



Republic of the Philippines  
**NATIONAL PRIVACY COMMISSION**

**BIDS AND AWARDS COMMITTEE**  
BAC Resolution No. 091-2021, Series of 2021

**RECOMMENDING THE AWARD OF CONTRACT TO MAXCOR INTER-VENTURES,  
CO. AS THE SINGLE CALCULATED AND RESPONSIVE BIDDER FOR THE  
PROCUREMENT OF PENETRATION TESTING AND FORENSIC SOFTWARE**

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**WHEREAS**, the National Privacy Commission (NPC) is the agency mandated to enforce data privacy protection;

**WHEREAS**, as part of NPC's capacity building program and to fulfill the functions of the Forensics Laboratory which is responsible for the examination of digital and multimedia evidence in support of criminal investigations that involve personal information conducted by NPC Investigation Officers, the Commission saw it fit to procure the licenses of the existing software used in the Laboratory;

**WHEREAS**, this item of procurement shall be under the mode of Competitive Bidding, pursuant to Section 10 Rule IV of the Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (R.A. 9184);

**WHEREAS**, on 15 July 2021, the National Privacy Commission-Bids and Awards Committee (NPC-BAC) conducted a pre-procurement conference where the details pertaining to this procurement were discussed and clarified;

**WHEREAS**, on 22 July 2020, the Invitation to Bid was posted in the PhilGEPS and NPC website as well as the NPC bulletin board together with the Bidding Documents. Invitations to observers were also sent through mail in accordance with Section 13 of the IRR of R.A. 9184;

**WHEREAS**, on 29 July 2021, the Pre-bid Conference was conducted where prospective bidders clarified some information which were then addressed through the Supplemental Bid Bulletin (SBB) 068-2021 dated 03 August 2021, herein attached as **Annex "A"**, issued by the NPC-BAC, a copy of which were furnished to the prospective bidders and published in the NPC website, bulletin board and PhilGEPS website;

**WHEREAS**, on 03 August 2021, through BAC Resolution No. 069-2021, Series of 2021, the NPC-BAC resolved to reschedule the deadline for bid submission and bid opening for the procurement of this item from 12 August 2021 to 24 August 2021 at 10:00 A.M. and 3:00 P.M., respectively due to the implementation of ECQ in the NCR which might make it difficult for both the NPC and the bidders to continue with the conduct of procurement activities and meet the initially set deadlines, said Resolution was also discussed in the issued SBB 068-2021;

**WHEREAS**, on 20 August 2021, through BAC Resolution No. 075-2021, Series of 2021, the NPC-BAC resolved to reschedule the deadline for bid submission and bid opening from 24  
Ref No.: 088-2021

NPC\_BAC\_RESO-V1.0, R0.0, 05 May 2021

August 2021 to 02 September 2021 at 10:00 A.M. and 3:00 P.M., respectively, this time due to the implementation of MECQ in the NCR, and for the same reasons as stated above;

**WHEREAS**, in same BAC Resolution No. 075-2021, Series of 2021, the NPC-BAC also resolved to approve, apply, and implement the Guidelines on Electronic Submission and Receipt of Bids on its procurement activities in accordance with GPPB Resolution No. 09-2020. Bidders were then informed through SBB 078-2021, dated 23 August 2021, attached herein as **Annex "B"**, a copy of which was furnished to the prospective bidders and published in the NPC website, bulletin board and PhilGEPS website;

**WHEREAS**, on 02 September 2021 at 10 a.m., in compliance with the NPC-BAC Guidelines on Electronic Submission and Receipt of Bids, only one bidder, Maxcor Inter-Ventures, Co., submitted its bid;

**WHEREAS**, on the same date at 03:00 p.m., the NPC-BAC proceeded to open the bid submitted and conducted preliminary evaluation to determine Maxcor Inter-Ventures, Co.'s compliance with eligibility and technical requirements. The NPC-BAC, with the assistance of the TWG, checked the submitted documents of the bidders against a checklist of required documents to ascertain if they are all present, using a non-discretionary "pass/fail" criterion in accordance with Section 25 of the IRR of R.A. 9184;

**WHEREAS**, upon inspection and evaluation of the first bid envelope (Technical Component), it was determined that Maxcor Inter-Ventures, Co. passed all the eligibility requirements prescribed in accordance with the provisions of the IRR of R.A. 9184, as shown in the Abstract of Bids as Read, herein attached as **Annex "C"**;

**WHEREAS**, immediately after determining compliance of the technical envelope, the BAC opened the second bid envelope (Financial Component) of the eligible and technically complying bidder and determined that Maxcor Inter-Ventures, Co. passed all the financial document requirements who was then recommended for bid evaluation, as shown in the same Abstract;

**WHEREAS**, on 9 September 2021, the BAC conducted a bid evaluation in accordance with Section 32 of the Revised IRR of RA 9184, and upon finding that the bid submitted is complete and responsive, as stated in the bid evaluation report submitted by the BAC Technical Working Group (BAC-TWG) and as shown in the Abstract of Bids as Calculated, herein attached as **Annex "D"** and **"E"** respectively, moved to adopt the said report and recommend the bid for post-qualification evaluation;

**WHEREAS**, on 16 September 2021, the NPC-BAC proceeded to review the Post-Qualification Report submitted by the BAC-TWG attached as **Annex "F"**, declaring that Maxcor Inter-Ventures, Co. passed the post-qualification evaluation conducted and is recommend to be declared the Single Calculated and Responsive Bid;

**WHEREAS**, noting no issues in the BAC-TWG Post-Qualification Report, it was moved and seconded to adopt the same and declare the bid by Maxcor Inter-Ventures, Inc. as the Single Calculated and Responsive Bid;

**NOW, THEREFORE**, for and in consideration of the foregoing, WE, the members of the NPC-BAC, hereby **RESOLVE**, as it is hereby **RESOLVED**, to declare the bid submitted by Maxcor

Ref No.: 091-2021

NPC\_BAC\_RESO-V1.0, R0.0, 05 May 2021

Inter-Ventures, Co., as the SINGLE CALCULATED AND RESPONSIVE BID amounting to THREE MILLION THREE HUNDRED SIXTY THOUSAND AND 0/100 PESOS (Php3,360,000.00) and be recommended for the award of contract for the procurement of Penetration Testing and Forensic Software.

