

**BIDS AND AWARDS COMMITTEE
RESOLUTION NO. 85 S. 2020**

-NEGOTIATED PROCUREMENT- EMERGENCY CASES-

PURCHASE OF RAW MATERIALS FOR FAMILY FOOD PACKS

WHEREAS, the Department of Social Welfare and Development-Cordillera Administrative Region (DSWD-CAR) has been granted appropriations for **PURCHASE OF RAW MATERIALS FOR FAMILY FOOD PACKS** with an Approved Budget for the Contract (ABC) of Two Million Five Hundred Fifty-Three Thousand Six Hundred Pesos Only (₱2,553,600.00);

WHEREAS, in consonance with the Republic Act 9184 and its Implementing Rules and Regulations, a Project Procurement Management Plan (PPMP) which has been consolidated into the Annual Procurement Plan (APP) is in order for procurement of the programs, activities and projects for 2020;

WHEREAS, in consonance with the Republic Act 9184, otherwise known as the Government Procurement Reform Act, in its Implementing Rules and Regulations under Section 10, provides that “all procurement shall be done through competitive bidding, except as provided in Rule XVI”;

WHEREAS, Section 48.1 of the IRR of the above cited act stipulates that “subject to prior approval of the head of procuring entity, and whenever justified by the conditions provided in this Act, the procuring entity may, in order to promote economy and efficiency, resort to any of the alternative mode of procurement;

WHEREAS, under Section of 53.2 of the same IRR, Negotiated Procurement through the use of Emergency Cases can be used in cases of imminent danger to life or property during the state of calamity, or when time is of the essence arising from natural or man-made calamities or other causes where immediate action is necessary to prevent damage to or loss of life or property, or to restore vital public services;

WHEREAS, DSWD as the lead for disaster response need to live up the expectations of the “New Normal” due to the COVID 19 pandemic. As this is complicated by the onset of the disaster season, the DSWD-CAR has to step up its preparedness measures in any eventualities. Further, disaster response operations for COVID 19 is still on going. In order to ensure the preparedness of the government in disaster response, resorting to Negotiated Procurement through Emergency Cases was deemed necessary;

WHEREAS, on the 2nd day of December 2020, Request for Quotations were floated to suppliers that were technical, legal and financial capable namely **TSH CORPORATION** and **FORTUNE GROUP CORPORATION**;

WHEREAS, on 3rd day of December 2020 at 9am was the set deadline for the submission of price quotation wherein two (2) price quotations were received from the aforementioned suppliers;

WHEREAS, upon opening of the Request for Quotation held on the 3rd day of December 2020, findings were reflected in the table provided below:

BIDDER	AS READ	AS CALCULATED	REMARKS
TSH CORPORATION	N/A	2,510,888.00	WITHIN ABC
FORTUNE GROUP CORPORATION	646,000.00	646,000.00	INCOMPLETE QUOTATION

WHEREAS, upon evaluation by the Bids and Awards Committee (BAC), **FORTUNE GROUP CORPORATION** offered the lowest price. However, it was found that said bidder submitted an incomplete quotation. On the other hand, **TSH CORPORATION** submitted a complete quotation;

WHEREAS, upon deliberation, it was observed that the price quotations of **FORTUNE GROUP CORPORATION** for items number 1 and 2 were found to be cheaper than the price quotations of **TSH CORPORATION**. Moreover, the cheaper quotations were also found to be compliant with the technical requirements. With this, it was raised that it will be more advantageous for the government if the award of contract will be made on per item basis instead of per lot basis. Moreover, upon evaluation on the submitted quotation of **TSH CORPORATION** it seems that some of the items offered were found to be non-compliant with the technical specifications. Therefore, the BAC resolved to task the End-User to come-up first with their evaluation;

[Handwritten Signature]

**BIDS AND AWARDS COMMITTEE
RESOLUTION NO. 815 S. 2020**

-NEGOTIATED PROCUREMENT- EMERGENCY CASES-

PURCHASE OF RAW MATERIALS FOR FAMILY FOOD PACKS

WHEREAS, upon presentation of the evaluation report, said document states that the offer of **TSH CORPORATION** for item number 4 was found to be non-compliant on its prescribed expiration period. On the other hand, instead of the prescribed “non-easy open can” the offer of same bidder for item number 3 was “easy open can”. With this, due to the non-compliance of some items, the End-User recommends that the awarding of contract be made on per item basis. Thus, the BAC conferred to recommend the award of contract on per item basis;

WHEREAS, since only **TSH CORPORATION** was able to submit a price quotation for items number 3 and 4, and due to the urgency of need for the items concerned for the procurement at hand, the End-User stated that they are willing to accept the offer of **TSH CORPORATION** for item number 3. On the other hand, in order to complete the production of the immediately needed 2600 Family Food Packs, the End-User requested that the 13000 pieces for item number 4 be awarded to **TSH CORPORATION** ;

WHEREAS, in concurrence on the acceptance and request of the End-User, the BAC resolved to recommend the award of contract to be made on the following manner;

Item no.	Winning Bidder	Contract amount for the item	Total Contract Price
1	FORTUNE GROUP CORPORATION	₱437,760.00	₱646,000.00
2		₱208,240.00	
3		₱757,264.00	
4	TSH CORPORATION	₱93,080.00	₱1,122,424.00
5		₱272,080.00	

NOW, THEREFORE, foregoing premises considered, We, the Members of the Bids and Awards Committee, hereby **RESOLVED** as it is hereby resolved to recommend to the Regional Director that the awarding of contract for the **PURCHASE OF RAW MATERIALS FOR FAMILY FOOD PACKS** will be based on the items reflected in the table above.

RESOLVED at the DSWD-CAR, 40 North Drive, Baguio City this **3rd day of December 2020. (4:59PM)**

BIDS AND AWARDS COMMITTEE


MARY ANN G. BUCLAO
Alternate Vice Chairperson


GERALDINE TOYOKEN
Provisional Member (End-User)


ENRIQUE H. GASCON, JR.
Chairperson

Not present
Regular Member

Not present
Provisional Member (Expert)

APPROVED/DISAPPROVED


LEO L. QUINTILLA
OIC Regional Director


YUB/kenneth