



**BAC RESOLUTION RECOMMENDING THE USE OF EMERGENCY  
PROCUREMENT UNDER THE *BAYANIHAN* ACT FOR THE PROCUREMENT OF  
CHARTERED FLIGHTS FOR DISTRESSED AND STRANDED DOMESTIC  
TOURISTS IN EL NIDO, PUERTO PRINCESA, ILOILO, CATICLAN, CEBU,  
DAVAO, AND BUTUAN**

***Resolution No. 2020 - 093***

**WHEREAS**, the Department of Tourism (DOT) is mandated to monitor the conditions of any tourists and community in the Philippines and, in consultation with the LGUs and law enforcers, issue timely advisories on the safety or viability of travel to particular places within the Philippines, and on patronage of entities engaged in tourism related activities and of tourism products;

**WHEREAS**, on 16 March 2020, Proclamation No. 929 was issued by President Rodrigo Roa-Duterte declaring a state of calamity throughout the Philippines due to Corona Virus Disease 2019 (COVID-19) and further imposing an Enhanced Community Quarantine (ECQ) throughout Luzon. A copy of Proclamation No. 929 dated 16 March 2020 is hereto attached, marked as **Annex "A"**, and made an integral part hereof;

**WHEREAS**, pursuant to such Proclamation, the Executive Secretary issued a Memorandum dated 16 March 2020 providing guidelines on the imposition of an Enhanced Community Quarantine and the Stringent Social Distancing Measures over the entire Luzon. Among the restrictions provided under the said Memorandum are land, air, and sea travel, thus causing sudden cancellation or stoppage of flights. A copy of the Memorandum from the Executive Secretary dated 16 March 2020 is hereto attached, marked as **Annex "B"**, and made an integral part hereof;

**WHEREAS**, the DOT facilitated and assisted rescue missions via sweeper flights and other form of transfers to move stranded foreign tourists to international gateways and enable them to take their outbound flights. The DOT was constrained from extending the same assistance to stranded domestic tourists pursuant to IATF-EID Resolution No. 13 B.1 OFWs, Balikbayans, foreign nationals leaving for abroad through any ports in Luzon shall be allowed to leave the Philippines at any time for the duration of the ECQ. Provided, that proof of international itinerary scheduled within 24-hours must be presented. Provided, further, that no-essential travel by Filipinos from any port of Luzon shall be suspended. Provided, further that this provision shall not be interpreted to allow outbound travel by Filipinos to jurisdictions where travel restrictions are in place. A copy of IATF Resolution is hereto attached, marked as **Annex "C"**, and is made an integral part hereof;

**WHEREAS**, despite the government interventions, the number of confirmed cases of COVID-19 disease continues to rise, thus the Executive Secretary issued a Memorandum dated 07 April 2020 announcing the extension of the Enhanced Community Quarantine (ECQ) over the entire Luzon until 30 April 2020. A copy of the Memorandum from the Executive Secretary dated 07 April 2020 is hereto attached, marked as **Annex "D"**, and made an integral part hereof;

**WHEREAS**, pursuant to IATF Resolution No. 29, the ECQ was further extended until 15 May 2020 in National Capital Region, Region III (Central Luzon) except the Province of Aurora, Region IVA (CALABARZON), Province of Pangasinan, Province of Benguet, Baguio City, Province of Iloilo, Province of Cebu, Cebu City, and Davao City. Likewise, in the said Resolution, the DOT was authorized to undertake necessary measures to charter and fund sweeper flights for stranded domestic tourists from other regions to the National Capital Region. A copy of the IATF Resolution is hereto attached, marked as **Annex "E"**, and made an integral part hereof;

**WHEREAS**, the IATF Resolution imposes an obligation for the DOT to act with urgency according to its mandate to ensure the safety of our tourists and personnel at the time of crisis, as there is imminent danger to life and time is of the essence.

**WHEREAS**, pursuant to the said IATF Resolution, the Project Officer submitted a request for the procurement of chartered flights on 1 and 2 May 2020 for 1,108 stranded domestic tourists in El Nido, Puerto Princesa, Iloilo, Caticlan, Cebu, Davao, and Butuan with the following justifications:

- a. With the ECQ running for almost two (2) months now, the stranded domestic tourists have run short of finances to sustain their daily needs and book a flight home. Due to the successive declaration of ECQ extension, their airline tickets have been rebooked and cancelled twice already. They are the government's responsibility for as long as they are stranded and away from home.
- b. To fulfill DOT's mission to send every tourist home, the immediate procurement of chartered flights is imperative to aid distressed/stranded domestic tourists in different parts of the country;