RESOLVED this 16th day of September 2021 via videoconference meeting.

ATTEST:

  
Digitally signed  
by Espenilla Erwin  
Dejuocos  
Date: 2021.09.17  
15:57:53 +08'00'  
**ERWIN D. ESPENILLA**  
*Executive Assistant IV, OPC*  
*BAC Member*

  
Digitally signed by Narag  
Aurelle Dominic Espita  
Date: 2021.09.20 22:19:09  
+08'00'  
**ATTY. AURELLE DOMINIC E. NARAG**  
*Executive Assistant IV, OPC*  
*BAC Member*


Ragsag Jonathan  
Rudolph Yandan  
Digitally signed by  
Ragsag Jonathan  
Rudolph Yandan  
**JONATHAN RUDOLPH Y. RAGSAG**  
*OIC-Chief, DSTSD*  
*BAC Member*

  
Digitally signed by Mendoza  
Ma Josefina Eusebio  
Date: 2021.09.17 14:26:39  
+08'00'  
**ATTY. MA. JOSEFINA E. MENDOZA**  
*Attorney IV, Legal Division*  
*BAC Member*

  
Digitally signed  
by Villasoto Ivy  
Grace Torres  
**ATTY. IVY GRACE T. VILLASOTO**  
*OIC-Director, PPO*  
*BAC Vice Chairperson*

Patula Maria  
Theresita Elnar  
Digitally signed by Patula  
Maria Theresita Elnar  
Date: 2021.09.17 13:16:02  
+08'00'  
**ATTY. MARIA THERESITA E. PATULA**  
*Director IV, LEO*  
*BAC Chairperson*

Approved:

  
**RAYMUND ENRIQUEZ LIBORO**  
*Privacy Commissioner*  
*Head of the Procuring Entity*  
Date: SEP 21 2021



Republic of the Philippines  
NATIONAL PRIVACY COMMISSION

## NOTICE OF AWARD

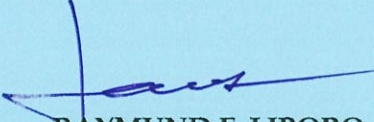
Date Issued: **SEP 21 2021**

**Mr. Renante A. Carmona**  
*Business Development Coordinator*  
Maxcor Inter-Ventures, Co.  
105 Engineering Road, Araneta University Village,  
Potrero, Malabon City

Dear **Mr. Carmona**:

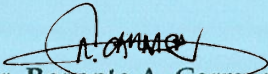
Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 091-2021 series of 2021, the contract for **Penetration Testing and Forensic Software** amounting to **THREE MILLION THREE HUNDRED SIXTY THOUSAND AND 0/100 PESOS (Php3,360,000.00)**, VAT inclusive, is awarded to **Maxcor Inter-Ventures, Co.**, consistent with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.

Very truly yours,

  
**RAYMUND E. LIBORO**  
Privacy Commissioner  
Head of the Procuring Entity

**SEP 21 2021**

Conforme:

  
**Mr. Renante A. Carmona**  
*Business Development Coordinator*  
Maxcor Inter-Ventures, Co.  
Date: **September 22, 2021**

Ref No.: 073-2021

NPC\_BAC\_NOA-V1.0, R0.0, 05 May 2021

MEMORANDUM OF AGREEMENT

THIS AGREEMENT is made and entered into this 15 OCT 2021 in Metro Manila, Philippines, by and between:

The **NATIONAL PRIVACY COMMISSION**, a national government agency created by virtue of Republic Act No. 10173 or the Data Privacy Act of 2012, with office address at the 5th Floor Delegation Building Philippine International Convention Center, Vicente Sotto Street, Pasay City, Metro Manila, Philippines, herein represented by its Privacy Commissioner, RAYMUND ENRIQUEZ LIBORO (hereinafter referred to as the "NPC" or the "COMMISSION");

-and-

The **MAXCOR INTER-VENTURES, CO.**, a corporation duly organized and existing under and by virtue of Philippine laws, with principal office at 105 Engineering Road Araneta University Village, Brgy. Potrero, Malabon City, Philippines, herein represented by RENANTE A. CARMONA (hereinafter called "THE SUPPLIER") of the other part;

NPC and **MAXCOR INTER-VENTURES, CO.**, hereinafter collectively referred to as "PARTIES".

WITNESSETH, that:

**WHEREAS**, as part of NPC's capacity building program and to fulfill the functions of the Forensics Laboratory which is responsible for the examination of digital and multimedia evidence in support of criminal investigations that involve personal information conducted by NPC Investigation Officers, the Commission saw it fit to procure the licenses of the existing software used in the Laboratory;

**WHEREAS**, this item of procurement shall be under the mode of Competitive Bidding, pursuant to Section 10 Rule IV of the Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (R.A. 9184)

**WHEREAS**, the NPC invited Bids for certain goods and ancillary services, particularly for the **Procurement of Penetration Testing and Forensic Software** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **THREE MILLION THREE HUNDRED SIXTY THOUSAND PESOS only (Php 3,360,000.00)**, hereinafter called "the Contract Price".

