

**BIDS AND AWARDS COMMITTEE (BAC)**  
**Resolution No. 20-04-084**

**RECOMMENDING THE USE OF DIRECT CONTRACTING WITH OTUS COPY SYSTEMS INC. FOR THE PROCUREMENT OF FUJI BRANDED CONSUMABLES AND SPARE PARTS FOR FUJI PHOTOCOPIER AND/OR PRINTER OF FINANCE AND MANAGEMENT SERVICE (FMS)**

**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 November 26, 2019 requesting 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 Fuji copier / printer of Finance Management Service (FMS). The said procurement was requested through the approved Purchase Request (PR) No. 01-20001-PR-2019-09-00051. Copies of the referral memorandum and approved PR are hereto attached, marked as **Annexes "A" and "B"**, respectively, and are made integral parts hereof;

**WHEREAS**, Otus Copy Systems Inc. submitted a Manufacturer's Certification from Fuji Xerox Philippines, Inc. indicating therein that the former is appointed as an exclusive distributor of all Fuji products in the Philippines. A copy of the said Manufacturer's Certification together with the price quotation are hereto attached, marked as **Annexes "C" and "D"**, respectively, and are made integral parts hereof;

**WHEREAS**, pursuant to Section 50 (c) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (RA 9184) otherwise known as the Government Procurement Reform Act (GPRA) provided that 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 (BAC) resolves, as it is hereby resolved, to recommend the following:

1. Adopt **Direct Contracting** as an 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 Fuji branded copiers and/or printers of Finance and Management Service (FMS);** and
2. **Award of contract to Otus Copy Systems Inc.** for the procurement of Fuji branded consumables and spare parts for Fuji branded copiers and/or printers of FMS. Provided further that this resolution shall be the basis of award in all subsequent procurement request and shall be valid only until December 31, 2020, unless the certificate of the latter as the exclusive distributor is earlier terminated by its foreign principal. Provided further that it shall continue to have no sub-dealers selling at a lower price.

**RESOLVED**, this 27<sup>th</sup> day of **April 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  
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**FELICISIMO C. BUDIONGAN**

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Chairperson



**WAYNE C. BELIZAR**

*Director IV, Finance and Management  
Service*  
Provisional Member

PR-2019-09-00051

Approved

Disapproved



**JOSE ERNESTO B. GAVIOLA**

*Undersecretary for General Administration and Support Services Group  
(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