



BIDS AND AWARDS COMMITTEE

RESOLUTION NO. 23-12-05

Series of 2023

DECLARING THE BID OFFERED BY AMERICAN TECHNOLOGIES, INC. AS THE SINGLE CALCULATED RATED BID (SCRB) FOR LOT 1 AND INTEGRATED COMPUTER SYSTEMS, INC. AS THE SINGLE CALCULATED RATED BID (SCRB) FOR LOT 2 OF THE PROCUREMENT OF SUPPLY, DELIVERY, SUPPORT AND SUBSCRIPTION OF NETWORK SECURITY SOLUTIONS

WHEREAS, on 15 December 2023, the Bids and Awards Committee (BAC) through BAC Resolution No. 23-12-04 declared American Technologies, Inc. as the Single Calculated Bid (SCB) for Lot 1 – Procurement of One (1) Year Subscription and Support for Peplink VPN and Integrated Computer Systems, Inc. as the SCB for Lot 2 – Procurement of Forticlient and Fortitoken mobile licenses for One (1) year for the Procurement of Supply, Delivery, Support and Subscription of Network Security Solutions;

WHEREAS, on 18 December 2023, the respective post-qualification activities with American Technologies, Inc. and Integrated Computer Systems, Inc. were conducted;

WHEREAS, on 20 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 American Technologies, Inc. for Lot 1 and Integrated Computer Systems, Inc. for Lot 2 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 offered by American Technologies, Inc. for Lot 1 – Procurement of One (1) Year Subscription and Support for Peplink VPN as the SCRB and Integrated Computer Systems, Inc. for Lot 2 – Procurement of Forticlient and Fortitoken mobile licenses for One (1) year as the SCRB for the Supply, Delivery, Support and Subscription of Network Security Solutions; and
2. To recommend the award of contract to American Technologies, Inc. for Lot 1 and Integrated Computer Systems, Inc. for Lot 2.



Management
System
ISO 9001:2015
www.tuv.com
ID: 9108640991



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

Handwritten signature

ADOPTED, this 20th 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/BJD/BB/MCC



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY



Date: _____

DEC 22 2023

NOIMIE G. SALVADO

Authorized Representative
American Technologies, Inc.
5 Ideal Street Corner McCollough
Brgy. Additional Hills, Mandaluyong City


SUBJECT: Notice of Award

Dear Ms. Salvado:

We are pleased to inform you that the contract for Lot 1 - Procurement of One (1) Year Subscription and Support for Peplink VPN for the Procurement of Supply, Delivery, Support and Subscription of Network Security Solutions is awarded to American Technologies, Inc. with a total contract price of Two Million Two Hundred Ninety-Five Thousand Pesos Only (PhP2,295,000.00).

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:


NOIMIE G. SALVADO
American Technologies, Inc.

Date: DEC. 22, 2023


JPC/BJD/BB/MCC



Management
System
ISO 9001:2015
www.tuv.com
ID 9100640991



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, SUPPORT AND SUBSCRIPTION OF NETWORK
SECURITY SOLUTIONS**

**LOT 1 – PROCUREMENT OF ONE (1) YEAR SUBSCRIPTION AND
SUPPORT FOR PEPLINK VPN**

THIS AGREEMENT made this DEC 29 day of 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-

AMERICAN TECHNOLOGIES, INC., 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, **NOIMIE G. SALVADO**, 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 1 - PROCUREMENT OF ONE (1) YEAR SUBSCRIPTION AND SUPPORT FOR PEPLINK VPN FOR THE PROCUREMENT OF SUPPLY, DELIVERY, SUPPORT AND SUBSCRIPTION OF NETWORK SECURITY SOLUTIONS** and has accepted a Bid by the Supplier for the supply of those goods in the sum of **TWO MILLION TWO HUNDRED NINETY-FIVE THOUSAND PESOS ONLY (PHP2,295,000.00)** (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 **TWO MILLION TWO HUNDRED NINETY-FIVE THOUSAND PESOS ONLY (PHP2,295,000.00)** or such other sums as may be ascertained, **the SUPPLIER** agrees to provide **SUPPORT AND MAINTENANCE FOR PEPLINK BALANCE 380 FOR ONE (1) YEAR AND TO PROVIDE SUPPORT AND MAINTENANCE FOR PEPLINK BALANCE 20X FOR ONE (1) YEAR** 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
**AMERICAN TECHNOLOGIES,
INC.**

