

NOTICE TO PROCEED

EDGAR P. CHUA / MARIEL JAN G. ABDON

Authorized Representative

AGD INFOTECH INC. AND AG DATACOM PHILS., INC. (Joint Venture)

Suite 1704, 17th Floor Atlanta Centre,
31 Annapolis St., Greenhills, San Juan City, Metro Manila
Telephone No.: (02) 997-3720
E-mail Address: mariel.abdon@agdatacom.com

Dear **Mr. Chua / Ms. Abdon**:

Please be informed that you may now proceed as the Supplier for the contract entitled **“Subscription for Maintenance Services for ICTMS Data Centers, Network Operation Center and Network Intermediate Distribution Frames”** under the **Contract No. 21-08-0058** amounting to **Seven Million Three Hundred Forty-One Thousand One Hundred Six Pesos and Ninety-Seven Centavos (PhP 7,341,106.97)**. inclusive of all applicable taxes.

This Notice binds you to your bid price proposal, schedule of requirements, technical specifications, and other terms and conditions stipulated in the Contract. Please note that complete implementation and service subscription shall be made in accordance with the terms specified in Schedule of Requirements. Further, we acknowledge receipt of your Performance Security in a form of Surety Bond issued by Alpha & Surety Company, Inc. amounting to **Two Million Two Hundred Two Thousand Three Hundred Thirty-Two Pesos and Nine Centavos (PhP 2,202,332.09)**.

Kindly affix your signature and the corresponding date in the space provided below:

Very truly yours,


DANILO G. RAMONAG

Undersecretary for Social Welfare and Development 

CONFORME:


EDGAR P. CHUA / MARIEL JAN G. ABDON

Authorized Representative

Date: SEPTEMBER 19, 2021

SEP 14 2021

CONTRACT AGREEMENT

THIS AGREEMENT made the _____ day of SEP 14 2021 20____ between DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT, a government agency with principal office address at IBP Road, Constitution Hills, Quezon City, Metro Manila, represented by its Undersecretary for Social Welfare and Development, **DANILO G. PAMONAG**, (hereinafter called the "PROCURING ENTITY") of the one part and **AGD INFOTECH INC. AND AG DATACOM PHILS., INC. (JOINT VENTURE)**, a domestic corporation duly organized, registered and existing under and by virtue of the laws of the Republic of the Philippines and with principal address at Suite 1704, 17th Floor Atlanta Centre, 31 Annapolis St., Greenhills, San Juan City, Metro Manila, Philippines, represented herein by its authorized representatives, **EDGAR P. CHUA / MARIEL JAN G. ABDON** (herein called "THE SUPPLIER") of the other part;

WHEREAS, the Procuring Entity through Competitive Bidding invited bids for certain goods and ancillary services, particularly "**Subscription for Maintenance Services for ICTMS Data Centers, Network Operation Center and Network Intermediate Distribution Frames**" where one (1) prospective bidder submitted the bid proposal, and after deliberation of the Bids and Awards Committee (BAC), has accepted the Bid of the Supplier being the Single Calculated and Responsive Bidder (SCRB), in the sum of **Seven Million Three Hundred Forty-One Thousand One Hundred Six Pesos and Ninety-Seven Centavos (PhP 7,341,106.97)**, (hereinafter called "The Contract Price").

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement:
 - "(A)" the Bid Form and the Price Proposal Form/Schedule submitted by the Bidder;
 - "(B)" the Schedule of Requirements;
 - "(C)" the Technical Specifications;
 - "(D)" the General Conditions of Contract;
 - "(E)" the Special Conditions of Contract;
 - "(F)" the Notice of Award; and
 - "(G)" the Joint Venture Agreement
3. In consideration of the payments to be made by the Procuring Entity to the Supplier as hereinafter mentioned, the Supplier hereby covenants with the Procuring Entity to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract.
4. The Procuring Entity hereby covenants to pay the Supplier in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

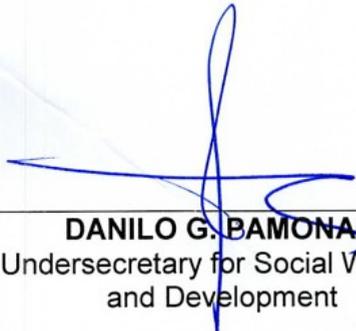
FOR THE PROCURING ENTITY

FOR THE SUPPLIER

**DEPARTMENT OF SOCIAL WELFARE
AND DEVELOPMENT**

**AGD INFOTECH INC. AND AG DATACOM
PHILS., INC. (JOINT VENTURE)**

By:



DANILO G. PAMONAG
Undersecretary for Social Welfare
and Development



EDGAR P. CHUA
Authorized Representative

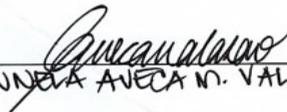


MARIEL JAN G. ABDON
Authorized Representative

-Witnesses-

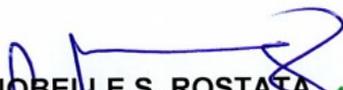


ANDREW J. AMBUBUYOG
Director IV,
Information and Communications
Technology Management Service



GINELA AVECA M. VALERAO

Certifies as to availability of Fund/Disbursement
of **Certified Funds Available** budgeting,
accounting and auditing rules and regulations.



JOBELLE S. ROSTATA 9/10
OIC-Chief, Accounting Division

0101101-21-09-03499

ICTMS 200000-1-1 50290700

September 8, 2021

₱ 7,341,106.97

Republic of the Philippines)
QUEZON CITY) S.S.

QUEZON CITY **SEP 14 2021**
BEFORE ME, a Notary Public for and in _____, on this _____ day of _____
20____ personally appeared the following with their respective proof of Identification;

DANILO G. PAMONAG

ID Type/No. : Passport - 500157324
Place Issued : DFA Manila
Date Issued : June 24, 2019

EDGAR P. CHUA

ID Type/No. : DRIVER'S LICENSE ND2-93-224782
Place Issued : QUEZON CITY
Date Issued : JULY 17, 2017

MARIEL JAN G. ABDON

ID Type/No. : PASSPORT P4646502B
Place Issued : QUEZON CITY
Date Issued : FEBRUARY 1, 2020

Both known to me to be the same people who executed the foregoing instrument and who acknowledge to me that the same is their own free will and voluntary act and deed.

This agreement consisting of three (3) pages signed by the parties and their instrumental witnesses in all pages refer to an AGREEMENT for the "**Subscription for Maintenance Services for ICTMS Data Centers, Network Operation Center and Network Intermediate Distribution Frames**" by the Supplier.

WITNESS MY HAND AND NOTARIAL SEAL on the date and place first above written.


NOTARY PUBLIC
ATTY. PORTIA D. FLORES DIESTA
Notary Public
Until December 31, 2021
Attorney's Roll No. 41164
Notarial Commission No. 143 (2020-2021)
PTR No. 9840412 1/4/2021, Quezon City
IBP LRN No. 039543-Q.C. Chapter
MCLE Cert. No. VI-0029931 01/08/2020, Pasig City

Doc. No. 69
Page No. 15
Book No. CVI 111
Series of 20 21

BIDS AND AWARDS COMMITTEE (BAC)
Resolution No. 21-07-131**RUSH****RECOMMENDING AWARD OF CONTRACT FOR THE SUBSCRIPTION FOR
MAINTENANCE SERVICES FOR ICTMS DATA CENTERS, NETWORK OPERATION
CENTER AND NETWORK INTERMEDIATE DISTRIBUTION FRAMES**(ITB NO. GOP/21-DSWD-008)
(PR NO. 01-20001-PR-2021-04-00028)

WHEREAS, the Department of Social Welfare and Development (DSWD), through the Information and Communications Technology Management Service (ICTMS), aims to ensure to continuously monitor the active devices of the Datacenter, the hosted ICT equipment and facilities to establish and ensure uninterrupted, smooth and optimize operations. In addition, the ICTMS, also want to protect the datacenter and all ICT equipment it holds from operational wear and tear, obsolescence and from known hazards such as fire. Finally, this project will also install, setup and configure, operate, manage and maintain the required solutions for DSWD. Copies of the Purchase Request (PR), Project Proposal and Terms of Reference are hereto attached, marked as **Annexes "A-1", "A-2" and "A-3"**, respectively, and are made integral parts hereof;

WHEREAS, the DSWD, through the Bids and Awards Committee (BAC), posted an Invitation to Bid (ITB) for the Subscription for Maintenance Services for ICTMS Data Centers, Network Operation Center and Network Intermediate Distribution Frames under ITB No. GOP/21-DSWD-008 at the Philippine Government Electronic Procurement System (PhilGEPS) and DSWD websites, and at conspicuous places within the Department premises starting 07 May 2021. The Approved Budget for the Contract (ABC) is Seven Million Three Hundred Forty-Two Thousand Two Hundred Twenty-Two Pesos and Twenty-Two Centavos (PHP 7,342,222.22). Copies of the said ITB and proof of postings are hereto attached, marked as **Annexes "B-1", "B-2", "B-3" and "B-4"**, respectively, and are made integral parts hereof;

