

**BIDS AND AWARDS COMMITTEE FOR GOODS (BAC-G)  
Resolution No. BG 2018-026**

**Procurement of the Annual Maintenance of Lex Libris Software  
for the Legal Services Department**

**WHEREAS**, the Bases Conversion and Development Authority (BCDA), through the Information and Communications Technology Department (ICTD), intends to procure the license renewal of the **Lex Libris**, a comprehensive and updated compilation of the complete text of law-related materials in electronic format, programmed with a powerful search and retrieval software (*ICTD memo to BAC-G attached hereto as Annex A*);

**WHEREAS**, the Legal Services Department of BCDA has been using the Lex Libris since its procurement in 2011 from its exclusive distributor, CD Technologies Asia, Inc.;

**WHEREAS**, ICTD is endorsing the Procurement of the Annual Maintenance of Lex Libris for the Legal Services Department through Direct Contracting based on Section 50 – Direct Contracting of Article XVI – Alternative Methods of Procurement of Republic Act No. 9184, which states:

*“Direct Contracting may be resorted to by concerned Procuring Entities under any of the following conditions:*

*xxx*

- a) 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.”*

**WHEREAS**, in its Certification dated 30 July 2018 (**Annex B**), CD Technologies Asia, Inc. certifies that it is the creator, publisher and copyright owner of the listed electronic legal publications, on CD-ROM, DVD-ROM and On-line, and that it has the sole and exclusive authority to use, or issue any license for the use of any of the electronic legal publications, and that there is no sub-dealer or agent for the electronic legal publications and that CD Asia is the sole and exclusive distributor thereof;

**WHEREAS**, in the aforementioned Memo dated 19 October 2018 to the Vice President for Corporate Services Group, BGen Carlos F Quita (Ret), ICTD cited the previous procurement and renewal history, as follows:

*Procurement of the Annual Maintenance of Lex Libris Software for the Legal Services Department (October 2018)*



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Year	License Details	Provider	Mode of Procurement	Amount in Pesos (PhP)
2017	Lex Libris Licenses	CD Technologies Asia, Inc.	Direct Contracting	117,444.32
2015	Lex Libris Licenses	CD Technologies Asia, Inc.	Direct Contracting	164,319.68
2014	Lex Libris Licenses	CD Technologies Asia, Inc.	Direct Contracting	42,380.80
2013	Lex Libris Licenses	CD Technologies Asia, Inc.	Direct Contracting	56,767.20
2011	Lex Libris Licenses	CD Technologies Asia, Inc.	Direct Contracting	26,278.00

**WHEREAS**, in its proposal dated 26 September 2018 (**Annex C**), CD Technologies Asia, Inc. submitted the price quotation for the listed compilation of electronic legal publications/bulletins and network licenses, consisting of thirty-six (36) items wherein fourteen (14) items have been previously procured by BCDA and are up for renewal;

**WHEREAS**, the Legal Services Department has requested additional twenty-two (22) licenses of Lex Libris products and an Online Subscription License for five (5) users on Laws and Jurisprudence for the BCDA extension office in Clark (**Annex D**);

**NOW, THEREFORE**, foregoing premises considered, we, the Members of the Bids and Awards Committee for Goods, hereby **RESOLVE**, as it is hereby resolved, to recommend:

1. The procurement of License Renewal of the Lex Libris through **Direct Contracting** pursuant to Section 50 – Direct Contracting of Article XV I – Alternative Methods of Procurement of Republic Act No. 9184; and,
2. The award of contract to CD Technologies Asia, Inc. for a period of one (1) year at a contract price of **TWO HUNDRED NINETY-SEVEN THOUSAND SEVEN HUNDRED FORTY AND EIGHTY CENTAVOS (PhP297,740.80)** for the **LEX LIBRIS**, inclusive of all applicable taxes and fees.

**RESOLVED**, at the BCDA Corporate Office, this 30<sup>th</sup> day of October 2018.

**BIDS AND AWARDS COMMITTEE (BAC) FOR GOODS**



**BGEN CARLOS F QUITA (RET)**  
Chairperson

**MARIA SOLEDAD C. SAN PABLO**  
Vice Chairperson



**SAMUEL JOHN L. VIDALLON**  
Member



**GISELA Z. KALALO**  
Member



**CHRISTIAN PAOLO R. QUILLAMOR**  
Member

Approved By:



**AILEEN AN. R. ZOSA**  
Executive Vice President