A copy of the submitted justification is hereto attached, marked **Annex "F"**, and made an integral part hereof;

**WHEREAS**, the Approved Budget for the Contract (ABC) is Five Million One Hundred Eighty-Seven Thousand Seventy-One Pesos (PhP 5,187,071.00) identified as follows:

Lot No.	Route	No. of Flights	ABC per Lot
1	Manila – Davao - Manila	1	PHP 1,039,711.00
2	Manila – Butuan – Manila	1	PHP 762,720.00
3	Manila – Caticlan – Manila	1	PHP 563,360.00
4	Manila – Iloilo – Manila	1	PHP 660,800.00
5	Manila – Cebu – Manila	1	PHP 665,280.00
6	Manila – Puerto Princesa – Manila	1	PHP 901,600.00
7	Manila – El Nido – Manila	1	PHP 593, 600.00

A copy of the approved Purchase Requests (PRs) are hereto attached, marked as **Annex "G", "H", "I" and "J"**, and are made integral parts hereof;

**WHEREAS**, whenever justified by the conditions provided in the Government Procurement Policy Board (GPPB) Circular No. 01-2020, providing "Guidelines for Emergency Procurement under the Republic Act No. 11469 (RA 11469), or the *Bayanihan* to Heal as One Act", the procuring entity may, in order to expedite the procurement of highly needed supplies, materials, equipment, utilities, telecommunications, and **other critical services authorized** under RA 11469, otherwise known as the *Bayanihan* to Heal

as One Act, resort to emergency procurement under the said Act, provided that in all instances, the procuring entity shall ensure that the most advantageous price for the Government is obtained. A copy of GPPB Circular No. 01-2020 is hereto attached, marked as **Annex "K"**, and is made an integral part hereof;

**WHEREAS**, the DOT, having authorized to undertake necessary measures to charter and fund sweeper flights for stranded domestic tourists from other regions to the National Capital Region (NCR) determines that the said sweeper flights are considered ancillary services related to the immediate mobilization of assistance in the provision of basic necessities to families and individuals affected by the imposition of Community Quarantine, and in the provision of safety nets to all affected sectors pursuant to Section 2.2(f) of GPPB Circular No. 01-2020;

**WHEREAS**, pursuant to the foregoing, the BAC, through the assistance of the Project Officer, invited prospective airlines and negotiated with the interested airlines (service providers) and below are the quotations received:

<b>Lot No. / Particulars</b>	<b>Prospective Bidder/Service Provider</b>	<b>Bid Price</b>	<b>Findings</b>
<b>Lot No. 1</b> - Manila – Davao – Manila / Aircraft A321/230 seats / Flight Schedule: 2 May 2020	Cebu Pacific	PHP 1,039,711.00	Single Calculated Bidder (SCB)
<b>Lot No. 2</b> - Manila – Butuan – Manila / Aircraft A320 / 180 seats / Flight Schedule: 2 May 2020	Cebu Pacific	PHP 762,720.00	Lowest Calculated Bid (LCB)
	Air Asia	PHP 1,182,480.00	2 <sup>nd</sup> LCB
	Philippine Airlines	PHP 1,294,000.00	3 <sup>rd</sup> LCB
<b>Lot No. 3</b> - Manila – Caticlan – Manila / Aircraft A320 / 180 seats / Flight Schedule: 1 May 2020	Cebu Pacific	PHP 563,360.00	LCB
	Air Asia	PHP 790,480.00	2 <sup>nd</sup> LCB
	Philippine Airlines	PHP 955,000.00	3 <sup>rd</sup> LCB
<b>Lot No. 4</b> - Manila – Iloilo – Manila / Aircraft A320 / 180 seats / Flight Schedule: 2 May 2020	Cebu Pacific	PHP 660,800.00	LCB
	Air Asia	PHP 896,000.00	2 <sup>nd</sup> LCB
	Philippine Airlines	PHP 1,004,500.00	3 <sup>rd</sup> LCB
<b>Lot No. 5</b> - Manila – Cebu – Manila / Aircraft A320 / 180 seats / Flight Schedule: 2 May 2020	Cebu Pacific	PHP 665,280.00	LCB
	Air Asia	PHP 1,014,480.00	2 <sup>nd</sup> LCB
	Philippine Airlines	PHP 1,154,500.00	3 <sup>rd</sup> LCB
<b>Lot No. 6</b> - Manila – Puerto Princesa – Manila / Aircraft A321 / 230 seats / Flight Schedule: 1 May 2020	Cebu Pacific	PHP 901,600.00	SCB

