

BIDS AND AWARDS COMMITTEE (BAC)
Resolution No. 20-07-162

**RECOMMENDING THE USE OF NEGOTIATED PROCUREMENT THROUGH
 EMERGENCY CASES AND AWARD OF CONTRACT FOR THE SUPPLY AND
 DELIVERY OF 162,000 PRE-PACKED FAMILY FOOD PACKS FOR DSWD'S
 COVID 19 DISASTER OPERATION AT THE NATIONAL RESOURCE AND
 LOGISTICS MANAGEMENT BUREAU
 (PR NO. 01-20001-PR-2020-07-00076)**

WHEREAS, the Department of Social Welfare and Development (DSWD) through the National Resource and Logistics Management Bureau (NRLMB) requested an emergency procurement of 162,000 Pre-packed Family Food Packs for DSWD's Coronavirus Disease 2019 (Covid-19) Disaster Operations at the National Resource and Logistics Management Bureau (NRLMB), classified according to the following:

Particulars	Quantity	Unit	Unit Cost	Approved Budget for the Contract
Supply and Delivery of Pre-packed Family Food Packs for DSWD's Coronavirus Disease 2019 (Covid-19) Disaster Operations at the NRLMB - 6 kilos of Rice; - 4 tins of Canned Corned Beef - 4 tins of Canned Tuna - 2 tins of Canned Sardines - 5 sachets of Coffee; and - 5 sachets of Powdered Cereal Drink	162,000	pack	617.00	99,954,000.00

Copies of the **Purchase Request (PR)**, **Technical Specifications**, **Project Proposal** from NRLMB are hereto attached, marked as **Annexes "A", "B", and "C"**, 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;

WHEREAS, the NRLMB, through Director Emmanuel P. Privado, submitted a justification requesting for the emergency procurement of 162,000 pre-packed family food packs to address the immediate need for assistance to the affected families of the

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.



pandemic spread of Covid-19. A copy of the **Justification** from NRLMB is hereto attached, marked as **Annex “D”**, and made an integral part hereof;

WHEREAS, to further justify the use of Negotiated Procurement – Emergency Cases, on 16 March 2020, the President of the Philippines declare a state of calamity throughout the Philippines due to Corona Virus Disease 2019 through Proclamation No. 929 series of 2020. Section 1 of the said proclamation states that “[t]here is hereby a State of Calamity throughout the Philippines for a period of Six (6) months, unless earlier lifted or extended as circumstances may warrant”. Further, Section 3 of the same proclamation states that “[a]ll government agencies and LGU’s are enjoined to render full assistance to an cooperation with each other and mobilize the necessary resources to undertake critical, urgent, and appropriate disaster response aid and measures in a timely manner to curtail and eliminate the threat of Covid-19”. A copy of the **Presidential Proclamation No. 929** is hereto attached, marked as **Annex “E”**, and made an integral part hereof;

WHEREAS, considering the urgency of the aforesaid request the Procurement Management Service (PMS), through the Procurement Planning and Management Division (PPMD), immediately prepared a Request for Quotation (RFQ) No. 20 0673 NP-Emergency Cases and sent to the following prospective suppliers:

1. Ramesh Trading;
2. Glasdon Supply, Inc.;
3. Sunola Trading;
4. Emmaiah Marketing & Services, Inc.
5. Dextel Trading;
6. Anclaze Trading Corp.

Copies of the **RFQ**, **Proof of Invitation** and endorsement **Memorandum** from PPMD are hereto attached, marked as **Annexes “F”**, **“G”** and **“H”**, 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 9:00 a.m. of 20 July 2020, to wit:

1. Anclaze Trading Corp.; and
2. Glasdon Supply, Inc.

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, on 20 July 2020, the BAC created a Technical Working Group (TWG), pursuant to Section 12 of the IRR of RA 9184, who will conduct the evaluation of quotations received. However, the TWG, in order to verify and assess the compliance of the required technical specifications in the submitted quotations, requested the BAC to require Anclaze Trading Corp. and Glasdon Supply, Inc. to submit sample/prototype of the Pre-packed Family Food Packs on or before 5:00 p.m. 22 July 2020 with the following considerations:

1. Regular Slotted Carton – markings, thickness, wax inside/unwaxed outside are not yet required while its dimension shall be strictly observed; and

2. Rice bag - markings are not required.

Copies of the **Memoranda** from the BAC and TWG are hereto attached, marked as **Annexes “J-1”** and **“J-2”**, respectively, and are made integral parts hereof;

WHEREAS, on 20 July 2020, the BAC issued a letter to Anclaze Trading Corp. and Glasdon Supply, Inc. to submit sample/prototype of the Pre-packed Family Food Packs on or before 5:00 p.m. 22 July 2020 to the BAC Secretariat Office with the following considerations:

1. Regular Slotted Carton – markings, thickness, wax inside/unwaxed outside are not yet required while its dimension shall be strictly observed; and
2. Rice bag- markings are not required.

