

BIDS AND AWARDS COMMITTEE

RESOLUTION NO. 20-03-047

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 ADMINISTRATIVE SERVICE (AS)

(PR No. 01-20001-PR-2020-02-00248)

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 9 March 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 Administrative Service (AS). The said procurement was requested through approved Purchase Request (PR) No. 01-20001-PR-2020-02-00248. Copies of the referral memorandum and PR No. 01-20001-PR-2020-02-00248 are hereto attached, marked as **Annexes "A"** and **"B"** 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 AS; 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 AS. 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 11th day of March 2020 at Quezon City, Philippines.

ON OFFICIAL BUSINESS/TRAVEL

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

ON OFFICIAL BUSINESS/TRAVEL

FELIX M. ARMEÑA
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ATTY. KARINA ANTONETTE A. AGUDO
OIC-Director, Administrative Service
Provisional Member

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