

BIDS AND AWARDS COMMITTEE FOR GOODS (BAC-G)

**Procurement of the Annual Subscription of Lex Libris CD Asia Software
for the Legal Services Group**

Resolution No. BACG-LCDS-2022-01

WHEREAS, the Bases Conversion and Development Authority (BCDA), through the Information and Communications Technology Department (ICTD), intends to procure the **Annual Subscription of Lex Libris CD Asia Software** (the "Project") with an Approved Budget for Contract (ABC) in the amount of Pesos: **Two Hundred One Thousand Six Hundred Fifty-Six and 00/100 (Php 201,656.00)**, inclusive of VAT and other fees;

WHEREAS, prior to its endorsement of the said procurement, ICTD conducted a market survey and found that the closest software available in the market, which can be compared with the Lex Libris Software, is MyLegalWhiz costing around Php5,000,000.00. The table below shows the comparison between the two softwares:

Application/ Software	Functions	Annual Subscription
MyLegalWhiz	Online platform that focuses on context, structure, and relevance of legal content to meet the legal, documentation, tax and labor resource knowledge requirements of professionals, businesses and government agencies: a. Comprehensive research materials and legal references arranged thematically and structurally; b. Legal Encyclopedia (keywords and knowledge sections in the website) on different subjects of law (tax, corporation, civil, remedial, labor, criminal and political laws); and c. Legal Engineer Assistant (LEA™) - is a virtual research assistant that can help in drafting legal documents templates, understanding legal terms and concepts, and researching legal content and documents.	Php 5,000,000.00 (Amount based on the Market Study of LSD and ICTD; The amount refers to the Agency/ Corporate Package of MyLegalWhiz)
CD Asia Lex Libris	The most comprehensive Philippine legal database online, with updated compilation of the complete text of law-related materials in electronic format, programmed with a powerful search and retrieval software. It contains the complete text of issuances, classified according to general subject matter and type. It also consists of the following libraries: a. Philippine Law Library - A comprehensive and updated compilation of the complete text of law-related issuances, programmed with a powerful search and retrieval software for quick and easy access and pinpoint research; b. Philippine Jurisprudence Encyclopedia -The first of its kind in Philippine publishing history, this multi-volume collection contains meticulously examined case doctrines	Php 201,656.00 (Amount based on the Proposed Package for LSG after product evaluation of the latest application/ software)

	on issues elevated to the Supreme Court; and	
	c. Other libraries available are Taxation, SEC, Labor, Banking, Environment, Local Government, Trade, Civil Services, Data Privacy, Insurance and DOJ	

WHEREAS, on 24 June 2022, CD Technologies Asia, Inc. submitted a price quotation for the listed compilation of online electronic legal publications/bulletins and network licenses (Annex "A");

WHEREAS, since the Lex Libris CD Asia Software is cheaper and more economical in terms of price than MyLegalWhiz, ICTD endorsed the same for procurement through Direct Contracting pursuant to Section 50 of Republic Act (RA) 9184 and Annex H, V (A) of the 2016 Revised Implementing Rules and Regulations (RIRR) of RA 9184;

WHEREAS, in its Certification dated 18 April 2022, CD Technologies Asia, Inc. certifies that: (a) it is the creator, publisher, and copyright owner of the listed electronic legal publications on CD-ROM, DVD-ROM, and Online; (b) it has the sole and exclusive authority to use or issue any license for the use of any of the electronic legal publications; (c) there is no sub-dealer or agent for the electronic legal publications; and (d) it is the sole and exclusive distributor thereof;

WHEREAS, during the BAC-G meeting on 19 December 2022, ICTD represented that per BCDA lawyers' evaluation and experience, the CD Asia Lex Libris Software provides the legal research platform that they need to be more efficient and effective at their work considering that it has a comprehensive and updated compilation of the complete text of law-related materials in electronic format, programmed with a powerful search and retrieval software for quick and easy access and pinpoint research. It likewise provides the BCDA lawyers the flexibility to work at any place without affecting their productivity;

WHEREAS, per ICTD's evaluation of the services provided by the CD Technologies Asia, Inc., ICTD found that the maintenance and support services provided by CD Technologies Asia are very satisfactory in terms of its customer service and performance;

WHEREAS, ICTD is endorsing the procurement of the Annual Subscription of Lex Libris CD Asia Software through Direct Contracting pursuant to Section 50 of Article XVI (Alternative Methods of Procurement) of Republic Act (RA) No. 9184 and Annex H, V (A) of the 2016 Revised Implementing Rules and Regulations (RIRR) of RA 9184, which states:

"Section 50. Direct Contracting

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

XXX XXX XXX

c) *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.*

V. SPECIFIC GUIDELINES

A. DIRECT CONTRACTING

1. **Definition.** *Direct Contracting* or single source procurement is a method of procurement of goods that does not require elaborate Bidding Documents. The supplier is simply asked to submit a price quotation or a pro-forma invoice together with the conditions of sale. The offer may be accepted immediately or after some negotiations. Direct Contracting may be resorted to under any of the following conditions:

- a) x x x
- b) x x x
- c) 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.

x x x"

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

1. To **Procure** the **Annual Subscription of Lex Libris CD Asia Software for the Legal Services Group** through **Direct Contracting** pursuant to Section 50 of Article XVI (Alternative Methods of Procurement) of Republic Act (RA) No. 9184 and Annex H, V (A) of the 2016 Revised Implementing Rules and Regulations (RIRR) of RA 9184;
2. To **Award** the contract to **CD Technologies Asia, Inc.** with a period of one (1) year from issuance of a Notice to Proceed in the amount of Pesos: **Two Hundred One Thousand Six Hundred Fifty-Six and 00/100 Pesos (Php 201,656.00)**, inclusive of all applicable taxes and fees;
3. To **Issue** the corresponding Notice of Award (NOA) to **CD Technologies Asia, Inc.**; and
4. To **Direct** the Information and Communications Technology Department of BCDA, as the end-user unit, to furnish the BAC-G with copies of the duly conformed Notice of Award, Notice to Proceed, and signed agreement/contract.

RESOLVED, at the BCDA Corporate Office, this 20 December 2022.

BIDS AND AWARDS COMMITTEE (BAC) FOR GOODS


JOSHUA M. BINGCANG
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JOCELYN L. CANIONES
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SAMUEL JOHN D. VIDALLON
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Christian T. Duldulao
CHRISTIAN T. DULDULAO
Member

Maricel C. Santos
MARICEL C. SANTOS
Member

Approved By:

Gisela Z. Kalalo
12.29.2022
GISELA Z. KALALO
Officer-in-Charge, Executive Vice President