

**BAC Resolution No. 403, re: Project- Gift Cards
(Agency - to - Agency Agreement)**

WHEREAS, Section 10 of RA No. 9184 and its Revised Implementing Rules and Regulations (RIRRs) specifically provides that all procurement shall be done through an open and competitive bidding, except in some exceptional cases, and further justified by the conditions precedent as stipulated in the guidelines as embodied in Appendix 13 of the Government Procurement Reform Act;

WHEREAS, the Implementing Guidelines on Agency - to - Agency Agreements categorically states that in highly exceptional cases, the procurement from another agency of government is allowed if it is proven to be more efficient and economical for the government;

WHEREAS, the previous bidding of the BAC- supervised for the Project, re: Gift Certificates in 2015 has resulted in two (2) failed biddings, and a negotiated bidding which has caused a delay of eight (8) months, which defeated the very purpose of issuing it in February 2015, in the grant of the said entitlements to eligible employees of the Philippine Heart Center (PHC);

WHEREAS, given the difficulties and considerable delays encountered during the first competitive bidding, the PHC intends to resort to an Agency - to - Agency Agreement with the Development Bank of the Philippines (DBP) in obtaining the Project - Gift Cards, which are traditional entitlements usually released/issued in December of each year to eligible employee - beneficiaries during the Christmas Season;

WHEREAS, in the processing of the said Project under an Agency - to - Agency Agreement, the BAC, mindful of its mandate, took into consideration the full compliance by the PHC to each of the stipulated General Conditions as enumerated in Appendix 13 of the RIRRs;

WHEREAS, the End-user has submitted Purchase Requisition (PR) No. 16-8173 dated November 2, 2016 which provides the complete description of the Gift Cards (GC) described as follows:

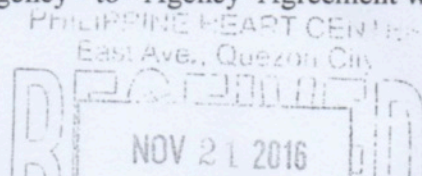
- 2116 pcs. Gift Cards (GC) worth P4,000 for employees =P8,464,000.00.
- GC with wide and easy use/acceptability
- In lieu of the Christmas basket gift and food stub to employees

WHEREAS, the End -user has conducted a Cost- benefit Analysis (CbA) of the Project by taking into consideration the prevailing standard cost of the Project in the market, absorptive capacity of the Service Agency, etc. which served as an input an Agency- to Agency- Agreement with the DBP. A copy of the End -user's Report is attached as **Annex "A"**;

WHEREAS, the Approved Budget (ABC) for the Project as reflected in the PHC's 2016 Approved Procurement Plan amounts only to **P8,646,000.00** which is not applicable to the 25% threshold amount imposed on the total amount of goods, consulting, and infrastructure projects undertaken or to be undertaken through an Agency - to - Agency Agreement;

WHEREAS, the Development Bank of the Philippines (DBP), a government financing institution and as the Servicing Agency, has the solid mandate (**Annex "B"**) and credentials in terms of ownership or access to deliver the goods required of the Project. A copy of a November 08, 2016 DBP Certification compliance to the conditions prescribed in Section 5 (a), of Appendix 13 is hereto attached as **Annex "C"**;

RESOLVED AS IT IS HEREBY RESOLVED, that in view of the foregoing premises, we hereby recommend to the OIC – Executive Director , being the Head of the Procuring Entity (HOPE), an Agency - to- Agency- Agreement with the DBP in the procurement of the Project, re: Gift Cards.

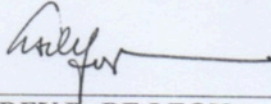


RESOLVED FURTHER, that upon the approval of this Resolution by the HOPE, the PHC shall enter in to a Memorandum of Agreement (MOA) with DBP, being the Servicing Agency, and

RESOLVED FINALLY, for transparency purposes, a copy of the Notice of Award to DBP shall be posted in the following areas:

- PhilGEPS;
- PHC Website; and
- Any conspicuous place in the PHC premises.

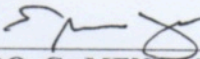
APPROVED. Done this 16th day of November 2016, BAC Secretariat Office, PHC.



ALVIN REY P. DE LEON
Vice-chairman

- on official leave -

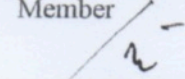
CRISELLE M. GALANG, R.N.
Member



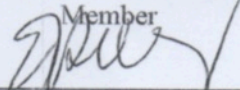
EDGARDO C. MENDOZA, JR., RN.
Member

- absent -

ATTY. QUINTIN O. MAGSICO, JR.
Member

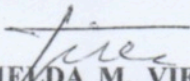


PEDRO P. SAN DIEGO, JR., M.D.
Member

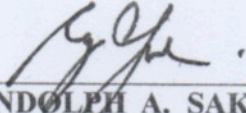


EMILIA P. OLDES
Member

Attested by:

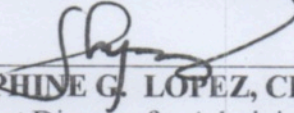


IMEILDA M. VIÑA
Chairman, BAC Secretariat



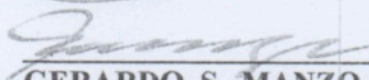
RANDOLPH A. SAKAI
Chairman, BAC

RECOMMENDING APPROVAL:



JOSEHINE G. LOPEZ, CPA, MBA.
Assistant Director for Administrative Services

APPROVED:



GERARDO S. MANZO, M.D.
OIC, Executive Director