Signed, sealed, delivered by:



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

Signed, sealed, delivered by:



NOIMIE G. SALVADO
Authorized Representative

CERTIFIED FUNDS AVAILABLE:



ELIZABETH B. ONAG
Chief Accountant
Accounting Division
Philippine Statistics Authority

2,295,000.00
200 000/0 000 3000
continuing

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
Claire Dennis S. Mapa, PhD	UMID 00-6018-7334-8	
Noimie G. Salvado	PP- P9901394B	EXP. 03 May 2032


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 DEC 28 day of 2023, 2023.

NOTARY PUBLIC

Doc. No. 5
Page No. 2
Book No. XVI
Series of 2023


ATTY. CONCEPCION P. VILLAREÑA
Notary Public for Quezon City
Until December 31, 2023
PTR No. 3716371 / January 3, 2023 Q.C.
IBP No. 167803 / November 25, 2021 Q.C.
Roll No. 30457 / 05-09-1980
MCLE VII-0006994 / 09-21-2021
ADM. MATTER No. NP-005 (2022-2023)
TIN NO 131-942-754



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY



Date: DEC 29 2023

NOIMIE G. SALVADO

Authorized Representative
American Technologies, Inc.
5 Ideal Street Corner McCollough
Brgy. Additional Hills, Mandaluyong City

SUBJECT: Notice to Proceed

Dear Ms. Salvado:

Pursuant to the Notice of Award dated DEC 22 2023 and the Contract signed by the parties, this Notice is given to you for Lot 1 - Procurement of One (1) Year Subscription and Support for Peplink VPN for the Procurement of Supply, Delivery, Support and Subscription of Network Security Solutions in the amount of Two Million Two Hundred Ninety-Five Thousand Pesos Only (PhP2,295,000.00), 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:

NOIMIE G. SALVADO
American Technologies, Inc.

Date: DEC 29, 2023

JPC/BUDJBB/MCC



Management
System
ISO 9001:2015
www.tuv.com
ID: 9108640991



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



Date: DEC 22 2023

MA. LIZA DE LEON-MIGRATO

Account Executive

Integrated Computer Systems, Inc.

3rd Floor, Room 303 Limketkai Building

Ortigas Avenue, Greenhills, San Juan City

SUBJECT: Notice of Award

Dear Ms. De Leon-Migrato:

We are pleased to inform you that the contract for Lot 2 - Procurement of Forticlient and Fortitoken mobile licenses for One (1) year for the Procurement of Supply, Delivery, Support and Subscription of Network Security Solutions is awarded to Integrated Computer Systems, Inc. with a total contract price of Nine Million Six Hundred Sixty Thousand Seven Hundred Fifty-Three Pesos Only (Php9,660,753.00).

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:

MA. LIZA DE LEON-MIGRATO

Integrated Computer Systems, Inc.

Date: Dec. 22 2023

JPC/BJD/JBB/MCC



Management
System
ISO 9001:2015
www.tuv.com
ID 9103640991



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, SUPPORT AND SUBSCRIPTION OF NETWORK
SECURITY SOLUTIONS**

**LOT 2 – PROCUREMENT OF FORTICLIENT AND FORTITOKEN
MOBILE LICENSES FOR ONE (1) YEAR**

THIS AGREEMENT made this 29 DEC 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-

