



Office of the President of the Philippines
PRESIDENTIAL MANAGEMENT STAFF
Malacañang

PMS-BIDS AND AWARDS COMMITTEE

Resolution No. 07, Series of 2018

RECOMMENDING THE AWARD OF CONTRACT TO THE PHILIPPINE INTERNATIONAL CONVENTION CENTER FOR THE LEASE OF OFFICE SPACE FOR THE CONSULTATIVE COMMITTEE TO REVIEW THE 1987 CONSTITUTION

WHEREAS, on 07 December 2016, Executive Order No. 10, s. 2016¹ was issued creating the Consultative Committee (Committee) under the Office of the President which is mandated to study, conduct consultations and review the provisions of the 1987 Constitution, including but not limited to, the provisions on the structure and powers of the government, local governance and economic policies;

WHEREAS, the Presidential Management Staff (PMS) was designated as the secretariat of the Committee to provide the needed technical, administrative and staff support in carrying out its mandate. As such, it constituted the Committee Secretariat through PMS Office Order No. 2018-010²;

WHEREAS, the Committee Secretariat then prepared the Terms of Reference (TOR) (**Annex A**) for the lease of office space for use of members of the Committee and their staff. The same is included in the Indicative Annual Procurement Plan (APP) for the Consultative Committee, with an Approved Budget for the Contract (ABC) amounting to PhP10,744,000.00 (**Annex B**)³;

WHEREAS, the Philippine International Convention Center (PICC) has been identified as the most suitable office space for the Committee. Lease agreement therewith is more efficient and economical for the government, it being a government-owned institution which is primarily mandated to deliver such goods as required by the PMS. Further, preference is directed to all government agencies and instrumentalities on the use of the PICC as venue for official events⁴;

¹ Entitled "Creating a Consultative Committee to Review the 1987 Constitution".

² Entitled "Constituting the Secretariat of the Consultative Committee tasked to Review the 1987 Constitution".

³ The procurement of lease of office space for the members of the Consultative Committee with an ABC of PhP10,744,000.00 inclusive of government taxes and charges for a period of six months reckoned from 19 February 2018 [to cover: a) six (6) months use of the Commissioners' Office, and b) two (2) months use of the En Banc Session Hall within the six-month period], is a mere component of the procurement projects under "Lease of Office Space, Venues, Motor Vehicles, Equipment and Accommodation" amounting to PhP25,664,000.00 as reflected in the separate APP for the Consultative Committee (Item No. 5).

⁴ Office of the President (OP) Memorandum Circular No. 14, s. 2017 entitled "Directing Government Departments, Bureaus, Offices, Agencies, and Instrumentalities to Give Preference to the Philippine International Convention Center as Venue for their Official Events".

WHEREAS, Annex H of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184, otherwise known as Government Procurement Reform Act, allows the procurement of goods, infrastructure projects, and consulting services through the agency-to-agency form of negotiated procurement, when such a procurement is “*more efficient and economical for the government*”⁵;

WHEREAS, Section 5(h) of R.A. No. 9184 provides:

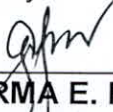
*“Goods - refers to all items, supplies, materials and general support services, except consulting services and infrastructure projects, which may be needed in the transaction of public businesses or in the pursuit of any government undertaking, project or activity, whether in the nature of equipment, 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”* (Emphasis Supplied); and

WHEREAS, the Committee Secretariat, after thorough evaluation of the PICC’s proposal amounting to PhP7,594,639.64 (**Annex C**), and the subsequent conduct of ocular inspection, taking into account the nature of the event and level of security that it can provide, found the PICC to be compliant with the TOR. The Committee Secretariat thereby recommended that PICC be the office space for the Consultative Committee, it being a world-class facility operated by experienced and professional staff complement (**Annex D**).

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the members of the PMS Bids and Awards Committee, hereby **RECOMMEND** to the Acting PMS Deputy Head pursuant to Office Order No. 2018-011⁶, the following:

- (1) **AWARD OF CONTRACT** to the PICC for the lease of office space for the Consultative Committee in the amount of **PhP7,594,639.64**, inclusive of all government taxes and charges, for a period of six (6) months reckoned from 19 February 2018 [to cover: a) six (6) months use of the Commissioners’ Office, and b) two (2) months use of the En Banc Session Hall within the six-month period]; and
- (2) **GRANT OF AUTHORIZATION** to the BAC Chairperson to sign the Notice of Award and Notice to Proceed to implement this Resolution, subject to availability of funds and existing laws, rules and regulations.

DONE in Quezon City this 19th day of February 2018.




GUILLERMA E. FLORES
Assistant Secretary and Chairperson

⁵ Item No. V (D)(5) of the Consolidated Guidelines for the Alternative Methods of Procurement.

⁶ Entitled “Updating the Signing Authorities for Various Matters in the PMS”.


DOMINGA R. FLORES
Director and Vice-Chairperson


Atty. RANDOLPH A. PASCASIO
Director and Member


Atty. WILBURN L. TAN JR.
Assistant Director and
Provisional Member
(Technical Expert
for Administrative Services)


MARIA TERESA M. ANTIMANO
Assistant Director and
Provisional Member
(End-User Representative
for Administrative Services)

~~APPROVED/ DISAPPROVED.~~


MARIETTA T. TAMONDONG
*Assistant Secretary and
Acting PMS Deputy Head*

Date: _____