WHEREAS, the Competitive Bidding Procedure for Goods and Services was adopted in this undertaking pursuant to Republic Act No. 9184 (RA 9184) otherwise known as the Government Procurement Reform Act (GPRA) and its 2016 Revised Implementing Rules and Regulations (IRR);

WHEREAS, a Pre-Bid Conference was conducted on 14 May 2021 at 10:00 AM and was attended via video conference by a prospective bidder, AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture). A copy of the Minutes of the Pre-Bid Conference is hereto attached, marked as **Annex "C"**, and made an integral part hereof;

WHEREAS, in response to the ITB, only one (1) prospective bidder, AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture), secured a complete set of Bidding Documents upon payment of an applicable fee in the amount of Seven Thousand Five Hundred Pesos (Php7,500.00). Copy of Official Receipt as proof of payment is hereto attached, marked as **Annex "D"**, and made an integral part hereof;



WHEREAS, during the deadline for the submission and receipt of bids on 26 May 2021 at 09:00 AM, one (1) bidder, AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture), came to submit its bid proposal on 26 May 2021 at 07:57 AM. The receiving copy of the bid is hereto attached, marked as **Annex "E"**, and made an integral part hereof;

WHEREAS, on 26 May 2021 at 10:00 AM, during the opening of bids and preliminary examination of the documents submitted by the lone bidder, the BAC had the following findings:

Name of Bidder	Technical Component	Financial Component
AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture)	"Passed"	"Passed"

Copies of the Minutes of Bid Opening and Abstract of Bids "As Read" are hereto attached, marked as **Annexes "F-1"** and **"F-2"**, respectively, and are made integral parts hereof;

WHEREAS, the BAC, with the assistance of its Secretariat, conducted the Bid Evaluation to determine the Single Calculated Bid (SCB) and if there are computational errors in the bid prices submitted by the bidder, AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture), to wit:

NAME OF BIDDER	BID PRICE
AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture)	PHP7,341,106.97 (SCB)

A copy of the Bid Evaluation Report is hereto attached, marked as **Annex "G"**, and made an integral part hereof;

WHEREAS, for purposes of conducting the Post-Qualification, the BAC requested AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture) being the SCB, to submit additional documents within five (5) calendar days from receipt of notice, pursuant to Section 34.2 of the 2016 Revised IRR of RA 9184. A copy of the Notice of Post-Qualification is hereto attached, marked as **Annex "H"**, and made an integral part hereof;

WHEREAS, the BAC created a TWG pursuant to Section 12 of the 2016 Revised IRR of RA 9184 that will conduct the Post-Qualification of the above-mentioned SCB. A copy of the said creation of TWG is hereto attached, marked as **Annex "I"**, and made an integral part hereof;

WHEREAS, on 17 June 2021, the BAC received the TWG report which found AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture) as "responsive" to all the requirements stipulated in the Bidding Documents. A copy of the said TWG Report is hereto attached, marked as **Annex "J"**, and made an integral part hereof;

WHEREAS, the BAC discussed and deliberated the merits of the TWG report during its Regular Meeting on 25 June 2021. The BAC found that AGD Infotech Inc. and



AG Datacom Phils., Inc. (Joint Venture) are legally, technically and financially capable to provide the goods and services needed by the DSWD, and thus resolved to recommend award of contract to AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture). A copy of the Minutes of Regular Meeting is hereto attached marked as **Annex "K"**, and made an integral part hereof;

NOW, THEREFORE, in view of the foregoing and on the basis of the documents presented, we, the Bids and Awards Committee, resolves as it is hereby resolved, to recommend award of contract for the **Subscription for Maintenance Services for ICTMS Data Centers, Network Operation Center and Network Intermediate Distribution Frames** under ITB No. GOP/21-DSWD-008 to **AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture)**, being the Single Calculated and Responsive Bid (SCRB), with a Total Contract Price (TCP) of **Seven Million Three Hundred Forty-One Thousand One Hundred Six Pesos and 97/100 (PHP7,341,106.97)**, inclusive of all applicable taxes.

RESOLVED, this 06th day of July 2021 at Quezon City, Philippines.

