



NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

23 JAN 30 P 6:35

SENATE

P. S. RES. No. 452

RECEIVED

Introduced by SEN. WIN GATCHALIAN

RESOLUTION

**DIRECTING THE SENATE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS (BLUE RIBBON) TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE QUESTIONABLE PROCUREMENT BY THE PHILIPPINE GAMING CORPORATION (PAGCOR) OF THE THIRD PARTY AUDITOR, GLOBAL COMRCI, TO AUDIT THE GROSS GAMING REVENUES OF THE PHILIPPINE OFFSHORE GAMING OPERATORS (POGOS) DULY LICENSED BY THE PAGCOR**

1       **WHEREAS**, Presidential Decree No. 1869 mandates the PAGCOR to regulate  
2 games of chance, games of cards, and games of numbers;

3

4       **WHEREAS**, pursuant to the said mandate, in a Memorandum dated 04  
5 November 2016, PAGCOR's POGO Ad Hoc Chairman recommended to the PAGOCR  
6 Board of Directors that the intermediation platform or audit program for POGOs be  
7 outsourced;

8

9       **WHEREAS**, PAGCOR approved the procurement of a Consultancy Services for  
10 the Development, Operation, and Management of Intermediation Platform/Audit  
11 Program for the Philippine Offshore Gaming Operations under ITB No. PB17-035COR-  
12 06 and the bidding process was undertaken under Republic Act No. 9184 otherwise  
13 known as the Government Procurement Reform Act;

14

15       **WHEREAS**, on 26 October 2017, PAGCOR issued a notice of award to Global  
16 ComRCI, a consortium between Global Myoho Renge Copy, Inc; Highweb Trade LTD;

1 and Comfac Corporation, (the "Global ComRCI Consortium") for a total annual contract  
2 price of Five Hundred Fifty Two Million Two Hundred Fifteen Thousand Three Hundred  
3 Twenty-Two Pesos (PHP552,215,322.00) payable per year for ten (10) years;

4  
5 **WHEREAS**, on 19 December 2017 a Notice to Proceed was issued to the Global  
6 ComRCI Consortium;

7  
8 **WHEREAS**, under Par. 4 Section IV. Terms of Reference of ITB No. PB17-  
9 035COR-06, among the qualification standards for the consultant are: first, the  
10 consultant must have an **operating capital of at least One Billion Pesos**  
11 (PHP1,000,000,000.00); second, the consultant has **implemented similar project**  
12 in at least three (3) other gaming jurisdictions with standards at par with or higher  
13 than the Philippines; and third, the consultant must be **engaged in the same field**  
14 **of business for not less than ten (10) years;**

15  
16 **WHEREAS**, under Par. 5 Section I. Request for Expression of Interest of ITB  
17 No. PB17-035COR-06, in case the bidders intend to enter into a joint venture  
18 agreement ("JVA") for the purpose of implementing the project, **the JVA shall be**  
19 **registered with the Philippine Securities and Exchange Commission ("SEC")**  
20 prior to contract execution with PAGCOR;

21  
22 **WHEREAS**, in order to comply with the operating capital requirement, Global  
23 ComRCI Consortium submitted a Bank Certification from Soleil Chartered Bank (with  
24 address at Philippine Stock Exchange Center, Exchange Rd., Ortigas Commercial  
25 Center, Pasig City) that Global Myoho Renge Inc. has for its account Twenty-Five  
26 Million United States Dollars (USD25,000,000.00) "in compliance with PAGCOR POGO  
27 Consultancy Bidding as required Operating Capital for the award";

28  
29 **WHEREAS**, during the 4th Public Hearing conducted by the Committee on  
30 Ways and Means on 23 January 2023, PAGCOR confirmed that based on the said bank  
31 certification issued by Soleil Chartered Bank, PAGCOR has ruled that Global ComRCI  
32 Consortium passed the financial capability requirement for the project;