**WHEREAS**, on 10 May 2021 the NPC Accountant issued Certificate of Availability of Funds (CAF) amounting PHP3,361,000.00. A Copy<sup>1</sup> of the CAF is hereto attached and made an integral part of this Agreement.

**WHEREAS**, the Bids and Awards Committee (BAC) recommended through its BAC Resolution<sup>2</sup> No. dated 16 September 2021 and thereafter the NPC Privacy Commissioner/Head of the Procuring Entity (HOPE) issued on 21 September 2021 the Notice of Award<sup>3</sup> to **SUPPLIER**;

**WHEREAS**, The **SUPPLIER** shall provide any and all that is necessary indicated in the Technical Specifications to deliver the **GOODS/SERVICES** specified in the Terms of Reference (TOR) within the timeline specified therein. A copy of the Terms of Reference<sup>4</sup> is hereto attached

<sup>1</sup> Annex A : Certificate of Availability of Funds

<sup>2</sup> Annex B : BAC Resolution No. 091-2021, series of 2021 dated 16 September 2021

<sup>3</sup> Annex C : Notice of Award dated 21 September 2021

<sup>4</sup> Annex D : Terms of Reference


A

and made an integral part of this Agreement.

**NOW, THEREFORE**, for and in consideration of the foregoing premises and the mutual stipulations hereinafter set forth, the **PARTIES** hereby bind themselves as follows:

1. 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);
    - a. Schedule of Requirements;
    - b. Technical Specifications;
    - c. General and Special Conditions of Contract; and
    - d. 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.**
2. In consideration for the full and faithful performance by the **SUPPLIER** of the obligations under this Agreement and the completion of the services in accordance with the terms and conditions herein set forth, **NPC** shall pay the **SUPPLIER** a total amount of **THREE MILLION THREE HUNDRED SIXTY THOUSAND PESOS** (Php 3,360,000.0) inclusive of all applicable taxes, duties, fees, levies and other charges imposed under applicable laws upon.
3. The **SUPPLIER** shall deliver its obligations to **NPC** based on the following schedule and payment terms and conditions:

Activity	Delivery Schedule	Payment Schedule
Full Delivery Activation/configuration/ subscription of the following: 1. Penetration Testing Platform 2. Cloud analyzer software/mobile forensic cloud analysis and investigation software 3. Digital Forensic Investigation Software 4. System vulnerability Assessment Software	within 15 working days from receipt of NTP	40% upon submission of the following: 1. Certificate of Acceptance of Output with attached proof of activation/configuration/installation of software/s 2. Billing Statement



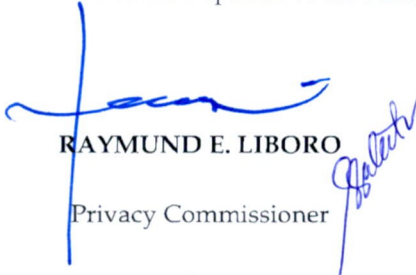
Mobile Forensic Application	Within 60 calendar days from receipt of NTP	10% upon submission of the following: 1. Certificate of Acceptance of Output with attached proof of activation/configuration/installation of software/s 2. Billing Statement
Submission of Training Plan and approved by the End User	within 5 working days from the activation of software	25% upon submission of the following: 1. approved Training Plan 2. Billing Statement
Conduct of training to at least 20 personnel and issuance of training certificates	within 10 working days from the approval of training plan	25% upon submission of the following: 1. Post activity report from the end user/supplier 2. Proof of completion of required training to be conducted shall be the issuance of training certificates to the participants 3. Billing Statement
		100%

4. Delivery shall only be considered complete upon issuance of Inspection and Acceptance Report by the Inspection and Acceptance Committee and Certificate of Acceptance of Output by the **Chief, Complaints and Investigation Division** and **Vice Chairperson of the IMISU**. The **SUPPLIER** shall remedy any defect in its deliverables or unsatisfactory work as found by the **NPC** within thirty (30) working days from receipt of notice from **NPC**.
5. **NPC** designates the Vice Chairperson of the **IMISU** as the personnel responsible for the coordination of the **GOODS/SERVICES** set forth in this Agreement. The **SUPPLIER** shall submit all deliverables and reports to the Vice Chairperson of **IMISU** which the latter should accept before processing of payment may commence.
6. In the event of any dispute or difference of any kind whatsoever arising out of or relating to this Contract, both **PARTIES** shall exercise their best efforts to resolve the dispute or difference by mutual consultation as soon as possible. In case best efforts fail, the dispute or difference shall be submitted to alternative dispute resolution, including arbitration in accordance with the rules provided in Republic Act No. 9285 or the Alternative Dispute Resolution Law.  
  
If any party contends that a claim cannot be submitted to alternative dispute resolution, that party shall be limited to filing a lawsuit in the appropriate courts in Pasay City, Philippines, to the exclusion of all courts.
7. The **SUPPLIER** shall be responsible for taking out any appropriate insurance coverage.
8. This Agreement is governed by the laws of the Republic of the Philippines and interpretation of the provisions of this Agreement shall be pursuant to RA 9184 and its IRR, and all other pertinent laws, rules, and regulations.
9. In the course of the undertaking between the **NPC** and the **SUPPLIER**, any data received by the latter from the **NPC** shall be treated as confidential information, which may not be disclosed to any person without authorization from the **NPC** or the relevant Government department or agency. Further, should there be any data containing personal and sensitive personal information received by the **SUPPLIER** from the **NPC**, the processing of such, if any, shall comply with the provisions of the Data Privacy Act of 2012 and its Implementing Rules and Regulations (IRR).

