



30 November 2023

**ASTI – BIDS AND AWARDS COMMITTEE
BAC Resolution No.: 23-11-235**

**RECOMMENDING THE AWARD OF CONTRACT TO TECHMATCH ASIA, INC.
FOR THE PROCUREMENT OF ONE (1) LOT LEGAL SERVICE FOR PREPARING AND
FILING OF INTELLECTUAL PROPERTY APPLICATION**

Purchase Request No.	:	GAA-23-10-18022
Date of Purchase Request	:	13 October 2023
Request for Quotation No.	:	23-10-18022
Solicitation No.	:	23-10-18022
PhilGEPS Reference No.	:	10260551
Approved Budget for the Contract	:	₱510,000.00

WHEREAS, the Office of the Director submitted to the DOST-ASTI Bids and Awards Committee (BAC) **Purchase Request No. GAA-23-11-18305** for the **Procurement of One (1) Lot Legal Service for Preparing and Filing of Intellectual Property Application**, together with a market study, which was included in the **DOST-ASTI Annual Procurement Plan No. 20 for Fiscal Year 2023**;

WHEREAS, the mode of procurement is based on **Section 53.6 Scientific, Scholarly or Artistic Work, Exclusive Technology and Media Services** of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184;

WHEREAS, a Procuring Entity may resort to Section 53.6 Scientific, Scholarly or Artistic Work, Exclusive Technology and Media Services, for any of the following:

- a. *Work of art; commissioned work or services of an artist for a specific artist skill (e.g., Singer, poet, writer, painter, sculptor, etc.);*
- b. Scientific, academic, scholarly work or research, or legal services;**
- c. *Highly-specialized life-saving medical equipment, as certified by the Department of Health (DOH);*
- d. *Scientific, technical, economic, business, trade or legal journal, magazine, paper subscription, or other exclusive statistical publications and references; or*
- e. *Media documentation, advertisement, or announcement through television, radio, newspaper, internet, and other communication media.*

WHEREAS, Annex “H” or the Consolidated Guidelines for the Alternative Methods of Procurement of the 2016 revised IRR of RA No. 9184 provides:

“The BAC shall undertake the negotiation with a technically, legally, and financially capable supplier, contractor, or consultant based on the Technical Specifications, Scope of Work, or Terms of Reference prepared by the End-user.”

WHEREAS, on **26 October 2023**, the DOST-ASTI BAC, through its Secretariat, published the Request for Quotation and sent an invitation to Techmatch Asia, Inc. However, before the lapse of the deadline for submission of quotations on **31 October 2023, 2:00 PM**, two (2) prospective bidders submitted their respective quotations, particularly **(1) Federis & Associates Law Offices** and **(2) Techmatch Asia, Inc.**;

WHEREAS, the DOST-ASTI BAC reviewed the legal requirements submitted by the two (2) prospective bidders; however, only **Techmatch Asia, Inc.** was found to be compliant with the eligibility requirements. Likewise, the DOST-ASTI BAC determined that the financial proposal submitted by **Techmatch Asia, Inc.** in the amount of **Four Hundred Thirty-Eight Thousand Pesos Only (₱438,000.00)**, inclusive of all government taxes and fees, is within the Approved Budget for the Contract and, thus, compliant with the financial requirement;

WHEREAS, the DOST-ASTI BAC sent an invitation to Techmatch Asia, Inc., for a negotiation meeting, which was held on **09 November 2023**. The DOST-ASTI BAC clarified if Techmatch Asia, Inc. has affiliated intellectual property lawyers who can perform the services needed by the DOST-ASTI in which the latter confirmed;

WHEREAS, after the meeting, the DOST-ASTI BAC instructed its Secretariat to draft a clarificatory letter to Techmatch Asia, Inc. to formalize the query, to which the latter responded through a formal letter with curriculum vitae of its affiliate lawyers;

WHEREAS, it was found out by the end-user and DOST-ASTI BAC that **Techmatch Asia, Inc.** was compliant with the technical specifications, thereby making the same as the **Lowest Calculated Responsive Quotations**; and

WHEREAS, Section 12 of RA No. 9184 provides that the BAC shall, among other matters, recommend the award of contracts to the Head of the Procuring Entity (HoPE) or his/her duly authorized representative.

WHEREFORE, the **DOST-ASTI BAC RESOLVES**, as it is hereby **RESOLVED**, to recommend to the **DOST-ASTI HoPE**, for his approval, to award the contract for the **PROCUREMENT OF ONE (1) LOT LEGAL SERVICE FOR PREPARING AND FILING OF INTELLECTUAL PROPERTY APPLICATION** through **NEGOTIATED PROCUREMENT UNDER SECTION 53.6 (SCIENTIFIC, SCHOLARLY OR ARTISTIC WORK, EXCLUSICE TECHNOLOGY AND MEDIA SERVICES)**, to **TECHMATCH ASIA, INC.** with a total bid amount of **FOUR HUNDRED THIRTY-EIGHT THOUSAND PESOS ONLY (₱438,000.00)**, inclusive of all government taxes and fees.

Done in Quezon City, Philippines, this 30th day of November 2023.



Digitally signed
by Maria Irene S.
Amatorio

MARIA IRENE S. AMATORIO
End-user

NARCISA JUVILYN C. CASTAÑEDA
BAC Member

HAROLD BRYAN S. PALER
BAC Member

MERYL REGINE L. ALGODON, Ph.D.
BAC Member

PHILIP A. MARTINEZ
BAC Member

On Official Business

JEFFREY A. ABOROT
BAC Vice Chairperson

BAYANI BENJAMIN R. LARA
BAC Chairperson

APPROVED/D SAPPROVED:

FRANZ A. DE LEON, Ph.D.
Director, DOST-ASTI