



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

BIDS AND AWARDS COMMITTEE
RESOLUTION NO. 21-12-18
Series of 2021

DECLARING THE BID OFFERED BY SMART COMMUNICATIONS, INC. AS THE
LOWEST CALCULATED AND RESPONSIVE BID (LCRB) FOR THE
PROCUREMENT OF WEB-BASED SHORT MESSAGE SERVICE (SMS)
BROADCAST SERVICES FOR THE PHILSYS PROJECT

WHEREAS, Bids and Awards Committee (BAC) Resolution No. 21-12-10 dated 15 December 2021 declared the bids offered by the Smart Communications, Inc. as the Lowest Calculated Bid (LCB) for the Procurement of Web-based Short Message Service (SMS) Broadcast Services for the PhilSys Project;

WHEREAS, on 22 December 2021, the post-qualification activity was conducted to Smart Communications, Inc. in order to determine their compliance and responsiveness to all the requirements and conditions as specified in the Bidding Documents:

WHEREAS, on 29 December 2021, the post-qualification report for the subject procurement was presented to the BAC (see attached document);

WHEREAS, Smart Communications, Inc. was determined to be compliant and responsive to the legal, technical and financial requirements of the procurement-at-hand;

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:

- a. To declare the bid offered by Smart Communications, Inc. as the Lowest Calculated and Responsive Bid (LCRB) for the Procurement of Web-based Short Message Service (SMS) Broadcast Services for the PhilSys Project; and
- b. To recommend the award of contract to the above-mentioned bidder.

ADOPTED, this 29th day of December 2021 at the Philippine Statistics Authority – Central Office via Zoom Platform.



M. Esquivias
MINERVA ELOISA P. ESQUIVIAS
Chairperson

[Signature]
EDITHA R. ORCILLA
Vice-Chairperson

[Signature]
ATTY. ELIEZER P. AMBATALI
Member

[Signature]
FELY V. COLLADO
Member

VIVIAN R. ILARINA
Member

[Signature]
EDGAR M. FAJUTAGANA
ANS/End-user

[Signature]
APPROVED/DISAPPROVED

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

JPC/BBB/PCQ/KMJ
[Signature]



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

FEB 03 2022

VICTOR Y. TRIA

First Vice-President and Head of PLDT Alpha
Smart Communications, Inc.
Ramon Cojuangco Bldg.,
Makati Avenue, Makati City

SUBJECT: Notice of Award

Dear Mr. Tria:

We are pleased to inform you that the contract for the Procurement of Web-based Short Message Service (SMS) Broadcast Services for the PhilSys Project is awarded to Smart Communications, Inc. with a total contract price of Six Million Pesos Only (Php6,000,000.00).

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 (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 constitutes sufficient ground for cancellation of this award.

Truly yours,

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

Conformed:

VICTOR Y. TRIA

Smart Communications, Inc.
Date: FEB. 09. 2022

JPC/BBB/PCQ/KMJ



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ID 9108640991



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

CONTRACT AGREEMENT FOR THE PROCUREMENT OF WEB-BASED SHORT MESSAGE SERVICE (SMS) BROADCAST SERVICES FOR THE PHILSYS PROJECT

THIS AGREEMENT made this _____ day of 21 JUN 2022 20____ between **PHILIPPINE STATISTICS AUTHORITY** (hereinafter called "the Entity") of the one part and **SMART COMMUNICATIONS, INC.** of Smart Tower, 6799 Ayala Avenue, Makati City (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly for the **PROCUREMENT OF WEB-BASED SHORT MESSAGE SERVICE (SMS) BROADCAST SERVICES FOR THE PHILSYS PROJECT** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **SIX MILLION PESOS ONLY (PHP 6,000,000.00)** (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 including Supplier's Terms and Conditions of Service;

