

## **BIDS AND AWARDS COMMITTEE**

RESOLUTION NO. 20-02-028

**RECOMMENDING THE USE OF DIRECT CONTRACTING WITH PHILCOPY CORPORATION FOR THE PROCUREMENT OF KYOCERA BRANDED CONSUMABLES AND SPARE PARTS FOR KYOCERA PHOTOCOPIERS AND/OR PRINTERS OF PROCUREMENT MANAGEMENT SERVICE (PMS)**  
(PR No. 01-20001-PR-2020-02-00040 and 01-20001-PR-2020-02-00114)

**WHEREAS**, the Procurement Management Service (PMS), through the Procurement Planning and Management Division (PPMD), forwarded a referral to the Bids and Awards Committee (BAC) on 20 February 2020 requesting for the issuance of a resolution recommending the use of Direct Contracting as an alternative procurement modality for the procurement of consumables and spare parts for Kyocera copiers and/or printers of Department of Social Welfare and Development (DSWD). The said procurement was requested through approved Purchase Request (PR) Nos. 01-20001-PR-2020-02-00040 and 01-20001-PR-2020-02-00114. Copies of the referral memorandum and PR Nos. 01-20001-PR-2020-02-00040 and 01-20001-PR-2020-02-00114 are hereto attached, marked as **Annexes "A", "B-1" and "B-2"** respectively, and are made integral parts hereof;

**WHEREAS**, Philcopy Corporation submitted a price quotation together with the Sworn Certificate of Guarantee from Kyocera Document Solutions Asia Limited confirming the appointment of the former as the exclusive distributor in marketing and servicing Kyocera Document Solutions brand copiers, laser printers and multi-functional peripheral, software solutions, including related consumables and spare parts in the Philippines. The certification was signed by Mr. Satoru Kyogoku, Director of Kyocera Document Solutions Corporation. A copy of the price quotation and certification are hereto attached, marked as **Annexes "C" and "D"** respectively, and are made integral parts hereof;

**WHEREAS**, Philcopy Corporation submitted an Authentication Certificate dated 16 May 2019 from Ms. Fatima G. Quintin, the Consul of the Republic of the Philippines in Hong Kong SAR. A copy of the certification is hereto attached, marked as **Annex "E"**, and made an integral part hereof;

**WHEREAS**, pursuant to **Section 50 (c) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (RA 9184)**, **Direct Contracting** may be resorted to by the concerned Procuring Entities when the goods are sold by an exclusive dealer or manufacturer which does not have sub-dealers selling at lower prices and for which no suitable substitute can be obtained at more advantageous terms to the Government of the Republic of the Philippines (GOP);

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

- 1) Adopt **Direct Contracting** as alternative method of procurement pursuant to Section 50 (c) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (RA 9184), for the procurement of spare parts, accessories and consumables for Kyocera branded copiers and/or printers of DSWD; and



2) **Award of Contract to PHILCOPY CORPORATION** for the procurement of Kyocera branded spare parts, accessories and consumables for Kyocera branded copiers and/or printers of PMS. Provided further that this resolution shall be the basis of award in all subsequent procurement request and shall be valid only until 31 December 2020, unless the certificate of the latter as the exclusive distributor is earlier terminated by its foreign principal.;

**RESOLVED**, this 20<sup>th</sup> day of February 2020 at Quezon City, Philippines.

**OFFICIAL BUSINESS TRAVEL**

**EMMANUEL P. PRIVADO**

Director IV, National Response Logistics  
and Management Bureau  
Regular Member

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Division Chief, Information and Communication  
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**IRENE B. DUMLAO**

Officer-in-Charge, Social Marketing Service  
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**RENE GLEN O. PAJE\***

Undersecretary for Inclusive and Sustainable  
Peace  
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**OFFICIAL BUSINESS TRAVEL**

**NOEL M. MACALALAD**

Assistant Secretary for Standards and  
Capacity Building  
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**ATTY. KARINA ANTONETTE A. AGUDO**

OIC-Director, Procurement Management  
Service  
Provisional Member

**OFFICIAL BUSINESS TRAVEL**

**FELICISIMO C. BUDIONGAN**

Undersecretary for Disaster Response  
Management  
Chairperson

Approved

Disapproved

**JOSE ERNESTO B. GAVIOLA**

Undersecretary for General Administration and Support Services Group  
Head of the Procuring Entity (HOPE)  
as per Special Order No. 3242 series of 2019

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