Lot No. / Particulars	Prospective Bidder/Service Provider	Bid Price	Findings
<b>Lot No. No. 7</b> - Manila – El Nido – Manila / 72 seats / Flight Schedule: 1 May 2020	Air Swift	PHP 593,600.00	SCB

**WHEREAS**, after an evaluation of the quotations received from Cebu Pacific, the Lowest Calculated Bid (LCB) for Line Item Nos. 2, 3, 4, and 5, and the Single Calculated Bid (SCB) for Line Item No. 6; and Air Swift being the Single Calculated Bid (SCB) for Line Item No. 7, the same were found compliant and responsive to the immediate needs of the Department. A copy of the quotations submitted by Cebu Pacific and Air Swift are hereto attached, marked as **Annex "L-1"**, and **Annex "L-2"**, and are made integral parts hereof;

**NOW, THEREFORE**, premises considered, WE the Members of the DOT Bids and Awards Committee (BAC), hereby **recommend** to the Secretary the following:

- 1) **Amend the Annual Procurement Plan (APP)** to include this procurement project with a procurement modality of "Emergency procurement under the *Bayanihan Act*", with the corresponding total approved budget for the contract (ABC) of Five Million One Hundred Eighty-Seven Thousand Four Seventy-One Pesos (Php 5,187,071.00), as follows:

Lot No.	Particulars / Route	ABC per Line Item
1	Manila – Davao – Manila	PHP 1,039,711.00
2	Manila – Butuan – Manila	PHP 762,720.00
3	Manila – Caticlan – Manila	PHP 563,360.00
4	Manila – Iloilo – Manila	PHP 660,800.00
5	Manila – Cebu – Manila	PHP 665,280.00
6	Manila – Puerto Princesa – Manila	PHP 901,600.00
7	Manila – El Nido – Manila	PHP 593, 600.00

- 2) **Adopt Emergency Procurement under the *Bayanihan Act*** as the mode of procurement considering the above-mentioned justifications and as provided under GPPB Circular 01-2020 providing Guidelines for Emergency Procurement under Republic Act No. 11469 (RA 11469) or the *Bayanihan to Heal as One Act*;
- 3) **Confirm the authority of the designated Project Officer** to assist the BAC by directly negotiating with a legally, technically and financially capable service provider and to secure the quotation/s for the procurement of chartered flights undertaken through the allowable instances of Emergency Procurement under the *Bayanihan Act*, and submit to the BAC the results of negotiation;
- 4) **Award the contract** to the following airlines for the procurement of chartered flights in order to facilitate the immediate transfer of distressed and stranded domestic tourists in Davao to Manila (Line Item No. 1), Butuan to Manila (Line Item No. 2), Caticlan to Manila (Line Item No. 3), Iloilo to Manila (Line Item No. 4), Cebu to Manila (Line Item No. 5), Puerto Princesa to Manila (Line Item No. 6) and El Nido to Manila (Line Item No. 7), with the following contract prices per Lot:

<b>Lot No.</b>	<b>Airline (Awarded Service Provider)</b>	<b>Route / Particulars</b>	<b>Awarded Price per Line Item</b>
1	Cebu Pacific	Manila – Davao – Manila	PHP 1,039,711.00
2	Cebu Pacific	Manila – Butuan – Manila	PHP 762,720.00
3	Cebu Pacific	Manila – Caticlan – Manila	PHP 563,360.00
4	Cebu Pacific	Manila – Iloilo – Manila	PHP 660,800.00
5	Cebu Pacific	Manila – Cebu – Manila	PHP 665,280.00
6	Cebu Pacific	Manila – Puerto Princesa – Manila	PHP 901,600.00
7	Air Swift	Manila – El Nido – Manila	PHP593,600.00

5) Approve the foregoing.

Adopted this 30<sup>th</sup> day of April 2020 in Makati City.

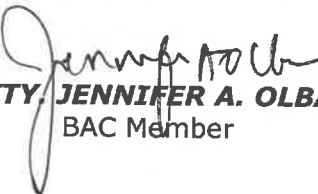
**Recommending Approval:**

  
**ASEC. ROBERTO P. ALABADO III**  
 BAC Chairperson

  
**DIR. MILAGROS Y. SAY**  
 BAC Vice-Chairperson

  
**MR. RAYMUND GLEN A AGUSTIN**  
 BAC Member

  
**MS. MA. LUZ F. FALCUNAYA**  
 BAC Member

  
**ATTY. JENNIFER A. OLBA**  
 BAC Member

**By Authority of the Secretary:**

Approved  Disapproved

  
**ARTURO P. BONCATO, JR.**  
 Undersecretary for Tourism Regulation, Coordination  
 and Resource Generation