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 **SIX MILLION PESOS ONLY (PHP 6,000,000.00)** or such other sums as may be ascertained, **SMART COMMUNICATIONS, INC.** agrees to provide the **ONE (1) LOT OF WEB-BASED SHORT MESSAGE SERVICE (SMS) BROADCAST SERVICES FOR THE PHILSYS PROJECT** in accordance with its Bid.
4. **TERMINATION OF CONTRACT. PSA** shall terminate the contract when any of the following conditions attend its implementation:
- 4.1. Outside of force majeure, **SMART COMMUNICATIONS, INC.** 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 **PSA** pursuant to a request made by **SMART COMMUNICATIONS, INC.** prior to the delay, and such failure amounts to at least ten percent (10%) of the contract price;
- 4.2. As a result of force majeure, **SMART COMMUNICATIONS, INC.** 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 **PSA** stating that the circumstance of force majeure is deemed to have ceased; or
- 4.3. **SMART COMMUNICATIONS, INC.** fails to perform any other obligation under the Contract.
- PSA** and **SMART COMMUNICATIONS, INC.** may also mutually agree on the termination of the agreement.
5. **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 **SMART COMMUNICATIONS, INC.**, **PSA** may terminate this Contract, forfeit the performance security of **SMART COMMUNICATIONS, INC.** and award the same to a qualified Supplier.
6. The **PHILIPPINE STATISTICS AUTHORITY** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

PSM

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7. The Procuring Entity agrees to observe Supplier's Terms and Conditions provided that it is in harmony with other contract documents stated herein in accordance with the provisions of this Agreement.


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
**SMART COMMUNICATIONS,
INC.**

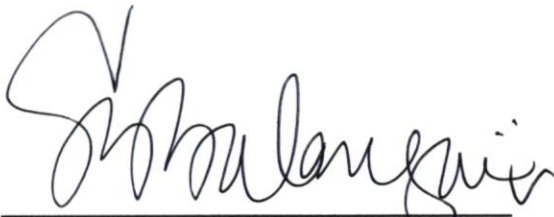
Signed, sealed, delivered by:

Signed, sealed, delivered by:


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


VICTOR Y. TRIAS
First Vice-President and
Head of PLDT Alpha

CERTIFIED FUNDS AVAILABLE:


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

6,000,000.00
320/00 20000 2000

ACKNOWLEDGMENT

BEFORE ME, as the Notary Public for and within PASIG CITY, personally appeared:

PARTIES	GOVERNMENT ISSUED I.D.	DATE AND PLACE OF ISSUE
VICTOR Y. TRIA	PASSPORT NO: P8794830A	SEPT 12, 2018 / DFA NCR SOUTH

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 each and every page thereof.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 21 JUN 2022 day of _____.

NOTARY PUBLIC

ATTY. FERDINAND D. AYAHAO
Notary Public

Appointment No. 184 (2020-2021)
Extended Until June 30, 2022
For Pasig City, Pateros and San Juan City
Roll No. 46377; MCLE VI-0025705; 04-02-19
IBP LRN 02459; O.R. No. 535886; 06-21-2001
TIN 123-011-785; PTR 8129984; 01-05-22; Pasig
Unit 5, G/F West Tower PSE Bldg., Exchange Road
Ortigas Center, Pasig City Tel. 0285452321

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REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

Date: JUN 21 2022

VICTOR Y. TRIA

First Vice-President and Head of PLDT Alpha
Smart Communications, Inc.
Ramon Cojuangco Bldg.,
Makati Avenue, Makati City

SUBJECT: Notice to Proceed

Dear Mr. Tria:

Pursuant to the Notice of Award dated FEB 03 2022 and the Contract signed by the parties, this Notice is given to you for the Procurement of Web-based Short Message Service (SMS) Broadcast Services for the PhilSys Project in the amount of Six Million Pesos Only (Php6,000,000.00), 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,

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

Conformed

VICTOR Y. TRIA

Smart Communications, Inc.

Date: JUN 21 2022

JPC/BBB/PCQ/KTJ

