

**BIDS AND AWARDS COMMITTEE (BAC)**  
**Resolution No. 20-03-065**

**RECOMMENDING THE USE OF NEGOTIATED PROCUREMENT THROUGH  
EMERGENCY CASES AND AWARD OF CONTRACT FOR THE SUPPLY AND  
DELIVERY OF PLASTIC PALLETS TO BE USED FOR THE STACKING OF FOOD  
AND NON-FOOD ITEMS IN THE NATIONAL RESOURCE OPERATION CENTER  
(NROC) IN RESPONSE TO THE PANDEMIC SPREAD OF CORONA VIRUS  
DISEASE (COVID-19)  
(PR NO. 01-20001-PR-2020-03-00279)**

**WHEREAS**, the Department of Social Welfare and Development (DSWD) through the National Resource and Logistics Management Bureau (NRLMB) requested an emergency procurement of 1,500 pieces of Plastic Pallets under Purchase Request (PR) No. 01-20001-PR-2020-03-00279 to be used in the National Response Operation Center (NROC) in response to the Pandemic Spread of Corona Virus Disease (Covid-19). Copies of the PR and Project Proposal 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-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 1,500 pieces of Plastic Pallets to ensure the organize stacking of Food and Non-Food Items, that will be

<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.

distributed in different areas of Metro Manila, and other raw materials in the NROC in response to the Pandemic Spread of Covid-19. A copy of the Justification is hereto attached, marked as **Annex "C"**, and made an integral part hereof;

**WHEREAS**, the President of the Philippines declared a state of Public Health Emergency throughout the Philippines through Proclamation No. 922 dated 08 March 2020. It was indicated in the Proclamation that *"the declaration of State of Public Health Emergency would capacitate the government agencies and LGUs to immediately act to prevent loss of life, utilize appropriate resources to implement urgent and critical measures to contain or prevent the spread of Covid-19, mitigate its effects and impact to the community, and prevent serious disruption of the functioning of the government and the community"*. A copy of the Proclamation No. 922 is hereto attached, marked as **Annex "D"**, and made an integral part hereof;

**WHEREAS**, in the exigency of service and considering the urgency of the aforesaid request and to ensure that competitive prices are obtained, the Procurement Management Service (PMS), through the Procurement Planning and Management Division (PPMD), immediately prepared the Request for Quotation (RFQ) No. 20-0324 NP-Emergency Cases for the 1,500 pieces Plastic Pallets and sent to the following prospective suppliers, to wit:

1. First Pinnacle Trading Corporation;
2. Castech Industrial Sales, Inc.;
3. Manly Plastic Pallets;
4. Safety and Relief Products;
5. Ramesh Trading;
6. 2 Go Global International Corp.;
7. 8 Dimension Trading and Supplies, Inc.;
8. Madlex Trading;
9. TAI Son Industrial Corp.;
10. H-Star Enterprise Inc.;
11. Prime Sales Inc.;
12. Manila Plastic Corp.;
13. Chaefer Systems Philippines Inc.;
14. Uppersource Multiproducts Sales, Inc.; and
15. Octaplas Industrial Services Inc.

Copies of the RFQ, Proof of Invitation and Endorsement Memorandum from PPMD are hereto attached, marked as **Annexes "E", "F", and "G"**, respectively, and are made integral parts hereof;

**WHEREAS**, in response to the RFQ, the following suppliers submitted its price quotations within the specified deadline of submission which was not later than 3:00 p.m. of 20 March 2020, to wit:

1. Castech Industrial Sales, Inc.;
2. Ramesh Trading; and
3. First Pinnacle Trading Corporation.

Copies of the proof of quotations are hereto attached, marked as **Annexes “H-1”**, **“H-2”**, and **“H-3”**, respectively, and are made integral parts hereof;

**WHEREAS**, First Pinnacle Trading Corporation, Inc. was determined as the Single Calculated and Responsive Quotation based on the result of evaluation as follows:

<b>SUPPLIER'S NAME</b>	<b>PRICE QUOTATION</b> <i>(in Phil. Peso inclusive of Applicable Taxes)</i>	<b>EVALUATION AS TO SPECIFICATIONS</b>	<b>REMARKS/FINDINGS</b>
Castech Industrial Sales, Inc.	5,250,000.00	NON-COMPLYING DUE SPECIFICATIONS	Dimension Variance: +/- 10mm
Ramesh Trading	4,800,000.00	NON-COMPLYING DUE TO DELIVERY TERMS	Full delivery within 30 days of Purchase Order
First Pinnacle Trading Corporation	4,950,000.00	COMPLYING	Single Calculated and Responsive Quotation

**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 1,500 pieces Plastic Pallets pursuant to Section 53.2 of the 2016 Revised IRR of RA No. 9184, to be used in the National Response Operation Center (NROC) in response to the Pandemic Spread of Corona Virus Disease (Covid-19); and
2. Award of contract to **First Pinnacle Trading Corporation** being the technically, legally and financially capable supplier, with a total contract cost amounting to **Four Million Nine Hundred Fifty Pesos (Php4,950,000.00)**, inclusive of all applicable taxes for the **Supply and Delivery of 1,500 pieces Plastic Pallets to be used for the stacking of Food and Non Food-Items in the NROC in response to the Pandemic Spread of Covid-19.**

**RESOLVED**, this **26<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



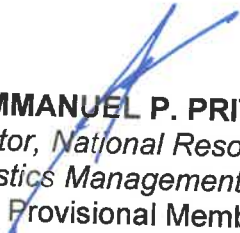
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*Officer-in-Charge, Social Marketing Service*  
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**RENE GLEN O. PAJE\***  
*Undersecretary for Inclusive and Sustainable Peace*  
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**NOEL M. MACALALAD**  
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**FELICISIMO C. BUDIONGAN**  
*Undersecretary for Disaster Response Management*  
Chairperson

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