

**BIDS AND AWARDS COMMITTEE
RESOLUTION NO. 23-12-03
Series of 2023**

**DECLARING THE BID OFFERED BY THE BRAIN COMPUTER CORPORATION
AS THE SINGLE CALCULATED AND RESPONSIVE BID (SCRB) AND
RECOMMENDING THE AWARD OF CONTRACT THERETO FOR LOT 2 OF THE
PROCUREMENT OF SUPPLY, DELIVERY, AND INSTALLATION OF POWER
GENERATION AND VIDEO CONFERENCING EQUIPMENT**

WHEREAS, on 21 July 2023, the Bids and Awards Committee (BAC) through BAC Resolution No. 23-12-01 declared The Brain Computer Corporation as the Single Calculated Bid (SCB) for Lot 2 - Procurement of 360° All-in-one Conferencing Camera for the Philippine Statistics Authority (PSA) of the Procurement of Supply, Delivery, and Installation of Power Generation and Video Conferencing Equipment;

WHEREAS, on 11 December 2023, the post-qualification activity with The Brain Computer Corporation was conducted;

WHEREAS, on 12 December 2023, the post-qualification report was presented to the BAC (see attached post-qualification report);

WHEREAS, the Technical Working Group determined the bid of The Brain Computer Corporation as compliant and responsive to the legal, technical and financial component of the subject procurement;

WHEREAS, the BAC, after verification and validation of the documents presented, finds the same to be in order;

NOW, THEREFORE, the BAC RESOLVES AS IT IS HEREBY RESOLVED:

1. To declare the bid of The Brain Computer Corporation as the Single Calculated and Responsive Bid for the subject procurement at hand; and
2. To recommend the award of contract to The Brain Computer Corporation.


ADOPTED, this 12th day of December 2023 at the Philippine Statistics Authority – Central Office via Google Meet.



MINERVA ELOISA P. ESQUIVIAS
Chairperson


ATTY. ELIEZER P. AMBATALI
Vice-Chairperson



BENJAMIN ARSENIO Y. NAVARRO
Member


CLEMENTE S. MANAOG, MNSA
Member


DENISE CARLA C. ESTANDARTE
Member


RENE C. MENDOZA
ANS/End-user


APPROVED/DISAPPROVED


CLAIRE DENNIS S. MAPA, PhD
Undersecretary
National Statistician and Civil Registrar General

JPC/BJDJBB/MCC



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY



Date: DEC 18 2023

JANICE L. BAUTISTA

Account Executive

The Brain Computer Corporation

150 F. Blumentritt Brgy. Batis

San Juan City, Metro Manila

SUBJECT: Notice of Award

Dear Ms. Bautista:

We are pleased to inform you that the contract for Lot 2 - Procurement of 360° All-in-one Conferencing Camera for the Philippine Statistics Authority (PSA) of the Procurement of Supply, Delivery, and Installation of Power Generation and Video Conferencing Equipment is awarded to The Brain Computer Corporation with a total contract price of Three Million Four Hundred Twenty-Seven Thousand Pesos Only (PhP3,427,000.00).

You are therefore required within ten (10) days from receipt of this Notice of Award to formally enter into contract with the Philippine Statistics Authority and to submit the Performance Security Bond in the form stipulated in the agreement. Failure to enter into said contract or provide Performance Security constitutes sufficient ground for cancellation of this award.

Truly yours,

CLAIRE DENNIS S. MAPA, PhD
Undersecretary
National Statistician and Civil Registrar General

Conforme:

JANICE L. BAUTISTA

The Brain Computer Corporation

Date: DECEMBER 20, 2023

JPC/BJD/BB/MCC/RCZC



Management
System
ISO 9001:2015
www.tuv.com
ID 3108540891



PSA Complex, East Avenue, Diliman, Quezon City, Philippines 1101
Telephone: (632) 8938-5267
www.psa.gov.ph

**CONTRACT AGREEMENT FOR THE PROCUREMENT OF SUPPLY,
DELIVERY, AND INSTALLATION OF POWER GENERATION AND
VIDEO CONFERENCING EQUIPMENT**

**LOT 2 - 360° ALL-IN-ONE CONFERENCING CAMERA FOR THE
PHILIPPINE STATISTICS AUTHORITY (PSA)**

THIS AGREEMENT made this _____ day of DEC 29 2023 2023 between:

PHILIPPINE STATISTICS AUTHORITY, a national government agency created by virtue of Republic Act No. 10625, with office address at PSA Complex, East Avenue, Diliman, Quezon City, Metro Manila herein represented by its Undersecretary, National Statistician and Civil Registrar General, **CLAIRE DENNIS S. MAPA, PhD**, and hereinafter referred to as the "**Entity**";

-and-

THE BRAIN COMPUTER CORPORATION, a corporation duly organized and existing under the laws of the Philippines, with business address at 3rd Floor PPL Building U.N. Avenue
Cor. San Marcelino Street, Paco Manila, herein represented by its duly Authorized Representative, **JANICE L. BAUTISTA**, and hereinafter referred to as the "**Supplier**";

The **Entity** and the **Supplier** are, hereinafter, collectively referred to as PARTIES and individually referred to as PARTY or by the acronym of their agency names.

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly for the **LOT 2 - PROCUREMENT OF 360° ALL-IN-ONE CONFERENCING CAMERA FOR THE PHILIPPINE STATISTICS AUTHORITY (PSA) OF THE PROCUREMENT OF SUPPLY, DELIVERY, AND INSTALLATION OF POWER GENERATION AND VIDEO CONFERENCING EQUIPMENT** and has accepted a Bid by the Supplier for the supply of those goods in the sum of **THREE MILLION FOUR HUNDRED TWENTY-SEVEN THOUSAND PESOS ONLY (PHP3,427,000.00)** (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, viz.:

- i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any
- ii. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (*e.g.*, Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;

- iii. Performance Security;
- iv. Notice of Award of Contract; and the Bidder's conforme thereto; and
- v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.

