



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

21 December 2020

JAVIER FERNANDEZ

Senior Sales Manager
SMS Global Technologies Inc.
The Penthouse, East Tower
PSE Center Exchange Road
Ortigas, Pasig City


SUBJECT: Notice of Award

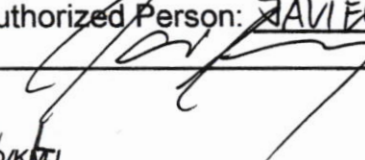
Dear Mr. Fernandez:

We are pleased to inform you that the contract for the Procurement of Cloud Services is awarded to SMS Global Technologies Inc. at a total contract price of One Hundred Thirty-Six Million and 56/100 Pesos Only (Php 136,000,000.56).

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 (PSA) and to submit the Performance Security Bond in the form stipulated in the agreement. Failure to enter into said contract or provide Performance Security will constitute a sufficient ground for cancellation of this award.

Truly yours,


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

I acknowledge receipt of this Notice on Dec 29, 2020
Name of Authorized Person: JAVIER FERNANDEZ
Signature: 


JFC/BBB/PCQ/KMJ



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



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

BIDS AND AWARDS COMMITTEE
RECOMMENDATION NO. 20-12-05
Series of 2020

DECLARING THE BID OFFERED BY SMS GLOBAL TECHNOLOGIES INC. AS
THE LOWEST CALCULATED AND RESPONSIVE BID (LCRB) AND
RECOMMENDING THE AWARD THERETO FOR THE PROCUREMENT OF
CLOUD SERVICES FOR PHILSYS

WHEREAS, on 03 November 2020, the opening of bids for the Procurement of Cloud Services for PhilSys was conducted via Zoom Platform (Meeting ID: 898 6035 3378);

WHEREAS, four (4) bidders participated in the Opening of Bids for the above-mentioned procurement, namely:

1. NextIX, Inc.;
2. Joint Venture of ePLDT and Nexus Technologies, Inc.;
3. SMS Global Technologies, Inc.; and
4. Joint Venture of Pilipinas Micro-Matrix Technology (PMT Joint Venture), Valueline Systems and Solutions Corp. and Ebizolution Inc.;

WHEREAS, the bidders were declared as eligible for having passed the non-discretionary criterion and was subjected to the detailed bid evaluation thereafter (attached as Annex "A" is the bid evaluation report);

WHEREAS, BAC Resolution Nos. 20-11-05 and 20-11-06, both dated 11 November 2020, were issued indicating that the bids of NextIX, Inc. and the Joint Venture of ePLDT and Nexus Technologies, Inc. as INELIGIBLE, and the bid of SMS Global Technologies, Inc. as the Lowest Calculated Bid (LCB), respectively (see attached Annexes "B" and "C", respectively);

WHEREAS, on 18 November 2020, the Notice of Ineligibility was issued to NextIX, Inc. and the Joint Venture of ePLDT and Nexus Technologies, Inc. (see attached Annexes "D" and "E", respectively);

WHEREAS, on 18 November 2020, the Notice of Post-qualification was issued to SMS Global Technologies, Inc. and received the requested post-qualification documents on 20 November 2020 (attached as Annex "F");

WHEREAS, on 19 and 20 November, a motion for reconsideration was filed by NextIX, Inc. and the Joint Venture of ePLDT and Nexus Technologies, Inc.;



WHEREAS, on 23 November 2020, the BAC issued BAC Resolution No. 20-11-10 denying the motion for reconsideration filed by NextIX, Inc. and the Joint Venture of ePLDT and Nexus Technologies, Inc. (attached as Annex "G" is the BAC Resolution in reference);

WHEREAS, on 26 November 2020, the letter on the denial of the Motion for Reconsideration filed by NextIX, Inc. and the Joint Venture of ePLDT and Nexus Technologies, Inc. was issued (see attached Annexes "H" and "I", respectively);

