



BIDS AND AWARDS COMMITTEE

BAC Resolution No. HO-326-24

RESOLUTION RECOMMENDING, BY REFERENDUM, AWARD OF CONTRACT THROUGH NEGOTIATED PROCUREMENT UNDER SECTION 53.6 (SCIENTIFIC, SCHOLARLY OR ARTISTIC WORK, EXCLUSIVE TECHNOLOGY AND MEDIA SERVICES) FOR THE PROCUREMENT OF SERVICES OF A PRODUCTION TEAM FOR THE HARMONIES OF HERITAGE: A SYMPHONY OF PHILIPPINE COLONIAL MUSIC PROJECT

WHEREAS, the Office of Cultural Diplomacy (“OCD”) will stage a concert featuring Philippine Colonial Music entitled, “Harmonies of Heritage: A Symphony of Philippine Colonial Music”. The concert is in celebration of a genre that expertly blended Philippine colonial music influences from Spain, highlighting the creativity and ingenuity of Filipinos in music. This concert also aims to record and promote Philippine colonial music and further promote cultural diplomacy to the ninety-four (94) Foreign Service Posts (FSPs) and the Filipino community;

WHEREAS, OCD intends to procure the services of a production team for the Harmonies of Heritage: A Symphony of the Philippine Colonial Music Project on 10 September 2024;

WHEREAS, the production company shall conceptualize, coordinate and stage a concert featuring research on Philippine music; mix, record and produce high-quality music tracks; create comprehensive resource materials; enhance global accessibility to Philippine colonial music; and support preservation and promotion of Philippine cultural heritage;

WHEREAS, the procurement of services of a production team for the Harmonies of Heritage: A Symphony of Philippine Colonial Music Project with an Approved Budget for the Contract (“ABC”) of *One Million Nine Hundred Thousand Pesos* (PhP 1,900,000.00) only, chargeable against OUMAIER-CDU’s FY 2024 Regular Appropriations MOOE for Other Professional Services, is included in the Department’s Supplemental Annual Procurement Plan (“SAPP”) for FY 2024;

WHEREAS, Section 53 of the 2016 Revised Implementing Rules and Regulations (“IRR”) of Republic Act (“RA”) No. 9184, otherwise known as the “Government Procurement Reform Act of 2003”, allows an agency to resort to Negotiated Procurement;

WHEREAS, further, Section 53.6 of the said revised IRR can be resorted where Goods, Infrastructure Projects and Consulting Services can be contracted from a particular supplier, contractor or consultant as determined by the Head of the Procuring Entity (“HoPE”), for any of the following requirements, *inter alia*: (a) Work of art; commissioned work or services of an artist for specific artistic skills (e.g. singer, performer, poet, writer painter sculptor, etc.);

WHEREAS, the Bids and Awards Committee (“BAC”), after taking into consideration all relevant factors, finds that the awarding of the procurement of services of a production team for the Harmonies of Heritage: A Symphony of Philippine Colonial Music Project may be done under Section 53.6(a) of the 2016 revised IRR of RA 9184;

WHEREAS, pursuant to Annex “H” of the 2016 Revised IRR of RA 9184, the End-User shall conduct a market study and determine the probable sources;

WHEREAS, the OCD submitted to BAC the following market study results: The EON Group (PhP 1,900,000.00); AMRG Events Management (did not submit quotation); and **Sinematika, Inc.** (PhP 1,886,018.40);

WHEREAS, after conducting a thorough market study, OCD determined that **Sinematika, Inc.** is compliant with the Terms of Reference and could undertake the project at more advantageous terms in the amount of *One Million Eight Hundred Eighty – Six Thousand Eighteen Pesos and 40/100* (PhP 1,886,018.40) only;

NOW, THEREFORE, we, the Members of the Bids and Awards Committee of the Department, RESOLVE to RECOMMEND to the Head of the Procuring Entity (“HoPE”) resort to Negotiated Procurement under Section 53.6 (Scientific, Scholarly or Artistic Work, Exclusive Technology and Media Services) as the alternative method of procurement for the procurement of services of a production team for the Harmonies of Heritage: A Symphony of Philippine Colonial Music Project from **Sinematika, Inc.**, subject to the abovementioned requirements, and provided that existing auditing rules and regulations shall be strictly observed by the end-user.


ADOPTED, this 9th day of September 2024, Pasay City.


EDGAR B. BADAJOS
BAC Chairperson


MARLOWE A. MIRANDA
BAC Vice Chairperson

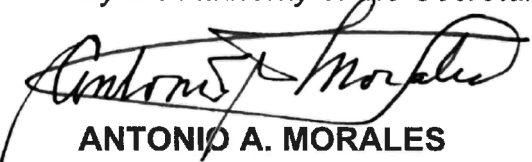

MARC THEODORE P. BENIGNO
BAC Alternate Member


ADRIAN G. MIRAS
BAC Alternate Member


CELIA ANNA M. FERIA
Representative of the End-user

Approved:

By the Authority of the Secretary for Foreign Affairs:


ANTONIO A. MORALES
Undersecretary
and Head of the Procuring Entity



NOTICE OF AWARD

9 September 2024

Sir/Madam:

Please be informed that, upon the recommendation of the Bids and Awards Committee ("BAC") of the Department of Foreign Affairs ("DFA") as contained in its Resolution No. **HO-326-24**, the DFA is awarding the contract on the following project/procurement to your firm, ***Sinematika, Inc.***:

Project Title	End-User Unit
PROCUREMENT OF SERVICES OF A PRODUCTION TEAM FOR THE HARMONIES OF HERITAGE: A SYMPHONY OF PHILIPPINE COLONIAL MUSIC PROJECT	OCD

The contract has a total cost of *One Million Eight Hundred Eighty – Six Thousand Eighteen Pesos and 40/100* (PhP 1,886,018.40) only, inclusive of taxes and other lawful charges.

This award and the implementation of the project/procurement are subject to the signing of a contract and compliance with all applicable accounting and auditing rules and regulations.

Very truly yours,

ANTONIO A. MORALES
Undersecretary
and Head of the Procuring Entity

Sinematika, Inc.

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Brgy. Barangka Ilaya, Mandaluyong City