

BAC-C Resolution No. BC-2018-030

Negotiated Procurement Through Agency to Agency

**Procurement of Consulting Services of the University of the Philippines for the Light
Detection and Ranging Data (LiDAR) for New Clark City (NCC)**

WHEREAS, on June 20, 2018, BCDA together with the Japan Overseas Infrastructure Investment Corporation for Transport and Urban Development (JOIN) signed a Memorandum of Cooperation with Surbana Jurong (SJ) of Singapore to collaborate on the full implementation of NCC;

WHEREAS, consistent with the requirements for the full implementation of NCC, SJ has requested for a LiDAR for the 160 sq.km. land area including NCC and its surrounding areas;

WHEREAS, LiDAR is one of the most cutting edge technologies in producing fine scale maps. The data derived from LiDAR provides high precision elevation and contour data which may be used for Watershed Modelling, Hydrographic Network, Identification of Land Cover, and Identifying Slope, Aspect, Topographic Effect, Water Basins and Flow Direction;

WHEREAS, in a Memo dated 28 June 2018, the President and CEO has approved the said procurement with the Approved Budget for the Contract (ABC) amounting to **Pesos: Four Million Seven Hundred Ninety Four Thousand Three Hundred Fifty and 02/00 (PhP 4,794,350.02)**;

WHEREAS, the University of the Philippines - Training Center for Applied Geodesy and Photogrammetry (UP-TCAGP) is the research extension arm of the UP Department of Geodetic Engineering, and the implementing institution of the Disaster Risk and Exposure and Assessment for Mitigation (DREAM) and Hazards Mapping of the Philippines (Phil-LiDAR 1) projects which are responsible for the acquisition and processing of LiDAR Data;

WHEREAS, the Land and Assets Development Department (LADD) endorsed to the Bids and Awards Committee for Consulting Services (BAC-C) the procurement of Consulting Services of the UP through Section 53.5 of the Revised Implementing Rules and Regulations (IRR) of RA 9184, *Negotiated Procurement – Agency to Agency*;

WHEREAS, Annex "H" or the Consolidated Guidelines for Alternative Methods of Procurement of the Revised IRR of RA 9184 provides that, "It is the general policy of government to purchase its requirements from the private sector. However, it acknowledges that, in some exceptional cases, procurement from another agency of the government is more efficient and economical for the government, subject to the following conditions:

- 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 the goods and services required to be procured or to undertake the infrastructure 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;
- v. Sub-contracting is not allowed. However, the servicing agency may implement the infrastructure project-in-house, by job-order, or through the pakyaw contracting system;
- vi. For procurement of infrastructure projects, the Servicing Agency must have a track record of having completed, or supervised a project, by administration or by contract, similar to and with a cost of at least fifty percent (50%) of the project at hand;

WHEREAS, based on the assessment and recommendation of LADD, entering into an Agency-to-Agency Agreement with UP is more efficient and economical to BCDA, for the following reasons:

- a. By implementing the project, BCDA operations stand to gain the following services:
- Immediate processing and validation of LiDAR Data dated year 2014
 - Acquisition Processing and Validation of new LiDAR Data within five (5) months
 - Deliverables to include:
 - LiDAR Data processed to a Digital Terrain Model (DTM), Digital Surface Model (DSM) and Orthophotographs
 - Raw LiDAR data and Point Cloud of the commissioned flights of the project
 - Tabulated coordinates of established horizontal and vertical control points used in the LiDAR Survey
 - Final Technical Report
- b. BCDA will be saving in terms of cost as may be seen from the tabulation of quotations from UP and private companies:

Proponent	Proposal	Inclusions
University of the Philippines	PhP 4,794,350.02	Processing and validation of the 2014 Data and acquisition and processing of 2018 LiDAR data within 5 months.
AB Surveying and Development	PhP 8,460,000.00	Acquisition and processing of 2018 LiDAR data.
NIPPON KOEI	USD 869,000 (PhP 46,287,285.00)	Acquisition and processing of 2018 LiDAR data within 5 months.

WHEREAS, on August 8, 2018, the UP issued the required Certification stating that it complies with the conditions set forth in Annex H of the Revised IRR of RA 9184 (Annex A);

WHEREAS, after careful deliberation, the BAC-C finds merit to the recommendation of the LADD for the procurement of the consulting services of UP;

NOW, THEREFORE, we, the members of the Bids and Awards Committee for Consulting Services, hereby **RESOLVE**, as it is hereby **RESOLVED** to:

1. **RECOMMEND** the procurement of Consulting Services of the UP for the acquisition and processing of existing and new LiDAR data of NCC under Section 53.5 of the Revised IRR of RA 9184, Negotiated Procurement through Agency to Agency with an ABC of **Pesos: Four Million Seven Hundred Ninety Four Thousand Three Hundred Fifty and 02/00 (PhP4,794,350.02)**, inclusive of all applicable taxes and fees;
2. **RECOMMEND** the execution of a Memorandum of Agreement (MOA) with the UP for the consulting service;
3. **DIRECT** the LADD to request for the issuance of the Certificate of Funds Availability (CFA) for the procurement prior to award of the contract;

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4. DIRECT the LADD to furnish the BAC-C a copy of the timetable of the procurement activities;
5. DIRECT the LADD to furnish the BAC-C Secretariat copies of the duly conformed Notice of Award, Notice to Proceed, as well as the executed Memorandum of Agreement; and
6. DIRECT the LADD to submit to the BAC-C an evaluation of the performance of the Consultant at the end of the contract.

Done in Taguig City this 31st day of August 2018.

BIDS AND AWARDS COMMITTEE FOR CONSULTING SERVICES


JOSHUA M. BINGCANG
Chairperson


JOANNA EILEEN M. CAPONES
Vice-Chairperson


VIRGIL M. ALVAREZ
Member


JOCELYN L. CANIONES
Member


GUALBERTO J. OYZON, JR.
Member

Approved by:


AILEEN ANUNCIACION R. ZOSA
Executive Vice President