

BIDS AND AWARDS COMMITTEE (BAC)
Resolution No. 20-10-238

**RECOMMENDING THE USE OF NEGOTIATED PROCUREMENT FOR
EMERGENCY CASES AND AWARD OF CONTRACT FOR THE SUPPLY AND DELIVERY
OF 290,000 CANS OF CANNED CORNED BEEF**
(PR. NO. 01-20001-PR-2020-09-00249)

WHEREAS, the Department of Social Welfare and Development (DSWD) through the National Resource and Logistics Management Bureau (NRLMB) requested an emergency procurement for the Supply and Delivery of 290,000 Cans of Canned Corned Beef under Purchase Request (PR) No. 01-20001-PR-2020-09-00249; with an approved Budget for the Contract amounting to **Seven Million Eight Hundred Ninety-Nine Thousand Six Hundred Pesos (PhP7,899,600.00)**. Copies of the PR and Project Proposal from the NRLMB 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 (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*

To restore vital public services, infrastructure facilities and other public utilities.

WHEREAS, the NRLMB, through Dir. Emmanuel P. Privado, submitted a justification stating that the stocks of the raw materials for the production of family food packs have been depleting and it may hamper the operations of the bureau. Therefore, in order to have continuous distribution of the items and anticipating for the additional request to address the immediate needs of the affected families by the COVID-19 Pandemic related crisis, there is a need to immediately procure these raw materials. A copy of the **Justification** from NRLMB 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, to further justify the use of Negotiated Procurement – Emergency Cases, on 8 March 2020, the President of the Philippines issued the Proclamation No. 922 series of 2020 Declaring a State of Public Health Emergency throughout the Philippines to facilitate the implementation of the relevant provisions of Republic Act No. 11332. Moreover, it enjoins all government agencies and LGUs to render full assistance and cooperation, mobilize the necessary resources to undertake critical, urgent and appropriate response and measures in a timely manner to curtail and eliminate the COVID-19 threat, and prevent serious disruption of the functioning of the government and the community. A copy of the **Presidential Proclamation No. 922** is hereto attached, marked as **Annex “D”**, and made an integral part hereof;

WHEREAS, considering the urgency of the aforesaid request and following the market research conducted by NRLMB, the Procurement Management Service (PMS), through the Procurement Planning and Management Division (PPMD), immediately prepared a **Request for Quotation (RFQ) No. 20-0989 NP-Emergency Cases** and sent to the following service providers/suppliers:

- | | |
|---------------------------------------|-------------------------------------|
| 1. Fortune Group Corp.; | 17. Sunpride Foods, Inc.; |
| 2. Century Pacific Food Inc.; | 18. INERSIA Marketing Corp.; |
| 3. Foodsphere, Inc.; | 19. San Miguel Corp.; |
| 4. Universal Canning Inc.; | 20. Right Moves Inc.; |
| 5. Monterozza Food Corp.; | 21. Universal Robina Corporation; |
| 6. Sciontrade Corporation; | 22. Asia Pacific Aqua Marine, Inc.; |
| 7. Foodzone, Inc. | 23. Virginia Food Inc.; |
| 8. Puregold Price Club Inc.; | 24. Bettilane Marketing; |
| 9. Suy Sing Commercial Corp.; | 25. Anjene Industries, Inc.; |
| 10. Ramesh Trading; | 26. Centerpoint Sales; |
| 11. Walter Mart; | 27. L. Victoria Trading; |
| 12. 2Go Global Int'l Corp.; | 28. CYN Trading & Services, Inc.; |
| 13. Permex Producer & Exporter Corp.; | 29. A.M. Ramos Trading, Inc.; |
| 14. Universal Canning Inc.; | 30. Vita-Lize Distributions, Inc.; |
| 15. MCS Gen Mdse.; | 31. Emmaiah Marketing; and |
| 16. United Pacific Rise Corporation; | 32. Anthony and Czes Enterprise. |

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, all efforts have been exerted, however, within the set deadline on 13 October 2020 at 03:00 p.m., two (2) price quotations were received by the BAC Secretariat from **EMMAIAH MARKETING & SERVICES, INC.** and **2 GO GLOBAL INTERNATIONAL CORPORATION**. Copies of the price quotations received are hereto attached, marked as **Annexes “H-1” and “H-2”**, respectively, and are made integral parts hereof;

WHEREAS, pursuant to Section 12 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (RA 9184), which provides for the authority of the BAC to create a Technical Working Group (TWG) to assist the BAC in the procurement process. The members of the TWG shall verify, validate and ascertain all statements made and documents submitted by the prospective suppliers. A copy of the **Memorandum** from

the BAC Chairperson is hereto attached, marked as **Annex "I"**, and made an integral part hereof;

WHEREAS, on 21 October 2020, the TWG submitted its narrative report on the result of its evaluation. The summary of the evaluation is as follows;

Name of Suppliers	Compliance with Technical Specifications			Bid Price in Philippine Peso (PhP)		Remarks
	Particular	Quantity / Unit	Remarks	Unit Price	Total Cost	
1. EMMAIAH MARKETING & SERVICES, INC.	Canned Corned Beef	290,000 cans	Non-Compliant	25.25	7,322,500.00	
	Grand Total:				7,322,500.00	
2. 2 GO GLOBAL INTERNATIONAL CORPORATION	Canned Corned Beef	290,000 cans	Compliant	20.00	5,800,000.00	Single Calculated and Responsive Quotation
	Grand Total:				5,800,000.00	

The accomplished individual evaluation forms and the narrative report of the TWG are hereto attached, marked as **Annexes "J"** and **"K"** respectively, and are made integral parts hereof;

WHEREAS, on 26 October 2020, the BAC deliberated on the TWG narrative evaluation report, and concurred with its findings. A copy of the **Minutes of the Special BAC Meeting** is hereto attached, marked as **Annex "L"**, 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 290,000 Cans of Canned Corned Beef, pursuant to Section 53.2 of the 2016 Revised IRR of RA No. 9184; and
2. Award of contract to **2 GO GLOBAL INTERNATIONAL CORPORATION** being the technically, legally and financially capable supplier, with a total contract cost amounting to **Five Million Eight Hundred Thousand Pesos (PhP5,800,000.00)**, inclusive of applicable taxes.


RESOLVED, this 27th day of October 2020 in Quezon City.


ATTY. SITTIE RAIFAH M. PAMALOY-HASSAN
 Director, Legal Service
 Regular Member


ATTY. MARIA CASSANDRA M. URBIZTONDO
 Division Chief, Legal Service
 Alternate Member

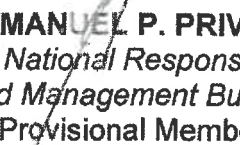
ERNESTINA Z. SOLLOSO
*Director, Pantawid Pamilyang Pilipino
Program*
Regular Member


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



MARK ALLAN JAY G. YAMBAO²
Undersecretary for Special Projects
Regular Member

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


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


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

() Approved () Disapproved


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


² Designated as Vice-Chairperson in the absence of the Chairperson.

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

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



MARK ALLAN JAY G. YAMBAO²
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Regular Member


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

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