

BIDS AND AWARDS COMMITTEE (BAC)
Resolution No. 20-03-074

**RECOMMENDING THE USE OF NEGOTIATED PROCUREMENT THROUGH
EMERGENCY CASES AND AWARD OF CONTRACT FOR THE PROCUREMENT
OF FUMIGATION SERVICES FOR NRLMB
(PR NO. 01-20001-PR-2020-03-00297)**

WHEREAS, the Department of Social Welfare and Development (DSWD) in its efforts to ensure the quality of relief supplies for the on-going relief operation of the department due to the COVID-19 which affects the entire country, the National Resource and Logistics Management Bureau (NRLMB) requested emergency procurement of Fumigation Services for NRLMB under Purchase Request (PR) No. 01-20001-PR-2020-03-00297. 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 53.2¹ of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (R.A. No. 9184) otherwise known as the Government Procurement Reform Act (GPRA), 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 natura' 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 fumigation services for NRLMB to conduct treatment to the available rice donated by the Government of China. A copy of the Justification is hereto attached, marked as **Annex "C"**, and made an integral part hereof;

¹ 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.



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. 20-0329 NP-Emergency Cases for the Emergency Procurement of Fumigation Services of Donated Rice and sent to the following prospective suppliers, to wit:

1. Hunter Buster;
2. Fastkil Pest Control;
3. Entom Pest Control;
4. Global Pest Control;
5. Care Pest Management;
6. Top Best Pest Control; and
7. Entech.

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, on April 1, 2020, the PMS – PPMD issued Supplemental Bid Bulletin No. 1 extending the deadline for submission of Quotations / Bids from April 1, 2020 at 5:00 P.M. to April 1, 2020 at 6:00 P.M. A copy of the said Supplemental Bid Bulletin No. 1 is hereto attached and marked as **Annex “H”** and made an integral part 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 6:00 P.M. of April 1, 2020. To wit:

1. Hunter Buster Pest Services; and
2. Entom Pest Control & General Services Corp.

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

WHEREAS, Entom Pest Control & General Services Corp. was determined as the Single Calculated and Responsive Quotation (SCRQ) based on the result of evaluation as follows:



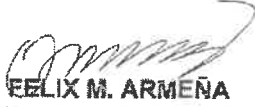
SUPPLIER'S NAME	PRICE QUOTATION (in Phil. Peso inclusive of Applicable Taxes)	EVALUATION AS TO SPECIFICATIONS	REMARKS/FINDINGS
Entom Pest Control & General Services Corp.	827,296.88	COMPLYING	Single Calculated and Responsive Quotation
Hunter Buster Pest Services	883,825.00	NON-COMPLYING DUE TO TECHNICAL SPECIFICATIONS AND DELIVERY TERMS	Cannot comply with the two (2) days delivery period and License was not yet renewed


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 Emergency Procurement of Fumigation Services for NRLMB pursuant to Section 53.2 of the 2016 Revised IRR of RA No. 9184, to ensure the quality of relief supplies for the on-going relief operation of the department due to the spread of Corona Virus Disease (Covid-19); and
2. Award of contract to **Entom Pest Control & General Services Corp.** being the technically, legally and financially capable supplier, with a total contract cost amounting to **Eight Hundred Twenty-Seven Thousand Two Hundred Ninety-Six Pesos and 88/100 (PHP 827,296.88)**, inclusive of applicable taxes for the **Emergency Procurement of Fumigation Services for NRLMB**.

RESOLVED, this 3rd day of **April 2020** at Quezon City, Philippines.

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


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


ERNESTINA Z. SOLLOSO
Director, Pantawid Pamilyang Pilipino
Program
Regular Member

IRENE B. DUMLAO
Officer-in-Charge, Social Marketing
Service
Alternate Member

RENE GLEN O. PAJE*
Undersecretary for Inclusive and Sustainable Peace
Regular Member

NOEL M. MACALALAD
Assistant Secretary for Standards and Capacity Building
Alternate Member

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*