



BIDS AND AWARDS COMMITTEE

RESOLUTION NO. 2017- 338

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 and in order to maintain a strong brand awareness needed to meet foreign and domestic tourism targets, the Department of Tourism (DOT) intends to develop advertisement campaigns that will feature diving as one of the prominent factors as to why Asian travelers must visit the Philippines;

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, Discovery Channel Asia is the No. 1 international English channel in Asia Pacific and is one of the most distributed and popular channels;

WHEREAS, Discovery Channel Asia will provide DOT with the following advertising services and platforms:

1. Production and broadcast of five (5) 60- second vignettes which will feature and hype up the following:
 - i. Macro Photography of Underwater Creatures
 - ii. Scuba Diving for Beginners
 - iii. Free Diving
 - iv. Underground Rivers and Caves in Palawan
 - v. Surfing in Siargao
2. The new vignettes for the TV placements will run in Discovery Channel Asia's Japan and Southeast Asia (SEA) feeds for three (3) months

WHEREAS, Discovery Networks Asia- Pacific Pte. Ltd. is the Asia- Pacific Company of Discovery Networks USA, a global cable network company and is the proprietary owner and operator of Discovery Channel Asia;

WHEREAS, in line with the procedure on Direct Contracting, Discovery Networks Asia- Pacific Pte. Ltd. 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;

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Handwritten signatures and initials: *Mag 10/25*, *(c/o MS. CHRISTA MINERA)*, *JFH*

CERTIFIED TRUE COPY OF THE ORIGINAL BY: *Florencio P. Cayali Jr.* DOT-BBC, 10-25-17


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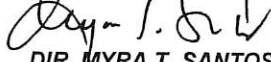
NOW, THEREFORE, foregoing premises considered, the DOT-BAC, hereby **RECOMMENDS** the procurement of advertising services through the alternative method of direct contracting, of **Discovery Channel Asia** owned and operated by **Discovery Networks Asia-Pacific Pte. Ltd.**, pursuant to Section 50 of the revised IRR of R.A. No. 9184, and award the contract in the amount of One Million U.S. Dollars (US\$1,000,000.00) or its Philippine Peso Equivalent, inclusive of all applicable taxes.

ADOPTED this 29th day of September 2017 in Makati City.

Recommending Approval:


USEC. KATHERINE S. DE CASTRO
BAC Chairperson


ASEC. MARIA LOURDES F. JAPSON
BAC Vice-Chairperson

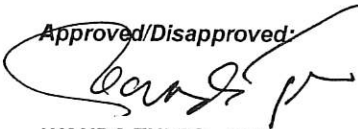

DIR. MYRA T. SANTOS
BAC Member

DIR. MILAGROS Y. SAY
BAC Member

DIR. LEGAL AFFAIRS SERVICE
BAC Member



MR. RAYMUND GLEN A. AGUSTIN
Alternate BAC Member


MS. MA. GRACE A. MARZAN
BAC Member

Approved/Disapproved:

WANDA TULFO - TEO
Secretary



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BY: 
DOT-BAC, 10-24-17

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