WHEREAS, on 27 November 2020, the Joint Venture of ePLDT and Nexus Technologies, Inc. acknowledged receipt of the above-mentioned letter (see Annex "J");

WHEREAS, on 02 December 2020, NextIX, Inc. acknowledged the same and attached a document listing their observations during the Opening of Bids (see Annex "K");

WHEREAS, the deadline for filing a protest for both bidders were seven (7) calendar days from the receipt/acknowledgment of the denial of their motion for reconsideration;

WHEREAS, on 10 December 2020, the BAC through its Secretariat inquired through email the availability of the SMS Global Technologies Inc. to conduct the post-qualification activity;

WHEREAS, on 14 and 15 December 2020, the post-qualification was conducted at the 2nd Flr., TAM Bldg. PSA Complex, East Ave. Q.C. and at the office of SMS Global Technologies, Inc, respectively;

WHEREAS, GPPB NPM No. 076-2017 provides that:

" xxx

By virtue of Government Procurement Policy Board Resolution No. 21-2017, Section 38.2 of the 2016 IRR of RA 9184 provides: "for purposes of expediency, economy, and efficiency, as determined by the BAC, **specific procurement activities may be held on a Saturday, Sunday, non-working day or holiday**: provided, that the BAC, secretariat and TWG members shall be available on such date".

xxx"



WHEREAS, on 19 December 2020, the post-qualification result for the procurement of Cloud Services for PhilSys was presented to the Bids and Awards Committee;

WHEREAS, the observations of NextIX Inc. on the Net Financial Contracting Capacity (NFCC) submitted by SMS Global Technologies, Inc. in relation to the latter's ongoing project with PAGCOR for the Procurement of Consulting Services for Electronic Gaming Management System (EGMS) and Sports Betting was checked and found that the claim of the former was misguided;

WHEREAS, the Joint Venture Agreement (JVA) for the PAGCOR EGMS project was submitted by SMS Global Technologies, Inc., and explicitly provided the share/equity of the bidder (i.e., 10% of the winning price) on the said project (see Annex L);

WHEREAS, after review and verification of the submitted documents, the BAC found the same to be valid and sufficient;

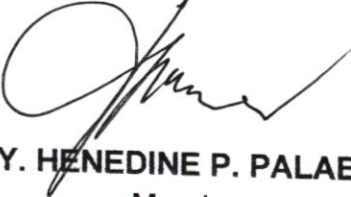
WHEREAS, the bid offered by SMS Global Technologies, Inc. is determined to be compliant and responsive to the legal, technical and financial requirements of the procurement-at-hand;

NOW, THEREFORE, the BAC RESOLVES AS IT IS HEREBY RESOLVED, to declare the bid offered by SMS Global Technologies, Inc. as the Lowest Calculated and Responsive Bid (LCRB) and recommend the award of the contract to the same bidder for the procurement of Cloud Services for PhilSys.

ADOPTED, this 19th day of December 2020 at the Philippine Statistics Authority – Central Office via Zoom Platform.