10. The **PARTIES** agreed that duly approved Terms of Reference, Financial Proposals, and all the bidding documents in relation to this procurement are deemed integral part of this Agreement.

In the event of conflict between the terms of this Agreement and those in the Annexes or related documents, the former shall prevail.

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.



**RAYMUND E. LIBORO**  
Privacy Commissioner

For

**NATIONAL PRIVACY COMMISSION**



**JENSEN JOY L. BALLICUD**  
Accountant II



**RENANTE A. CARMONA**

Business Development Coordinator/  
Authorized Representative

For

**MAXCOR INTER-VENTURES, CO.**

Signed in the Presence of:

Santos  
Michael  
Reyes  
*Signature over Printed Name*

Digitally signed by  
Santos Michael Reyes  
Date: 2021.10.12  
17:12:57 +08'00'



**DIMCON CONTRERAS**  
*Signature over Printed Name*



ACKNOWLEDGMENT


BERORE ME, a Notary Public for and in the City of ~~Pasig~~ **MANILA**, Philippines, personally appeared the following:

NAME	GOVERNMENT-ISSUED ID/ Date issued/ Expiring Date
RAYMUND ENRIQUEZ LIBORO	[REDACTED]
RENANTE A. CARMONA	

Known to me to be the same persons who executed the foregoing Memorandum of Agreement (MoA). They acknowledged that the same is their true act and voluntary will and deed as well as the true will and deed of the entities they represent. The foregoing instrument consists of \_\_\_\_\_ ( ) pages, including this page where the acknowledgment is written, and has been signed by the authorized representatives of the parties on the space above their names and on all pages at their margins, including their witnesses.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this \_\_\_\_\_ day of 15 OCT 2021 at the City of ~~Pasig~~ **MANILA**, Metro Manila, Philippines.

Doc. No. 243  
Page No. 170  
Book No. II  
Series of 2021

NOTARY PUBLIC  
  
**ATTY. HENRY D. ADASA**  
 NOTARY PUBLIC CITY OF MANILA  
 UNTIL DECEMBER 31, 2021  
 NOTARIAL COMMISSION 2020-097 MLA  
 IBP NO. 141293 - 01/04/2021, PASIG  
 PTR NO. 9826148 - 01/05/2021 MLA  
 ROLL NO. 29679, TIN: 172-528-620  
 MCLE COMPL. NO. VII-0000165  
 URBAN DECA HOMES MANILA, B-2, UNIT 355



Republic of the Philippines  
NATIONAL PRIVACY COMMISSION

CERTIFICATION OF AVAILABILITY OF FUNDS

This is to certify that funds are available to cover the payment for **Penetration Testing and Forensic Software** with Approved Budget for the Contract (ABC) amounting to **Three Million Three Hundred Sixty-One Thousand Pesos (Php3,361,000.00)** chargeable against **ICT-Software Subscription (OPERATIONS-MOOE)**, under FY 2020 Continuing Appropriations (RA 11520), programmed under the NPC FY 2020 APP - Continuing with Item No. 2020-0082.

This certificate is being issued upon the request of the Interim Management Information System Unit (IMISU) for Procurement Activity purposes only, subject to the provisions of the Revised RA9184 and its IRR, GPPB Circulars and other applicable laws.

Issued this **10<sup>th</sup> day of May 2021** at 5<sup>th</sup> Floor Delegation Building, PICC Complex, Pasay City, Metro Manila.

Certified Funds Available:

Sgd. *J. Lorenz*  
TEODULO C. LORENZO  
Accountant III *sgd.-mge*

*Purchase Request No. 2021-05-0052*  
*Purchase Request Date: April 30, 2021*

Ref No.: CAF2021-05-0026(20)

NPC\_FAO\_FPMD\_CAF-V1.0,R0.0,5 April 2021



Republic of the Philippines  
**NATIONAL PRIVACY COMMISSION**

**BIDS AND AWARDS COMMITTEE**  
 BAC Resolution No. 091-2021, Series of 2021

**RECOMMENDING THE AWARD OF CONTRACT TO MAXCOR INTER-VENTURES,  
 CO. AS THE SINGLE CALCULATED AND RESPONSIVE BIDDER FOR THE  
 PROCUREMENT OF PENETRATION TESTING AND FORENSIC SOFTWARE**

**WHEREAS**, the National Privacy Commission (NPC) is the agency mandated to enforce data privacy protection;

**WHEREAS**, as part of NPC's capacity building program and to fulfill the functions of the Forensics Laboratory which is responsible for the examination of digital and multimedia evidence in support of criminal investigations that involve personal information conducted by NPC Investigation Officers, the Commission saw it fit to procure the licenses of the existing software used in the Laboratory;

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 Ref No.: 088-2021 NPC\_BAC\_RESO-V1.0, R0.0, 05 May 2021

August 2021 to 02 September 2021 at 10:00 A.M. and 3:00 P.M., respectively, this time due to the implementation of MECQ in the NCR, and for the same reasons as stated above;

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**WHEREAS**, on 02 September 2021 at 10 a.m., in compliance with the NPC-BAC Guidelines on Electronic Submission and Receipt of Bids, only one bidder, Maxcor Inter-Ventures, Co., submitted its bid;

