

BIDS AND AWARDS COMMITTEE (BAC) 1

PROJECT DETAILS

Invitation to Bid Number	EC23-06-001TAG
Title	Supply and Delivery of Potable Water for Two (2) Years
Mode of Procurement	Negotiated Procurement (Emergency Cases)
End User	Facilities Management Section (FMS)
Approved Budget for Contract (ABC)	Two Million Three Hundred Thousand Pesos (PHP2,300,000.00), VAT Exclusive, Zero-Rated Transaction
Date of Project Approval	June 08, 2023
Budget Authorization Number	TAG-23-0582

RESOLUTION DECLARING THE SINGLE CALCULATED RESPONSIVE QUOTATION (SCRQ) AND RECOMMENDING APPROVAL BY THE BRANCH MANAGER FOR THE AWARD OF THE CONTRACT

WHEREAS, the BBAC CF Tagaytay has been tasked to handle the procurement of Philippine Amusement and Gaming Corporation (PAGCOR) with the project's details presented above.

WHEREAS, in a consultation meeting on April 14, 2023, the Procurement Section, performing function of the BBAC Secretariat, presented to the BBAC of CF Tagaytay the memorandum dated April 12, 2023 from the end-user, Facilities Management Section (FMS) for the procurement of potable water. In its memorandum stated, among others that Tagaytay has been experiencing water crisis due to the influx of local and foreign tourist and the continuous infrastructure development in the area which resulted to inadequate supply of water from the Tagaytay City Water District at homes and various establishment, including casino.

WHEREAS, due to substantial increase in the use of potable water, the supply intended for two (2) years was depleted earlier than expected. Consequently, the inventory is at a critical level which may compromise the capability to maintain and sanitize the facility, ability to respond to situation such as fire incident which may cause permanent damage to life and property and the capability to provide F&B services to stakeholders putting at risk not only the health and safety of the same but of the operation as well.

WHEREAS, in the Approved Annual Procurement Plan (APP) for CY 2023 the mode of procurement indicated was competitive bidding but due to the urgency of the requirement where immediate action is necessary, the BBAC CF Tagaytay agreed to change the mode of procurement to Negotiated Procurement (Emergency Cases) for

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approval of the branch Manager, duly delegated by the Board of Directors the revision/updates of the APP;

WHEREAS, the BBAC CF Tagaytay resolved that the requirement falls under the condition of Emergency Cases, pursuant to Section 53.2 and Annex H of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (R.A.) No. 9184 which states that:

“Section 53. Negotiated Procurement

Negotiated Procurement is a method of procurement of Goods, Infrastructure Projects and Consulting Services, whereby the Procuring Entity directly negotiates a contract with a technically, legally and final capable supplier, contractor or consultant:

*...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 immediate 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.***

*The instances or situations where the foregoing conditions may be applied include the provision of immediate response and initial recovery steps to avoid loss of life, injury, disease and **other negative effects on human physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation.***

xxx...xxx...xxx”

WHEREAS, on April 14, 2023, the Branch Manager II approved the revision /updates of the APP for CY 2023

WHEREAS, in the memorandum dated May 23, 2023, the branch CF Tagaytay requested for project approval of the emergency procurement of Supply and Delivery of Potable Water for Two (2) Years;

WHEREAS, on June 8, 2023, the Board of Directors approved CF Tagaytay request for project approval of the emergency procurement Supply and Delivery of Potable Water for Casino Filipino Tagaytay for Two (2) Years.

WHEREAS, the Procurement Processing Request (PPR) and other pertinent documents were received by the Procurement Section (PS), performing function of the BBAC Secretariat on June 13, 2023;

WHEREAS, the BBAC CF Tagaytay during the Pre-Procurement Conference held on June 16, 2023, discussed the request of the end-user Facilities Management Section (FMS), for the emergency purchase of potable water.

WHEREAS, in the same meeting, the BBAC CF Tagaytay further resolved to proceed with the procurement process and finalization of the Request for Quotation (RFQ);

WHEREAS, on June 19, 2023, the RFQ was sent to the prospective bidders:

WHEREAS, on June 20, 2023, deadline for the Submission and Receipt of Quotations, only ROVA Enterprises submitted its quotation for the project:

WHEREAS, after the Preliminary Examination of the submitted quotation, the Financial Offer/Quotation of ROVA Enterprises is as follows:

Total Financial Quotation	% Variance from the ABC of PhP 2,300,000.00
PhP2,299,999.90	0.00%

WHEREAS, on July 26, 2023, the PS received the Evaluation Report of the end-user, FMS on the technical and financial components of the quotation of ROVA Enterprises, which stated as follows:

"After thorough evaluation of the technical and Financial components submitted by the Single Calculated Quotation (SCQ), ROVA Enterprises complied the requirements of the end-user. The quotation submitted by the bidder is within the approved budget (ABC)".