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

WHEREAS, on 22 July 2020, the BAC issued another Memorandum to reconvene the TWG to evaluate the quotations and sample/prototype submitted by Anclaze Trading Corp. and Glasdon Supply, Inc. A copy of the **Memorandum** is hereto attached, marked as **Annex “L”**, and made an integral part hereof;

WHEREAS, on 29 July 2020, during the regular BAC meeting, the TWG presented its Evaluation Report. Based on the report only Anclaze Trading Corp. submitted its prototype pre-packed family food packs while Glasdon Supply, Inc. submitted only a Regular Slotted Carton and Rice Bag. Thus, Glasdon Supply, Inc. failed to comply with the requirements. Upon evaluation of the submitted prototype pre-packed family food packs of Anclaze Trading Corp. the following remarks were observed, to wit:

ITEM	OBSERVATION	BRAND
Rice Bags	Submitted sample was Vacuum Packed, 2 bags @ 3 kilos, did not meet the specification set by the end-user as to measurement and seaming of the plastic bag. On the other hand, vacuum packing will prevent infestation of rice. Materials used is Nylon PE	Not applicable
Canned Sardines, Corned Beef and Tuna	To require Certificate of Analysis as proof of can thickness	Lucky 7 – Sardines Bingo – Corned Beef Century - Tuna
Canned Tuna	Submitted Easy-Open Can, instead of non-easy open can. It was observed that most of canned tuna in the market are easy-open can.	
Powdered Cereal Drink	The sample is Milk Flavor instead of Chocolate or Vanilla and has 9 months expiry	Bear Brand

Instant Coffee	The sample has 10 months expiry instead of 12 months.	Blend 45
----------------	---	----------

To further ensure that the prospective suppliers has the capacity to supply the 162,000 pre-packed Family Food Packs, the TWG conducted site visit to their possible repacking area. Moreover, the TWG also verified the computation of the quotation submitted by Anclaze Trading Corp. on how they come up with their quotation of Php617.00/pack.

WHEREAS, the BAC carefully reviewed and deliberated the TWG Evaluation Report presented, Dir. Emmanuel P. Privado, being the End-user and Provisional Member of the BAC, recommended to declare Glasdon Supply Inc. as non-compliant for its failure to submit the required prototype of pre-packed family food packs within the prescribed period of submission. Dir Privado accepted the observation found by the TWG to the sample/prototype submitted by Anclaze Trading Corp. and recommended Award of Contract with the following considerations, to wit:

1. The submitted sample for rice bags was already vacuum packed that will prevent infestation of rice. The material of the plastic bag is Nylon PE which is suitable for vacuum packaging;
2. The site visit conducted by the TWG showed that Anclaze Trading Corporation has the capacity to supply and deliver the 162,000 pre-packed Family Food Packs; and
3. Due to the urgency of the procurement project.

After carefully review and deliberation, the BAC resolved to recommend Award of Contract to Anclaze Trading Corporation being the technically, legally and financially capable supplier. Copies of the **TWG Evaluation Report, Detailed Computation of Anclaze Trading Corp. submitted quotation, and Minutes of the Meeting** are hereto attached, marked as **Annexes "M", "N" and "O"**, respectively, and are made integral parts 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 162,000 Pre-packed Family Food Packs for DSWD's Coronavirus Disease 2019 (Covid-19) Disaster Operations pursuant to Section 53.2 of the 2016 Revised IRR of RA No. 9184, to address the immediate need for assistance to the affected families of the pandemic spread of Covid-19.
2. Award of contracts to **Anclaze Trading Corp.** being the technically, legally and financially capable supplier, with a submitted quotation of Php617.00 per pack, with a total contract cost amounting to **Ninety-Nine Million Nine Hundred Fifty-Four Thousand Pesos (Php99,954,000.00)**, inclusive of applicable taxes for the **Supply and Delivery of 162,000 Pre-packed Family Food Packs for DSWD's Coronavirus Disease 2019 (Covid-19) Disaster Operations at the NRLMB;**

RESOLVED, this 29th day of July 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

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*
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*