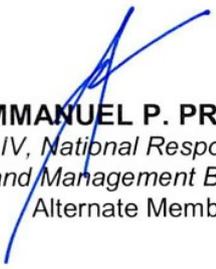
ATTY. MARIA CASSANDRA M. URBIZTONDO
Attorney V, Legal Service
Regular Member

ATTY. KARINA ANTONETTE A. AGUDO
Officer-In-Charge, Administrative Service
Alternate Member

ERNESTINA Z. SOLLOSO
Deputy Program Manager, Pantawid Pamilyang Pilipino Program
Regular Member


FELIX M. ARMEÑA
Division Chief, Information and Communication Technology Management Service
Alternate Member

MARK ALLAN JAY G. YAMBAO*
Undersecretary for Special Projects
Regular Member


EMMANUEL P. PRIVADO
Director IV, National Response Logistics and Management Bureau
Alternate Member




RENE GLEN O. PAJE
Undersecretary for Inclusive and Sustainable
Peace
Chairperson *80*


ANDREW J. AMBUBUYOG
Director IV, Information and Communications
Technology Management Service
Provisional Member

Approved () Disapproved


DANILO G. PAMONAG
Undersecretary for Social Welfare and Development
(Per Special Order No. 3242, Series of 2019)
(Head of the Procuring Entity/Authorized Representative)

**Designated as Vice-Chairperson in the absence of the Chairperson*

SUBJECT : BAC Resoution No. 21-07-131 **RECOMMENDING AWARD OF CONTRACT FOR THE SUBSCRIPTION FOR MAINTENANCE SERVICES FOR ICTMS DATA CENTERS, NETWORK OPERATION CENTER AND NETWORK INTERMEDIATE DISTRIBUTION FRAMES**

DATE : 06 JULY 2021

Recommendation/s:

in view of the foregoing and on the basis of the documents presented, we, the Bids and Awards Committee, resolves as it is hereby resolved, to recommend award of contract for the **Subscription for Maintenance Services for ICTMS Data Centers, Network Operation Center and Network Intermediate Distribution Frames** under ITB No. GOP/21-DSWD-008 to **AGD Infotech Inc. and AG Datacom Phils., Inc. (Joint Venture)**, being the Single Calculated and Responsive Bid (SCRB), with a Total Contract Price (TCP) of **Seven Million Three Hundred Forty-One Thousand One Hundred Six Pesos and 97/100 (PHP7,341,106.97)**, inclusive of all applicable taxes.

NOTICE OF AWARD
NOA No.: 2021-07-088

23 July 2021

MS. MARIEL G. ABDON / EDGAR CHUA

Authorized Representative

AGD INFOTECH INC. AND AG DATACOM PHILS., INC. (Joint Venture)

Suite 1704, 17/F Atlanta Centre,

#31 Annapolis Street, Greenhills, San Juan City

Telephone No.: (02) 997-3720

Email Address: mariel.abdon@agdatacom.com

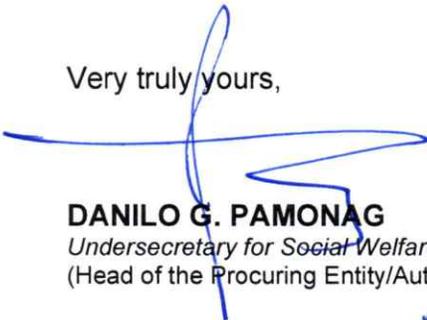
Dear **Ms. Abdon / Mr. Chua**:

We are pleased to inform you that the contract for the "**Subscription for Maintenance Services for ICTMS Data Centers, Network Operation Center and Network Intermediate Distribution Frames**" under ITB No. GOP/21-DSWD-008, as evaluated in accordance with the Invitation to Bid (ITB), is hereby accepted. The total contract price amount is **Seven Million Three Hundred Forty-One Thousand One Hundred Six Pesos and 97/100 (Php7,341,106.97)**, inclusive of all applicable taxes.

You are therefore required to provide us within ten (10) calendar days, upon receipt of this Notice, the performance security in any of the forms prescribed in Section 39 of the 2016 Revised IRR of RA No. 9184.

Failure to provide the performance security shall constitute sufficient ground for cancellation of the award and forfeiture of your bid security.

Very truly yours,


DANILO G. PAMONAG

Undersecretary for Social Welfare and Development

(Head of the Procuring Entity/Authorized Representative)

Conforme:  

MS. MARIEL G. ABDON / EDGAR CHUA

AGD INFOTECH INC. AND AG DATACOM PHILS., INC. (Joint Venture)

Date: **AUGUST 12, 2021**