**WHEREAS**, on the same date at 03:00 p.m., the NPC-BAC proceeded to open the bid submitted and conducted preliminary evaluation to determine Maxcor Inter-Ventures, Co.'s compliance with eligibility and technical requirements. The NPC-BAC, with the assistance of the TWG, checked the submitted documents of the bidders against a checklist of required documents to ascertain if they are all present, using a non-discretionary "pass/fail" criterion in accordance with Section 25 of the IRR of R.A. 9184;

**WHEREAS**, upon inspection and evaluation of the first bid envelope (Technical Component), it was determined that Maxcor Inter-Ventures, Co. passed all the eligibility requirements prescribed in accordance with the provisions of the IRR of R.A. 9184, as shown in the Abstract of Bids as Read, herein attached as **Annex "C"**;

**WHEREAS**, immediately after determining compliance of the technical envelope, the BAC opened the second bid envelope (Financial Component) of the eligible and technically complying bidder and determined that Maxcor Inter-Ventures, Co. passed all the financial document requirements who was then recommended for bid evaluation, as shown in the same Abstract;

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**WHEREAS**, noting no issues in the BAC-TWG Post-Qualification Report, it was moved and seconded to adopt the same and declare the bid by Maxcor Inter-Ventures, Inc. as the Single Calculated and Responsive Bid;

**NOW, THEREFORE**, for and in consideration of the foregoing, WE, the members of the NPC-BAC, hereby RESOLVE, as it is hereby RESOLVED, to declare the bid submitted by Maxcor

Inter-Ventures, Co., as the SINGLE CALCULATED AND RESPONSIVE BID amounting to THREE MILLION THREE HUNDRED SIXTY THOUSAND AND 0/100 PESOS (Php3,360,000.00) and be recommended for the award of contract for the procurement of Penetration Testing and Forensic Software.

RESOLVED this 16th day of September 2021 via videoconference meeting.

ATTEST:

  
Digitally signed  
by Espenilla Erwin  
Dejucos  
Date: 2021.09.17  
15:57:53 +08'00'  
**ERWIN D. ESPENILLA**  
*Executive Assistant IV, OPC*  
*BAC Member*

  
Digitally signed by Narag  
Aurelle Dominic Espita  
Date: 2021.09.20 22:19:09  
+08'00'  
**ATTY. AURELLE DOMINIC E. NARAG**  
*Executive Assistant IV, OPC*  
*BAC Member*

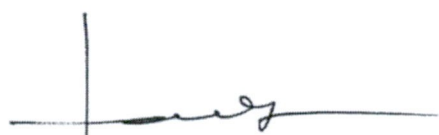
Ragsag Jonathan  
Rudolph Yandan  
Digitally signed by  
Ragsag Jonathan  
Rudolph Yandan  
**JONATHAN RUDOLPH Y. RAGSAG**  
*OIC-Chief, DSTSD*  
*BAC Member*

  
Digitally signed by Mendoza  
Ma Josefina Eusebio  
Date: 2021.09.17 14:26:39  
+08'00'  
**ATTY. MA. JOSEFINA E. MENDOZA**  
*Attorney IV, Legal Division*  
*BAC Member*

  
Digitally signed  
by Villasoto Ivy  
Grace Torres  
**ATTY. IVY GRACE T. VILLASOTO**  
*OIC-Director, PPO*  
*BAC Vice Chairperson*

Patula Maria  
Theresita Elnar  
Digitally signed by Patula  
Maria Theresita Elnar  
Date: 2021.09.17 13:16:02  
+08'00'  
**ATTY. MARIA THERESITA E. PATULA**  
*Director IV, LEO*  
*BAC Chairperson*

Approved:

  
**RAYMUND ENRIQUEZ LIBORO**  
*Privacy Commissioner*  
*Head of the Procuring Entity*  
Date: SEP 21 2021



Republic of the Philippines  
NATIONAL PRIVACY COMMISSION

## NOTICE OF AWARD

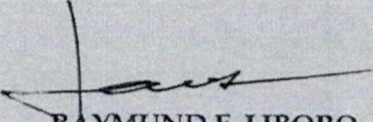
Date Issued: **SEP 21 2021**

**Mr. Renante A. Carmona**  
*Business Development Coordinator*  
Maxcor Inter-Ventures, Co.  
105 Engineering Road, Araneta University Village,  
Potrero, Malabon City

Dear **Mr. Carmona**:

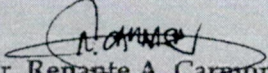
Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 091-2021 series of 2021, the contract for **Penetration Testing and Forensic Software** amounting to **THREE MILLION THREE HUNDRED SIXTY THOUSAND AND 0/100 PESOS (Php3,360,000.00)**, VAT inclusive, is awarded to **Maxcor Inter-Ventures, Co.**, consistent with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.

Very truly yours,

  
**RAYMUND E. LIBORO**  
Privacy Commissioner  
Head of the Procuring Entity

**SEP 21 2021**

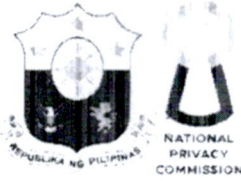
Conforme:

  
**Mr. Renante A. Carmona**  
*Business Development Coordinator*  
Maxcor Inter-Ventures, Co.

Date: **September 22, 2021**

Ref No.: 073-2021

NPC\_BAC\_NOA-V1.0, R0.0, 05 May 2021



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TERMS OF REFERENCE

PENETRATION TESTING AND FORENSIC SOFTWARE

I. BACKGROUND

The Data Privacy Act of 2012 is a 21st century law to address 21st century crimes and concerns. It (1) protects the privacy of individuals while ensuring free flow of information to promote innovation and growth; (2) regulates the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction of personal data; and (3) ensures that the Philippines complies with international standards set for data protection through National Privacy Commission (NPC).

