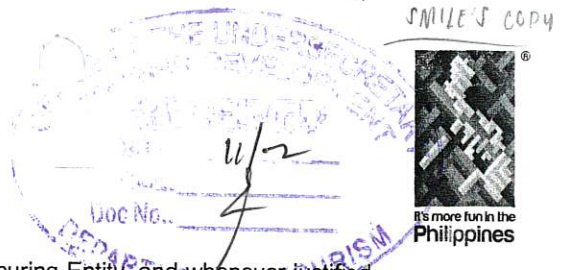




BIDS AND AWARDS COMMITTEE

RESOLUTION NO. 2017- 348



WHEREAS, subject to the prior approval of the Head of the Procuring Entity, and whenever justified by the conditions provided in the revised IRR of RA No. 9184 (*Government Procurement Reform Act*), the procuring entity may, in order to promote economy and efficiency, resort to any of the alternative methods of procurement provided in Rule XVI (*Alternative Methods of Procurement*) of the revised IRR of RA No. 9184. In all instances, the procuring entity shall ensure that the most advantageous price for the Government is obtained;

WHEREAS, Section 5 (r) of the 2016 Revised IRR of RA 9184 defines Goods as referring to all items, supplies, materials and general support services, except consulting services and infrastructure projects, which may be needed in the transaction of public businesses or in the pursuit of any government undertaking, project or activity, whether in the nature of equipment, furniture, stationery, materials for construction, or personal property of any kind, including non-personal or contractual services, such as, the repair and maintenance of equipment and furniture, as well as trucking, hauling, janitorial, security, and related or analogous services, as well as procurement of materials and supplies provided by the procuring entity for such services. The term "related" or "analogous services" shall include, but not be limited to, lease or purchase of office space, media advertisements, health maintenance services, and other services essential to the operation of the procuring entity.

WHEREAS, in line with its function to provide an integrated market development program to attract people to visit the Philippines and enhance the prestige of the country and the Filipino people in the international community, the DOT aims to partner with a trusted media brand with global reach in its continued effort to intensify its global awareness advertising campaign;

WHEREAS, *Cable News Network, Inc. (CNN)*, is television's first 24-hours all news service that offers news in the areas of money, entertainment, tech, sports, travel, style, features, video and more in Africa, the Americas, Asia, Europe, the Middle East, and internationally; it operates as a subsidiary of Turner Broadcasting System, Inc. Aside from its television network, CNN operates the CNN.com website that offers syndicated news services.

WHEREAS, *CNN* has multiple channels that cater to different geographic areas: CNN U.S. which covers over 100 million U.S. households; and CNN International whose reach includes more than 200 million households all over the world.

WHEREAS, *CNN* proposes a combination of TV and digital placements that will run from October to December in the CNN U.S. and CNN International channels composed of:

- a. Re-run of the Anak TVC from October to December 2017
- b. Editing and airing of one 60-second dive advertorial
- c. Production and airing of two 60-second advertorials featuring surfing and fashion from October to December 2017

WHEREAS, Section 50 of Rule XVI of the revised IRR of RA No. 9184 allows government agencies to use Direct Contracting as a legitimate method of procurement that does not require elaborate bidding documents. The supplier is simply asked to submit a price quotation or a pro-forma invoice together with the conditions of sale. The offer may be accepted immediately or after some negotiations. Direct Contracting may be resorted to by concerned Procuring Entities under any of the following conditions:

- a) Procurement of goods of proprietary nature which can be obtained only from the proprietary source, i.e. when patents, trade secrets, and copyrights prohibit others from manufacturing the same item;
- b) When the procurement of critical plant components from a specific supplier is a condition precedent to hold a contractor to guarantee its project performance, in accordance with the provisions of its contract; or
- c) Those 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 Philippines.

WHEREAS, in line with the procedure on Direct Contracting, CNN Inc. thru its advertising sales representative in the Philippines, Global Media Consultants, Inc., was invited to submit its proposal/quotation and other supporting documents after which it was determined to be legally, technically and financially capable of undertaking the project;

CERTIFIED TRUE COPY OF THE ORIGINAL

BY: Florencia S. Quizon
DOT BAC, 11/2/17

2017-389

NOW, THEREFORE, foregoing premises considered, the DOT-BAC, hereby **RECOMMENDS** the procurement of the advertising services and platform, through the alternative method of direct contracting, of **CNN Inc.** thru its advertising sales representative in the Philippines, **Global Media Consultants, Inc.**, pursuant to Section 50 of the revised IRR of R.A. No. 9184, in the amount of One Million US Dollars (US\$1,000,000.00) or its equivalent in Philippine Pesos, inclusive of all applicable taxes.

ADOPTED this 28th day of September 2017 in Makati City.

Recommending Approval:


USEC. KATHERINE S. DE CASTRO
BAC Chairperson


ASEC. MARIA LOURDES F. JAPSON
BAC Vice-Chairperson

DIR. LEGAL AFFAIRS SERVICE
BAC Member

DIR. MYRA T. SANTOS
BAC Member

MR. RAYMUND GLEN A. AGUSTIN
Alternate BAC Member



DIR. MILAGROS Y. SAY
BAC Member


MS. MA. GRACE A. MARZAN
BAC Member

Approved/Disapproved:

WANDA TULFO - TEO
Secretary

**CERTIFIED TRUE COPY
OF THE ORIGINAL**

BY: 
DOT-BAC, 11-2-17