MINERVA ELOISA P. ESQUIVIAS
Chairperson


EDITHA R. ORCILLA
Vice-Chairperson


ATTY. HENEDINE P. PALABRAS
Member


VIVIAN R. ILARINA
Member


FELY V. COLLADO
Member



EDGAR M. FAJUTAGANA
ANS/End-User

APPROVED/DISAPPROVED



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



JPC/BBB/FCQ/KMJ

CONTRACT AGREEMENT FOR THE PROCUREMENT OF CLOUD SERVICES FOR PHILSYS

THIS AGREEMENT made the 06 day of JAN 06 2021 2021 between **PHILIPPINE STATISTICS AUTHORITY** of the Philippines (hereinafter called "the Entity") of the one part and **SMS GLOBAL TECHNOLOGIES, INC.** Penthouse East Tower PSE Center, Exchange Road, Ortigas Center, Pasig City 1605 Metro Manila, Philippines (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **PROCUREMENT OF CLOUD SERVICES FOR PHILSYS** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **ONE HUNDRED THIRTY SIX MILLION AND 56/100 PESOS ONLY (PHP 136,000,000.56)** (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.
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3. In consideration for the sum of **ONE HUNDRED THIRTY SIX MILLION AND 56/100 PESOS ONLY (PHP 136,000,000.56)** or such other sums as may be ascertained, **SMS GLOBAL TECHNOLOGIES, INC.** agrees to provide **CLOUD SERVICES FOR PHILSYS** in accordance with his/her/its Bid.

4. The **PHILIPPINE STATISTICS AUTHORITY** 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 Procuring Entity
**PHILIPPINE STATISTICS
AUTHORITY**

For the Supplier
SMS GLOBAL TECHNOLOGIES, INC.

Signed, sealed, delivered by:

Signed, sealed, delivered by:

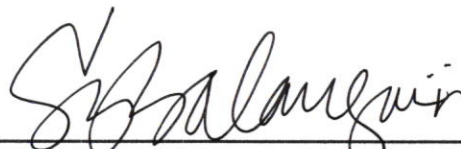


CLAIRE DENNIS S. MAPA, Ph.D.
Undersecretary
National Statistician and
Civil Registrar General



JAVIER DOMINGO M. FERNANDEZ
Authorized Representative

CERTIFIED FUNDS AVAILABLE:



MARIA CELESTE D.L. BALANZA
Officer-in-Charge, Accounting Division
Philippine Statistics Authority

136,000,000.56
320100200002000
Current Appro

ACKNOWLEDGMENT

BEFORE ME, as the Notary Public for and within JAN 06 2021 ^{QUEZON CITY}, personally appeared:

PARTIES	GOVERNMENT I.D.	ISSUED	DATE AND PLACE OF ISSUE
JAVIER DOMINGO FERNANDEZ	PASSPORT - P8795125A	19 SEPT 2018	DFA MANILA
CLAIRE DENNIS S. MAPA	PASSPORT # 50015868A	28 JUNE 2018	DFA MANILA

known to me to be the same persons who executed the foregoing Contract and Agreement and they acknowledged to me that the same is their true act/deed for and in behalf of the parties they represented.

This instrument consists of ____ () pages, including the page on which this acknowledgment is written duly signed by the contracting parties and their witnesses on the left margin of the pages.

IN WITNESS WHEREOF, I have hereunto affixed my signature this JAN 06 2021 of ____.

Doc. No. 46
Page No. 11
Book No. 15-A
Series of 2021

NOTARY PUBLIC

ATTY. JOSE FLOR P. CRISOLOGO
Notary Public
Until December 31, 2021
PTR No. 0694703-D-01-04-2021, Q.C.
IBP Lifetime No. LRN-03688/05-2004
MCLE No. VI-0017262 4-14-2022
Adm. Matter No. NP-023(2020-2021)
Roll No. 494b2
No. 5 Gen. De Jesus St., Heroes Hills, Q.C.



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

10-CP-20-12-07135 CA

Date: JAN 07 2021

JAVIER DOMINGO M. FERNANDEZ

Senior Sales Manager
SMS Global Technologies Inc.
The Penthouse, East Tower
PSE Center Exchange Road
Ortigas, Pasig City

Subject: Notice to Proceed

Dear Mr. Fernandez:

In consideration with the Notice of Award dated 21 December 2020 and the Contract signed by the parties, this Notice is given to you for Procurement of Cloud Services for PhilSys in the amount of One Hundred Thirty Six Million and 56/100 Pesos Only (Php 136,000,000.56), 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).

Truly yours,

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

Conforme:

JAVIER DOMINGO M. FERNANDEZ
Senior Sales Manager
SMS Global Technologies Inc.

Date: JAN 11, 2021

JPC/BBB/KMJ



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