II. OBJECTIVES

The Forensic Laboratory of the NPC is responsible for the examination of digital and multimedia evidence in support of criminal investigations that involves "personal information" conducted by NPC Investigation Officers and other law enforcement agencies herein the Philippines. The Forensic Laboratory shall be equipped with modern digital forensic equipment and applications such as computer forensic machines, cellular/mobile phone forensic tools, and latest versions of forensic and investigation software to adhere to international standards in the field of digital forensic examination.

As part of our capacity building program, the Commission needs to procure the licenses of the existing software of the Forensics Laboratory in order to fulfill the core functions of the Commission.

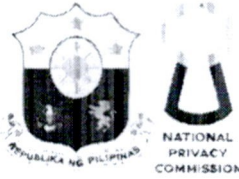
III. TECHNICAL REQUIREMENTS/SPECIFICATIONS

1. PENETRATION TESTING PLATFORM

Qty.	Item	Specifications
1	Penetration Testing Platform	The technical specifications of a license renewal to the Commissions' existing Penetration Testing Software License, <b>SHOULD MEET THE FOLLOWING SPECIFICATIONS:</b>

Reference No.: 12121-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



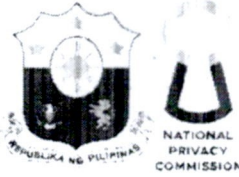
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		<p><b>A.1.1 Installation, Deployment and Integration</b></p> <ul style="list-style-type: none"><li>• Solution must be able to support installation on 64-bit Linux and Windows (64-bit).</li><li>• Solution must have latest updates (e.g. exploit module) as frequent as on a weekly basis.</li><li>• Solution must support offline activation and manual updates.</li><li>• Solution must be able to perform full backup to prevent data loss and enable to easily migrate data.</li></ul> <p><b>A.1.2 Administration</b></p> <ul style="list-style-type: none"><li>• Solution must include web-based user interface through encrypted channels.</li><li>• Solution must support command line console within.</li><li>• Solution must allow API integration with other systems or be able to automate workflow.</li><li>• Solution must be able to run jobs or tasks (e.g. scan, exploit) on schedule.</li></ul> <p><b>A.1.3 Host Scan and Web Scan</b></p> <ul style="list-style-type: none"><li>• Solution can conduct scans and discover the host's OS and running services.</li><li>• Solution can support customized nmap command for scan.</li><li>• Solution can support dry runs to show the scan information in task log only.</li><li>• Solution must be able to integrate with Nexpose to discover host's OS, running services and vulnerabilities via existing scan results or new scans.</li><li>• Solution must support automatic tag by OS</li><li>• Solution must support importing of scan result from external solutions including but not</li></ul>
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Reference No.: 17M54-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



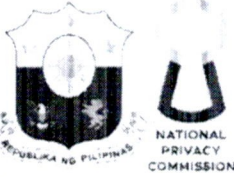


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		<p>limited to: Nexpose, Metasploit, Foundstone, Microsoft, nCircle, NetSparker, Nessus, Qualys, Burp, Acunetix, AppScan, Nmap, Retina, Amap, Critical Watch, IP Address List, Libpcap, Spiceworks and Core Impact.</p> <p><b>A.1.4 System Exploitation</b></p> <ul style="list-style-type: none"><li>• Solution must be able to apply exploits on individual IP or multiple IPs.</li><li>• Solution can automatically select and apply exploit modules based on OS, service and vulnerability references.</li><li>• Solution must have at least 6 reliability levels of exploit codes for automated exploitation.</li><li>• Solution must support running individual exploit module manually from the user interface.</li><li>• Solution must support dry run to show exploit information in task log only.</li><li>• Solution must support replay of exploitation tasks.</li><li>• Solution must support automation of common yet complicated security tests (Metamodules) that provide a more efficient way to get specific jobs done.</li><li>• Solution must support the reuse of manually added or captured credentials within a project to validate specified credentials on additional hosts in the target network.</li></ul> <p><b>A.1.5 Bruteforcing</b></p> <ul style="list-style-type: none"><li>• Solution can support brute force testing on services including but not limited to AFP, SMB, Postgres, DB2, MySQL, MSSQL, HTTP, HTTPS, SSH, SSH PUBKEY, Telnet, FTP, POP3, VNC, SNMP, WinRM.</li></ul>
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Reference No.: 17MSU-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021

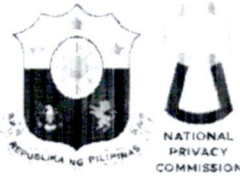


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		<ul style="list-style-type: none"><li>• Solution can provide password references for factory default logins.</li><li>• Solution can support customized credentials and dictionary import for brute force and or dictionary attack.</li><li>• Solution can support credential mutation to create multiple permutations of a specified password, which enables building of a larger list based on a defined set of passwords.</li></ul> <p><b>A.1.6 Post Exploitation Action and Evidence Collection</b></p> <ul style="list-style-type: none"><li>• Solution must support exploitation payload types including but not limited to: "Meterpreter", "Command Shell" and "Powershell".</li><li>• Solution must support customized macros to run selected operations automatically after exploit.</li><li>• Solution must support post exploitation actions including but not limited to collect system data (screen capture, password, system information), build a virtual desktop connection, access file system, search the file system, run a command shell, create proxy pivot, create VPN pivot.</li><li>• Solution must support deploying of persistent listeners to allow exploited hosts to connect back to the penetration testing platform automatically.</li></ul> <p><b>A.1.7 Social Engineering Campaign</b></p> <ul style="list-style-type: none"><li>• Solution must support web campaign, Email campaign and USB campaign.</li><li>• Solution must allow web campaign customized with http/https, IP address, port and path (e.g. <a href="https://www.abc.com:1234/abcd">https://www.abc.com:1234/abcd</a>).</li></ul>
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Reference No.: *17451-2021-024*