3. In consideration for the sum of **THREE MILLION FOUR HUNDRED TWENTY-SEVEN THOUSAND PESOS ONLY (PHP3,427,000.00)** or such other sums as may be ascertained, **the SUPPLIER** agrees to provide **FORTY-SIX (46) UNITS OF 360° ALL-IN-ONE CONFERENCING CAMERA** to the Entity in accordance to its Bid.

4. **LIQUIDATED DAMAGES.** The Supplier shall be liable for damages for delay/s and shall pay the Entity, liquidated damages. The Entity shall deduct from the contract price the sum equivalent to one tenth (1/10) of one percent or 0.1% of the cost of the delayed goods scheduled for delivery for every day of delay as liquidated damages.

5. **TERMINATION OF CONTRACT.** The Entity shall terminate the contract when any of the following conditions attend its implementation:

5.1. Outside of force majeure, the **Supplier** fails to deliver or perform any or all of the Goods within the period(s) specified in the contract, or within any extension thereof granted by the **Entity** pursuant to a request made by the **Supplier** prior to the delay, and such failure amounts to at least ten percent (10%) of the contract price;

5.2. As a result of force majeure, the **Supplier** is unable to deliver or perform any or all of the Goods, amounting to at least ten percent (10%) of the contract price, for a period of not less than sixty (60)

calendar days after the receipt of the notice from the **Entity** stating that the circumstance of force majeure is deemed to have ceased; or

5.3. The **Supplier** fails to perform any other obligation under the Contract.

The **PARTIES** may also mutually agree on the termination of the agreement.

6. **LIABILITY OF SUPPLIER.** In case the delay in the delivery of Goods exceeds a time duration equivalent to the ten percent (10%) of the specified contract time plus any time extension duly granted to the **Supplier**, the **Entity** may terminate this Contract, forfeit the performance security of the **Supplier**, and award the same to a qualified Supplier.

7. The **Entity** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

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 Entity
**PHILIPPINE STATISTICS
AUTHORITY**

For the Supplier
**THE BRAIN COMPUTER
CORPORATION**

Signed, sealed, delivered by:

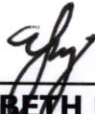
Signed, sealed, delivered by:

DEC 29 2023


CLAIRE DENNIS S. MAPA, PhD
Undersecretary
National Statistician and
Civil Registrar General


JANICE L. BAUTISTA
Authorized Representative

CERTIFIED FUNDS AVAILABLE:


ELIZABETH B. ONAG
Chief Accountant
Accounting Division
Philippine Statistics Authority

3,427,000.00
200,000.00
Continuing (CO)

ACKNOWLEDGMENT

Republic of the Philippines
City of SAN JUAN CITY, S.S.

BEFORE ME, a Notary Public for and within SAN JUAN CITY, personally appeared:

PARTIES	GOVERNMENT ISSUED I.D.	DATE AND PLACE OF ISSUE
Claire Dennis S. Mapa, PhD		
Janice L. Bautista	PASSPORT	17 Jun 2019 / Manila

known to me to be the same persons who executed the foregoing Contract Agreement and they acknowledged to me that the same is their true act/deed and that they are duly authorized to sign on behalf of the parties they represent.

This instrument pertains to a Contract Agreement consisting of four (4) pages, including the page on which this acknowledgment is written duly signed by the contracting parties and their witnesses on each and every page thereof.

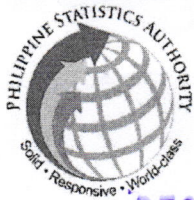
IN WITNESS WHEREOF, I have hereunto affixed my signature this ____ day of DEC 29, 2023.

NOTARY PUBLIC

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Book No. CV
Series of 2023


ATTY. PEDRONI SANTOS JR.
NOTARY PUBLIC

UNTIL DECEMBER 31, 2023
PTR NO. 1581184, San Juan City, 01/09/2023
IBP NO. 1 7784, Pasig City 01/09/2023, ROLL NO. 8364
APPT. NO. 43, MCLE CERT. OF EXEMPTION VI-NP 003176
143 F. BLUMENTRITT ST., SAN JUAN CITY
METRO MANILA, PHILIPPINES



REPUBLIC OF THE PHILIPPINES

PHILIPPINE STATISTICS AUTHORITY



Date: DEC 29 2023

JANICE L. BAUTISTA

Account Executive

The Brain Computer Corporation

150 F. Blumentritt Brgy. Batis

San Juan City, Metro Manila

SUBJECT: Notice to Proceed

Dear Ms. Bautista:

Pursuant to the Notice of Award dated DEC 18 2023 and the Contract signed by the parties, this Notice is given to you for Lot 2 - Procurement of 360° All-in-one Conferencing Camera for the Philippine Statistics Authority (PSA) of the Procurement of Supply, Delivery, and Installation of Power Generation and Video Conferencing Equipment in the amount of Three Million Four Hundred Twenty-Seven Thousand Pesos Only (PhP3,427,000.00), inclusive of taxes and other government charges.

Kindly acknowledge receipt and acceptance of this Notice by signing both copies on the space provided below. Keep one copy and return the other to the Philippine Statistics Authority (PSA). Thank you.

Truly yours,

DEC 29 2023

CLAIRE DENNIS S. MAPA, PhD
Undersecretary
National Statistician and Civil Registrar General

Conforme:

JANICE L. BAUTISTA

The Brain Computer Corporation

Date: DECEMBER 29, 2023

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www.tuv.com
ID 9108640991



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