference of its legal documents required
2 Go Global International Corp.	invited and requested for quotation but did not submitted	not applicable	not applicable

As a result of the market research, the Director of NRLMB recommended to directly negotiate the contract to Dextel Trading, being determined as the technically, legally and financially capable supplier. A copy of the Memorandum from NRLMB is hereto attached, marked as **Annex “E”** and made an integral part hereof;

**NOW, THEREFORE**, in view of the foregoing and on the basis of the documents presented, we, the members of the Bids and Awards Committee resolves, as it is hereby resolved, to recommend the following:

1. Use of **Negotiated Procurement - Emergency Cases** for the Supply and Delivery of 40,000 sets of Family Kits for the Families Affected by the Taal Volcano Eruption pursuant to Section 53.2 of the 2016 Revised IRR of RA No. 9184, to provide immediate relief assistance to the families affected by the Taal Volcano Eruption who are currently staying inside evacuation centers for the duration of one (1) Month or until March 2020.
2. Award of contracts to **Dextel Trading** being the technically, legally and financially capable supplier, with a submitted quotation of Php2,300.00 per kit/set, and with a total contract cost amounting to **Ninety-Two Million Pesos (Php92,000,000.00)**, inclusive of applicable taxes for the **Supply and Delivery of 40,000 sets of Family Kits for the Families Affected by the Taal Volcano Eruption**.

**RESOLVED**, this 16<sup>th</sup> day of **March 2020** at Quezon City, Philippines.

**EMMANUEL P. PRIVADO**  
*Director, National Resource and Logistics Management Bureau*  
 Regular Member



**FELIX M. ARMEÑA**  
*Division Chief, Information and Communication Technology Management Service*  
 Alternate Member



**ON OFFICIAL BUSINESS/TRAVEL**

**ERNESTINA Z. SOLLOSO**  
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*Officer-in-Charge, Social Marketing Service*  
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**FELICISIMO C. BUDIONGAN**  
*Undersecretary for Disaster Response Management*  
Chairperson

**EMMANUEL P. PRIVADO**  
*Director, National Resource and Logistics Management Bureau*  
Regular Member

(  ) Approved      (  ) Disapproved

**FELICISIMO C. BUDIONGAN**  
*Undersecretary for Disaster Response Management*  
*(Per Special Order No. 3242, Series of 2019)*  
(Head of the Procuring Entity/Authorized Representative)

\*Designated as Vice-Chairperson in the absence of the Chairperson