1

2           **WHEREAS**, however, in a letter dated 22 January 2023, the Bangko Sentral  
3 ng Pilipinas ("BSP") certified that **Soleil Chartered Bank is not among the**  
4 **financial institutions registered with nor under the supervision of the BSP**,  
5 moreover, on the 4th Public Hearing conducted by the Committee on Ways and Means,  
6 BSP confirmed that Soleil Chartered Bank is not authorized to issue such bank  
7 certification as it is not registered with BSP;

8

9           **WHEREAS**, further, the completed projects included in the bid submissions of  
10 the Global ComRCI Consortium are private projects *i.e.*, **not projects with a**  
11 **government gaming regulator like PAGCOR** hence, should not have been  
12 considered as similar to the consultancy services being procured by PAGCOR;

13

14           **WHEREAS**, further, the incorporation documents of the members of the Global  
15 ComRCI Consortium bear that only Comfac Corporation has been in existence for more  
16 than ten (10) years however, it is **not engaged in the same field of business** as  
17 the consultancy services that is being procured by PAGCOR under ITB No. PB17-  
18 035COR-06;

19

20           **WHEREAS**, while the members of the Global ComRCI have entered into a  
21 Consortium Agreement on 15 December 2017, it failed to register its Joint Venture  
22 with the SEC, as certified by SEC in its letter dated 25 November 2022, stating that  
23 **no corporation or partnership under the name Global ComRCI is registered**  
24 **with SEC**, in direct violation of Par. 5 Section I. Request for Expression of Interest of  
25 ITB No. PB17-035COR-06;

26

27           **WHEREAS**, to make matters worse, the place of **the office and/or**  
28 **operation of Global ComRCI Consortium cannot be located**;

29

30           **WHEREAS**, while the address of the Globa ComRCI Consortium in the Notice  
31 to Proceed is at 18/F the World Centre Bldg., 1330 Sen. Gil Puyat Ave., Makati City,

1 the Business Permits Office of the **City of Makati** has issued a certification dated 09  
2 January 2023 that there is **no business permit** issued to Global ComRCI Consortium;  
3

4 **WHEREAS**, while PAGCOR mentioned during the 4<sup>th</sup> Public Hearing of the  
5 Committee on Ways and Means that the Third Party Auditor Global ComRCI  
6 Consortium is operating in the City of Manila and based on the submissions made by  
7 the PAGCOR the address of the Global ComRCI Consortium in Manila is at 39F Century  
8 Peak Tower, Sta. Monica Street, Ermita, Manila. However, the Office of the Building  
9 Official of the **City of Manila** has issued certifications dated 23 January 2023 stating  
10 that from 2017 to even date, **no business permit, occupancy permit and**  
11 **renovation permit** was issued by the City of Manila to Global ComRCI Consortium;  
12

13 **WHEREAS**, the lack of technical capability of the Third Party Auditor and the  
14 consequent failure by the Third Party Auditor to determine the correct Gross Gaming  
15 Revenue may lead to the underpayment by the POGOs of the 2% Franchise Fees to  
16 PAGCOR and 5% Gaming Tax to the Bureau of Internal Revenue. Thus, it is  
17 indispensable that the qualifications of the Third Party Auditor be properly evaluated  
18 and established as its incapacity and inability to perform its job may lead to revenue  
19 loss on the part of the Government;  
20

21 **WHEREAS**, it is equally important to note that the consultancy services  
22 awarded to an entity whose whereabouts is unknown amounts to a total of almost Six  
23 Billion Pesos in the course of ten (10) years, thus, it is imperative that this seemingly  
24 anomalous government procurement and public expenditure must be examined and  
25 accounted for with zeal and vigor in order to maintain the trust and confidence of the  
26 people to the government;  
27

28 **RESOLVED BY THE SENATE OF THE PHILIPPINES**, to direct the Senate  
29 Committee on Accountability of Public Officers And Investigations (Blue Ribbon) to  
30 conduct an inquiry, in aid of legislation, on the alleged irregularities on the  
31 procurement of Global ComRCI, the Third Party Auditor by PAGCOR, with the end in

- 1 view of identifying accountability and making amendments to the procurement laws,
- 2 if necessary.

Adopted,



**WIN GATCHALIAN**