

**Privatization and Management Office
Bids and Awards Committee (PMO-BAC)
Resolution No. 50-2022**

RECOMMENDING THE USE OF AGENCY-TO-AGENCY AGREEMENT

WHEREAS, the PMO-BAC received a Memorandum dated March 18, 2022 from the Marketing Divisions I and II for the engagement of the services of LBP Resources and Development Corporation (LBRDC) through Agency-to-Agency Agreement for the appraisal of the following PMO properties:

ITEM NO.	ASSET NAME	APPROVED BUDGET FOR THE CONTRACT (ABC)
1	Leyte Park Hotel & Resort	Php 104,000.00
2	Basay Mining Corporation	30,000.00
3	Elorde Sports Tourism Development (ESTDC)	6,500.00
4	Emmanuel Community Hospital, Inc. (ECHI)	10,750.00
5	Metro Manila Commission	17,750.00
6	Landoil Resources Corporation	52,000.00
7	Paragon Paper Industries, Inc.	70,500.00
	TOTAL	Php 291,500.00

WHEREAS, Section 48 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (R.A.) No. 9184 provides that as a general rule, all procurements shall be conducted through public bidding, except whenever justified by the conditions in order to promote economy and efficiency, in which case the Procuring Entity may resort to any of the alternative methods provided in the IRR;

WHEREAS, Annex "H" or the Consolidated Guidelines for the Alternative Methods of Procurement, particularly Item 5 (Agency-to-Agency), provides the conditions for the procurement from another agency of the government, as follows:

- (i) The Procuring Entity shall justify that entering into an Agency-to-Agency Agreement with the Servicing Agency is more efficient and economical to the government;
- (ii) Servicing Agency has the mandate to deliver goods and services required to be procured or to undertake the infrastructure project or consultancy required by the Procuring Agency;
- (iii) Servicing Agency has the absorptive capacity to undertake the project;
- (iv) Servicing Agency owns or has access to the necessary tools and equipment required for the project; and,
- (v) Sub-contracting is not allowed.

WHEREAS, the Comparative Study conducted by the End-User Representative between the appraisal costs in procuring the services of third party appraisers by PMO In-House Appraisers and the proposed appraisal cost by LBRDC showed that the total appraisal cost by LBRDC of Two Hundred Ninety One Thousand Five Hundred Pesos (Php291,500.00) is 27.82% lower than the appraisal cost in procuring the services of third party appraisers, thus, is more economical and advantageous to the government; and,

WHEREAS, the President and CEO of LBRDC, Mr. Ricardo C. Juliano, submitted a Certification on their compliance with all the conditions, as Servicing Agency, prescribed under Section 53.5 of the IRR of R.A. 9184.

NOW, THEREFORE, WE, the Members of the PMO-BAC, hereby **RESOLVE** as it is **RESOLVED** to:

- a) *recommend the resort to Negotiated Procurement – Agency-to-Agency (Sec. 53.5) for the engagement of services of LBP Resources and Development Corporation (LBRDC) for the appraisal of Leyte Park Hotel & Resort, Basay Mining Corporation, Elorde Sports Tourism Development, Emmanuel Community Hospital, Inc., Metro Manila Commission, Landoil Resources Corporation, and Paragon Paper Industries, Inc.; and,*
- b) *recommend for approval by the Chief Privatization Officer and Head of the Procuring Entity (HoPE), Atty. Gerard L. Chan, the foregoing.*

Done this 6 April 2022, Makati City.


MARIA LIRIO A. ZABALA

Chairperson


CONCHITA Q. SAGUN

Vice-Chairperson


CESAR LUIS M. PARGASA

Member


MARTHA JENNY S.T. TONG

Member


A C BERNADETTE M. DUCUSIN

Provisional Member/End-User (MD I)


MARISSA M. PUNZALAN

Provisional Member/End-User (MD II)

Approved by:


ATTY. GERARD L. CHAN, CESO I

Chief Privatization Officer / Head of the Procuring Entity