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



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		<ul style="list-style-type: none"><li>• Solution must support web content to be cloned from another web site (e.g. <a href="http://www.google.com">www.google.com</a>).</li><li>• Solution must support web campaign that browser autopwn (apply all the appropriate exploit modules based on the browser version), specific browser exploit (e.g. MS11-050) and not do anything (just checking the connection from the users).</li><li>• Solution must support email campaign content customization to include a specific URL or an agent attachment.</li><li>• Solution must support USB campaign that generates an agent deployment .exe file.</li></ul> <p><b>A.1.8 Web Application Exploitation</b></p> <ul style="list-style-type: none"><li>• Solution must support web crawling on IPv4 and IPv6 web sites.</li><li>• Solution must support web crawling applied on a web site (e.g. <a href="http://www.abc.com">http://www.abc.com</a>) or started from a specific point (e.g. <a href="http://www.abc.com/path/starthere/">http://www.abc.com/path/starthere/</a>).</li><li>• Solution must support detection of vulnerable URLs and parameters such as SQL Injection and Cross Site Scripting.</li></ul> <p><b>A.1.9 Report and Data Export</b></p> <ul style="list-style-type: none"><li>• Solution must provide built-in standard reports and support customized report functionality.</li><li>• Solution must provide at least 10 built-in standard reports.</li><li>• Solution must support report formats including but not limited to PDF, Word, RTF and HTML.</li><li>• Solution must support reports to be stored locally and sent to recipient by email after created.</li><li>• Solution must be able to support data export which allows a zip archive of the project</li></ul>
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Reference No.: *1MSU-2021-024*

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



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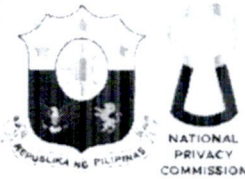
		<p>suitable for importing into another instance of the solution.</p> <p><b>A.1.10 Other Requirements</b></p> <ul style="list-style-type: none"> <li>• Bidder/Supplier should be authorized by the Manufacturer to negotiate, and/or to bid and/or to sell.</li> <li>• Software license must be compatible with the current penetration testing software for renewal for One (1) year.</li> <li>• Bidder/Supplier should have at least two (2) Government contracts in relation to Digital or Computer Forensics with satisfactory performance.</li> <li>• Supplier should provide a minimum of 1-2 days of hands-on training on the use, analysis, and administration of the software.</li> <li>• Delivery schedule: 30 working days from receipt of Purchase Order / Contract / Notice to Proceed</li> </ul>
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**2. CLOUD ANALYZER SOFTWARE / MOBILE FORENSIC CLOUD ANALYSIS AND INVESTIGATION SOFTWARE**

Qty.	Item	Specifications
1	Cloud Analyzer Software / Mobile Forensic Cloud Analysis and Investigation Software	<p>The renewal of the Commission's existing Cloud Analysis and Investigation Software License <b>SHOULD MEET THE FOLLOWING SPECIFICATIONS:</b></p> <ul style="list-style-type: none"> <li>• Software licenses must be compatible with the current mobile forensic cloud analyzer system software for renewal</li> <li>• Inclusive of One (1) Year Maintenance Systems</li> </ul>

Reference No.: 1MSU-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021

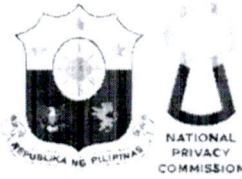


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		<ul style="list-style-type: none"> <li>• Software shall allow gathering user data from popular social media and cloud-based sources.</li> <li>• Able to collect and hash digital evidence from HTML-based web pages.</li> <li>• Can enable the user to view user search history and gather geo-location data.</li> <li>• Able to normalize and sort data into different formats</li> <li>• Can generate easy-to-read reports available in different formats like PDF for entire data sets or filtered information</li> <li>• Support reporting of extracted data from the cloud to a machine-readable format so it can be digested by other analysis systems.</li> <li>• Supplier should have a local partner to provide immediate post-sales support</li> <li>• Supplier should have Manufacturer's Authorization to supply and support the renewal of the said license. Supplier should have at least Two (2) government contracts with satisfactory performance for the same product or digital forensic.</li> </ul> <p><b>Qualification Requirements</b></p> <ul style="list-style-type: none"> <li>• Direct contracting supplier must provide a price quotation</li> </ul>
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Reference No.: 11111-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021

