

**BIDS AND AWARDS COMMITTEE**  
**RESOLUTION NO. 23-10-02**  
Series of 2023

**DECLARING THE BID OFFERED BY A.G. DATACOM PHILS., INC. AS THE**  
**LOWEST CALCULATED AND RESPONSIVE BID (LCRB) FOR THE**  
**PROCUREMENT OF SUPPLY, DELIVERY, COMMISSIONING, AND SUPPORT**  
**OF IBM EXPANSION ENCLOSURES**

**WHEREAS**, on 22 September 2023, the Bids and Awards Committee (BAC) through BAC Resolution No. 23-09-10 declared the bid offered by A.G. Datacom Phils., Inc. as the Lowest Calculated Bid for the Procurement of Supply, Delivery, Commissioning, and Support of IBM Expansion Enclosures;

**WHEREAS**, on 28 September 2023, the post-qualification activity was conducted via Google Meet;

**WHEREAS**, on 02 October 2023, the post-qualification report was presented to the BAC (see attached post-qualification report);

**WHEREAS**, the Technical Working Group determined the bid of A.G. Datacom Phils., Inc. 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 A.G. Datacom Phils., Inc. as the Lowest Calculated and Responsive Bid for the subject procurement at hand; and
2. To recommend the award of contract to the above-mentioned bidder.

**ADOPTED**, this 2nd day of October 2023 at the Philippine Statistics Authority – Central Office via Google Meet.


  
**MINERVA ELOISA P. ESQUIVIAS**  
Chairperson

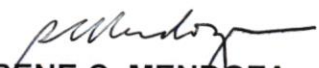


  
**ATTY. ELIEZER P. AMBATALI**  
Vice-Chairperson


  
**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, Ph.D.**  
Undersecretary  
National Statistician and Civil Registrar General

 JPC/RCA/JCM/DILB/MBM/MSC



REPUBLIC OF THE PHILIPPINES  
**PHILIPPINE STATISTICS AUTHORITY**



Date: OCT 19 2023

**REINA ROXANNE C. MAMMIE**

President

A.G. Datacom Phils., Inc.

1705, 17<sup>th</sup> Floor Atlanta Centre

31 Annapolis Street Greenhills

San Juan City, Metro Manila

SUBJECT: Notice of Award

Dear Ms. Mammie:

We are pleased to inform you that the contract for the Procurement of Supply, Delivery, Commissioning, and Support of IBM Expansion Enclosures is awarded to A.G. Datacom Phils., Inc. with a total contract price of Ten Million Three Hundred Forty-Five Thousand Seven Hundred Eighteen Pesos Only (PhP10,345,718.00).

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:

**REINA ROXANNE C. MAMMIE**

A.G. Datacom Phils., Inc.

Date: OCT. 23, 2023

JPC/RCA/JCM/DLB/MSC



Management  
System  
ISO 9001:2015  
www.tuv.com  
ID: 910548991



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, COMMISSIONING, AND SUPPORT OF IBM  
EXPANSION ENCLOSURES**

THIS AGREEMENT made this NOV 15 2023 day of 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-

**A.G. DATACOM PHILS., INC.**, a corporation duly organized and existing under the laws of the Philippines, with business address at 17th Floor Atlanta Centre, 31 Annapolis Street Greenhills, San Juan City, Metro Manila, herein represented by its duly Authorized Representative, **REINA ROXANNE C. MAMMIE**, 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 **PROCUREMENT OF SUPPLY, DELIVERY, COMMISSIONING, AND SUPPORT OF IBM EXPANSION ENCLOSURES** and has accepted a Bid by the Supplier for the supply of those goods in the sum of **TEN MILLION THREE HUNDRED FORTY-FIVE THOUSAND SEVEN HUNDRED EIGHTEEN PESOS ONLY (PhP10,345,718.00)** (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

*[Handwritten signature]*

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 **TEN MILLION THREE HUNDRED FORTY-FIVE THOUSAND SEVEN HUNDRED EIGHTEEN PESOS ONLY (PhP10,345,718.00)** or such other sums as may be ascertained, the **SUPPLIER** agrees to provide **9 UNITS OF IBM FLASH SYSTEM 5000 LFF EXPANSION ENCLOSURES, 5 YEAR IBM SPECTRUM CONTROL SELECT STORAGE DEVICE LICENSES, and MANAGED SERVICES** 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  
**A.G. DATACOM PHILS., INC.**


Signed, sealed, delivered by:

Signed, sealed, delivered by:

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

  
**REINA ROXANNE C. MAMMIE**  
Authorized Representative

**CERTIFIED FUNDS AVAILABLE:**

  
**ELIZABETH B. ONAG**  
Chief Accountant  
Accounting Division  
Philippine Statistics Authority

Php 10,345,718.00  
320100 200006000 Conf.

## ACKNOWLEDGMENT

Republic of the Philippines  
City of QUEZON CITY, S.S.

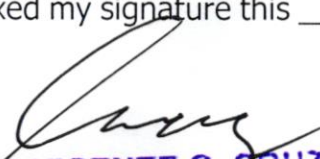
BEFORE ME, a Notary Public for and within QUEZON CITY, personally appeared:

PARTIES	GOVERNMENT ISSUED I.D.	DATE AND PLACE OF ISSUE
<b>Claire Dennis S. Mapa, PhD</b>		
<b>Reina Roxanne C. Mammie</b>	Passport ID No. P7328927A	May 25, 2018   DFA 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 NOV 15 2023 day of \_\_\_\_\_, 2023.

  
**ATTY. VICENTE C. CRUZ**  
ADM. MATTER NO. NP-031  
NOTARY PUBLIC FOR QUEZON CITY  
UNTIL DECEMBER 31, 2023  
RM. 204 ACRE BLDG., 137 MALAKAS ST.  
CENTRAL, DILIMAN, QUEZON CITY 1100  
TEL. NO. 8942-7434  
PTR. NO. 3716375 / 01-03-23 / Q.C.  
ROLL NO. 33952 / 05-30-86  
IBP LIFETIME MEMBER NO. 02322 / 04-19-01 / Q.C.  
MCLE NO. VII-0013576 until Apr. 14, 2025

Doc. No. 188  
Page No. 38  
Book No. XLII  
Series of 2023



REPUBLIC OF THE PHILIPPINES  
**PHILIPPINE STATISTICS AUTHORITY**



Date: **NOV 16 2023**

**REINA ROXANNE C. MAMMIE**

President

A.G. Datacom Phils., Inc.

1705, 17<sup>th</sup> Floor Atlanta Centre

31 Annapolis Street Greenhills

San Juan City, Metro Manila


SUBJECT: Notice to Proceed

Dear Ms. Mammie:

Pursuant to the Notice of Award dated **OCT 19 2023** and the Contract signed by the parties, this Notice is given to you for the Procurement of Supply, Delivery, Commissioning, and Support of IBM Expansion Enclosures in the amount of One Million Twenty-Five Thousand Ten Million Three Hundred Forty-Five Thousand Seven Hundred Eighteen Pesos Only (Php10,345,718.00), 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,

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

Conforme:

  
**REINA ROXANNE C. MAMMIE**

A.G. Datacom Phils., Inc.

Date: NOV. 16, 2023

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