WHEREAS, on July 4, 2023, Procurement Planning Monitoring and Supplier Division (PPMSD), Procurement Group verified the eligibility documents, and the following documents were determined to be valid and authentic:

1. Business Permit CY2023
2. Certificate of Philgeps Registration (Platinum Membership)
3. Annual Income Tax Return for CY 2022 – Not EFPS-Filed
4. Business Tax Returns
Quarterly Value-Added Tax Returns (4th Quarter 2022 and 1st Quarter of 2023) – EFPS Filed
5. Omnibus Sworn Statement Notarized on June 29, 2023 and not included in the list of blacklisted suppliers
6. BIR Revenue Memorandum Circular No. 5-2023 -

WHEREAS, the PS also informed the BBAC CF Tagaytay that the bidder was not able to submit their Monthly VAT Declarations (BIR Form 2550M) but instead, submitted a copy of the Revenue Memorandum Circular (RMC) No-05-223 issued by the Bureau of Internal Revenue (BIR) last January 13, 2023, stated as follows:

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REVENUE MEMORANDUM CIRCULAR NO. 5-2023 ISSUED ON January 13, 2023, provides the Transitory Provisions for the Implementation of the quarterly filling of Value Added Tax (TAX) Returns starting January 1, 2023, pursuant to Section 114(A) of the National Internal Revenue Code (NIRC) of 1997 (Tax Code), as amended by Republic Act No. 10963 (TRAIN Law), VAT-registered taxpayer are no longer required to file the Monthly Value-Added Tax Declaration (BIR Form No. 2550M) for transaction starting January 1, 2023, but will instead file the corresponding Quarterly Value-Added Tax Return (BIR Form No. 2550Q) within twenty-five (25) days following the close of each taxable quarter when the transaction transpired".

WHEREAS, on July 5, 2023, Deliberation meeting, the BBAC CF Tagaytay resolved to recommend the award of contract to ROVA Enterprises for submitting the SCQ in the total amount of Two Million Two Hundred Ninety-Nine Thousand Nine Hundred Ninety-Nine Pesos and 90/100 (Php2,299,999.90), VAT Exclusive, Zero-Rated.

WHEREAS, upon careful examination, validation and verification of all the requirements submitted by the bidder having the SCQ, ROVA Enterprises, passed all the criteria for the eligibility, technical and financial components for the Supply and Delivery of Potable Water under ITB No. EC23-06-001TAG and its quotation in the total amount of Two Million Two Hundred Ninety-Nine Thousand Nine Hundred Ninety-Nine Pesos and 90/100 (Php2,299,999.90), VAT Exclusive, Zero-Rated, was found to be responsive;

NOW THEREFORE, We, the Members of the Branch Bids and Awards Committee (BBAC) CF Tagaytay hereby **RESOLVE**, as it is hereby **RESOLVED**;

- a) To declare **ROVA Enterprises**, as the bidder having the Single Calculated Responsive Quotation (SCRQ) for the **Supply and Delivery of Potable Water for Two (2) Years under ITB No. EC23-06-001TAG**; and
- b) To recommend for approval by the Branch Manager II, duly delegated by the Board of Directors as the Head of the Procuring Entity (HoPE) of PAGCOR, the award of the contract to **ROVA Enterprises** for **the Supply and Delivery of Potable Water for Two (2) Years under ITB No. EC23-06-001TAG** with the total contract price of **Two Million Two Hundred Ninety-Nine Thousand Nine Hundred Ninety-Nine Pesos and 90/100 (Php2,299,999.00), VAT Exclusive, Zero-Rated Transaction.**


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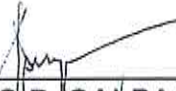
RESOLVED, at the Pulungan sa Tanza, Third (3rd) Floor, Casino Filipino Tagaytay, Km 60, Aguinaldo Highway, Tagaytay City this Fifth (5th) day of July 2023.




VENER B. ARANZASO
Chairperson




ELIZA A. DELA CRUZ
Vice-Chairperson



ALFREDO P. GALPAO
Member, Sr. Surveillance Officer



ALEJANDRO NICARLO C. CADAVILLO, JR.
Member, Sr. Security Officer



MARIUS ALEXANDER N. AMBION
Member, Sr. Facilities Mgmt. Officer




NIÑO GODFREY S. MELO
Member, Finance Officer II



ESABELINDA G. FERNA
End-user, Facilities Management Section

APPROVED BY AUTHORITY OF THE PAGCOR BOARD OF DIRECTORS:



VIDAL J. CABIGON, JR.
Branch Manager II