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SENATE
P. S. Resolution No. 518

RECEIVED BY: 

Introduced by Senators Lacson and Guingona III

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS (BLUE RIBBON) TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED ANOMALOUS AND IRREGULAR ACQUISITION BY THE PNP OF LIGHT OPERATIONAL HELICOPTERS IN 2009 FROM MAPTRA, WITH THE END IN VIEW OF DETERMINING WHETHER THE SAID ACT CONSTITUTES A VIOLATION OF RA 3019, DETERMINE THE PARTIES RESPONSIBLE THEREFOR AND TO PROVIDE REMEDIAL MEASURES TO FURTHER STRENGTHEN THE SAID LAW AND THE PROCUREMENT PROCESS OF THE PHILIPPINE NATIONAL POLICE

WHEREAS, pursuant to the PNP Capability Enhancement Program (CEP) for 2008, the Department of Budget and Management (DBM) made available the amount of One Hundred Five Million Pesos (P105,000,000.00) to support the procurement of three (3) brand new Light Police Operational Helicopters (LPOH) to be used by the Air Unit of the PNP Special Action Force;

WHEREAS, the PNP Negotiation Committee conducted negotiation on May 8, 2009 with Manila Aerospace Products Trading Corporation (MAPTRA) which offered to deliver one (1) equipped LPOH and two (2) standard LPOH for P105 million which was not in conformity with the SAF requirement of three (3) equipped LPOH;

WHEREAS, in view of the failure of the said negotiation, then C/Supt. Leocadio SC Santiago, Jr., Director of SAF informed the Director of Logistics (TDL) of the modification of their requirements from 3-equipped LPOH to at least one (1) equipped and two (2) standard LPOH;

WHEREAS, on July 9, 2009, the Negotiation Committee thru Resolution No. 2009-04 recommended the award of the contract to Manila Aerospace Products Trading Corporation (MAPTRA), which according to the PNP Negotiation Committee is "a legally, technically and financially capable supplier of helicopters that have been engaged in the business for so many years and with available and existing facilities";

WHEREAS, on July 23, 2009, Police Director General Jesus A. Verzosa approved the Supply Contract between the PNP and MAPTRA for the purchase of three (3) brand new helicopters at a total cost of One Hundred Four Million Nine Hundred Eighty-Five Thousand Pesos (P104,985,000.00) inclusive of all taxes, import duties and charges;

WHEREAS, the helicopters bought by the PNP consist of one (1) Robinson R44 Raven II and two (2) Robinson R44 Raven I helicopters;

WHEREAS, contrary to the findings of the Negotiation Committee that MAPTRA has been engaged in the business for so many years, the Securities and Exchange Commission records state that MAPTRA was only given its certificate of incorporation on June 10, 2009;

WHEREAS, of the three "brand new" units bought by the PNP, the two Robinson R44 Raven I helicopters were not brand new but pre-owned, bought and delivered to the first owner sometime in March 2004 as attested by existing flight logs on the date of the purchase by the PNP;

WHEREAS, by intentionally misrepresenting the helicopters they were selling as brand new and likewise, by intentionally accepting the same as such, both MAPTRA and the PNP may have entered into an anomalous contract which not only gave unwarranted benefits or advantage to a party but also one which is manifestly and grossly disadvantageous to the government in violation of Section 3 (E) and (G) of Republic Act 3019, otherwise known as the Anti-Graft and Corrupt Practices Act;

WHEREAS, there is an urgent need to look into this anomaly in order to prevent the PNP from entering into another contract of similar nature and to determine possible violations of RA 3019; **NOW, THEREFORE**,

BE IT RESOLVED, as it is hereby resolved by the Senate of the Philippines, to direct, as it hereby directs, the Senate Blue Ribbon Committee to conduct an inquiry, in aid of legislation, on the alleged anomalous and irregular contract entered into by the PNP with MAPTRA, with the end in view of determining the liability of PNP officials involved in said transaction, uncovering the personalities behind this contract and providing remedial legislation that will further strengthen the procurement process of the PNP.

Adopted,


TEOFISTO "TG" L. GUINGONA III
Senator


PANFILO M. LACSON
Senator