INTEGRATED COMPUTER SYSTEMS, INC., a corporation duly organized and existing under the laws of the Philippines, with business address at 3rd Floor, Room 303 Limketkai Building, Ortigas Avenue, Greenhills, San Juan City, herein represented by its duly Authorized Representative, **MA. LIZA DE LEON-MIGRATO**, 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 FORTICLIENT AND FORTITOKEN MOBILE LICENSES FOR ONE (1) YEAR FOR THE PROCUREMENT OF SUPPLY, DELIVERY, SUPPORT AND SUBSCRIPTION OF NETWORK SECURITY SOLUTIONS** and has accepted a Bid by the Supplier for the supply of those goods in the sum of **NINE MILLION SIX HUNDRED SIXTY THOUSAND SEVEN HUNDRED FIFTY-THREE PESOS ONLY (PHP9,660,753.00)** (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 **NINE MILLION SIX HUNDRED SIXTY THOUSAND SEVEN HUNDRED FIFTY-THREE PESOS ONLY (PHP9,660,753.00)** or such other sums as may be ascertained, **the SUPPLIER** agrees to provide **SIX (6) LICENSES FOR 3,000 ENDPOINTS AND THREE (3) LICENSES FOR 3,000 USERS** 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
**INTEGRATED COMPUTER
SYSTEMS, INC.**


Signed, sealed, delivered by:

Signed, sealed, delivered by:


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


MA. LIZA DE LEON-MIGRATO
Authorized Representative

CERTIFIED FUNDS AVAILABLE:


ELIZABETH B. ONAG
Chief Accountant
Accounting Division
Philippine Statistics Authority

9,660,752.00
200 000/000003 000
Fortifying
3

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	UMID 006-0018-3334-8	
Ma. Liza De Leon-Migrato	Unified multi-purpose ID 0035-9345392-9	July 2012 - San Juan City

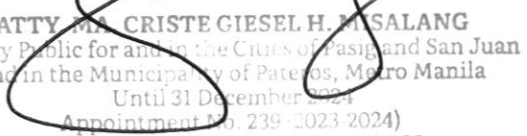
known to me to be the same persons who executed the foregoing Contract Agreement and they acknowledged to me that the same is their true act/deed and that they are duly authorized to sign on behalf of the parties they represent.

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 29 DEC 2023 day of _____, 2023.

NOTARY PUBLIC

Doc. No. 199
Page No. 41
Book No. 09
Series of 2023


ATTY. MA. CRISTE GIESEL H. MASALANG
Notary Public for and in the Cities of Pasig and San Juan
and in the Municipality of Pateros, Metro Manila
Until 31 December 2024
(Appointment No. 239-2023-2024)
PTR No. 1665568/ San Juan / 1/3/2023
IBP No. 253991/ Manila III/ 12/27/2022 (For MD 2023)
Roll of Attorneys No. 80600
MCLE Compliance No. VIII-0003245/ 17 July 2023/
Valid until 14 April 2028
Room 110 Marca Leon Limketkai Bldg., Ortigas Avenue
Greenhills, San Juan City, Metro Manila 1503



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY



Date: DEC 29 2023

MA. LIZA DE LEON-MIGRATO

Account Executive

Integrated Computer Systems, Inc.

3rd Floor, Room 303 Limketkai Building

Ortigas Avenue, Greenhills, San Juan City

SUBJECT: Notice to Proceed

Dear Ms. De Leon-Migrato:

Pursuant to the Notice of Award dated DEC 22 2023 and the Contract signed by the parties, this Notice is given to you for Lot 2 – Procurement of Forticlient and Fortitoken mobile licenses for One (1) year for the Procurement of Supply, Delivery, Support and Subscription of Network Security Solutions in the amount of Nine Million Six Hundred Sixty Thousand Seven Hundred Fifty-Three Pesos Only (Php9,660,753.00), 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:

MA. LIZA DE LEON-MIGRATO

Integrated Computer Systems, Inc.

Date: DEC. 29, 2023

JPC/BJD/JBB/MCC



Management System
ISO 9001:2015
www.tuv.com
ID 9108640991



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