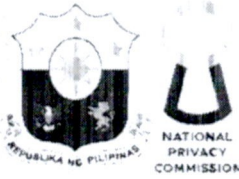


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			<p>or a pro-forma invoice together with the conditions of sale.</p> <ul style="list-style-type: none"><li>• Must provide a certificate or proof being the duly authorized or sole distributor (provider) of the said Software(s).</li><li>• Inclusive of One (1) Year Maintenance Systems per software as stipulated on Section (III)(A), unless explicitly stated.</li><li>• Provider must provide basic training for all software subscriptions.</li><li>• Supplier should have a local partner to provide immediate post-sales support.</li><li>• Supplier should have Manufacturer's Authorization to supply and support the renewal of software licenses.</li><li>• Supplier should have at least Two (2) government contracts with satisfactory performance for the software(s) stipulated on Section (III)(A).</li><li>• Supplier should provide a minimum of 1-2 days of hands-on training on the use, analysis, and administration of the software.</li><li>• Delivery schedule: 30 working days from receipt of Purchase Order / Contract / Notice to Proceed</li></ul>
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Reference No.: 1MSU-2021-024

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**3. DIGITAL FORENSIC INVESTIGATION SOFTWARE**

Qty.	Item	Specifications
1	Digital Forensic Investigation Software	<p>The renewal of the Commission's existing Digital Forensic Investigation Software License <b>SHOULD MEET THE FOLLOWING SPECIFICATIONS:</b></p> <p>Software licenses must be compatible with the current digital forensic investigation software for renewal</p> <p>Inclusive of One (1) Year Maintenance Systems</p> <p>Capable of acquiring data in a forensically sound manner using software accepted by courts worldwide.</p> <p>Capable of investigating and analyzing data from multiple platforms such as Windows, Linux, AIX, OS X, Solaris, and more – using a single tool.</p> <p>Capable of finding information despite attempt to hide, cloak, or delete data</p> <p>Capable of easily managing large volumes of computer evidence, viewing all relevant files, including deleted files, file slack, and unallocated space.</p> <p>Capable of creating exact duplicates of original data and verifying by hash and error check.</p>

Reference No.: 11M54-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



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		<p>Capable of transferring evidence files directly to law enforcement or legal representatives.</p> <p>Capable of providing review options that allow non-investigators, such as attorneys, to review evidence with ease.</p> <p>Capable of providing reporting options for quick report preparation.</p> <p>Supplier should have a local partner to provide immediate post-sales support</p> <p>Supplier should have Manufacturer's Authorization to supply and support the renewal of the said license.</p> <p>Supplier should have at least Two (2) government contracts with satisfactory performance for the same product or digital forensic.</p> <p>Supplier should provide a minimum of 1-2 days of hands-on training on the use, analysis, and administration of the software.</p> <p>Delivery schedule: 30 working days from receipt of Purchase Order / Contract / Notice to Proceed</p>
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**4. MOBILE FORENSIC APPLICATION**

Qty.	Item	Specifications
1	Mobile Forensic Application	The renewal of the Commission's existing Mobile Forensic Investigation Device License <b>SHOULD MEET THE FOLLOWING SPECIFICATIONS:</b>

Reference No.: 17154-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



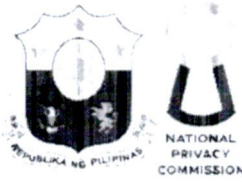


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		<p>Software licenses must be compatible with the current mobile forensic investigation device software for renewal</p> <p>Inclusive of One (1) Year Maintenance Systems</p> <p>One (1) Year support on mobile connector tips and cables</p> <p>Inclusive of decoding, analysis and report generation software license</p> <p>Capable of Bypassing pattern, password or PIN locks.</p> <p>Capable of extracting physical, file system, and logical data from smartphones, feature phones, tablets, players, GPS devices, SIM cards, smart watches, mass storage devices, drones and other devices with memory storage to access live, hidden and even deleted data.</p> <p>Capable of displaying and visualizing data in a unified format to build timelines and maps and more easily see relevant connections</p> <p>Can generate easy-to-read reports available in different formats like PDF for entire data sets or filtered information.</p> <p>Supplier should have a local partner to provide immediate post-sales support.</p>
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Reference No.: 11M54-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



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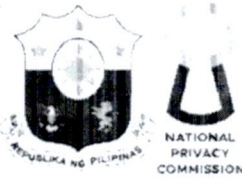
		<p>Supplier should have Manufacturer's Authorization to supply and support the renewal of the said license.</p> <p>Supplier should have at least Two (2) government contracts with satisfactory performance for the same product or digital forensic.</p> <p>Supplier should provide a minimum of 1-2 days of hands-on training on the use, analysis, and administration of the software.</p> <p>Delivery schedule: 30 working days from receipt of Purchase Order / Contract / Notice to Proceed</p>
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**5. SYSTEM VULNERABILITY ASSESSMENT SOFTWARE**

Qty.	Item	Specifications
1	System Vulnerability Assessment Software	<p>The renewal of the Commission's existing Vulnerability Assessment Software <b>SHOULD MEET THE FOLLOWING SPECIFICATIONS:</b></p> <p>Software licenses must be compatible with the current vulnerability assessment software for renewal</p> <p>Inclusive of One (1) Year Maintenance Systems</p> <p>Capable of operating 100% on-premises. Scan results should always be available on premise. Describe the solution's architecture. Detail all components and modules required to deliver the complete solution.</p>

Reference No.: 17NSA-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021

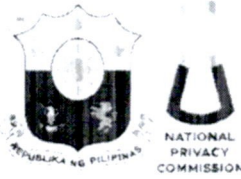


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		<p>Must be offered as either Software Product or Software as a Service.</p> <p>Must support at least the below mentioned supported platforms as OS: Ubuntu Linux LTS, Microsoft Windows Server, Microsoft Windows and Red Hat Enterprise Linux Server</p> <p>Must have the capability to perform both internal and external scanning.</p> <p>Must include web-based management user interface over encrypted traffics. It must not be accessed in clear text.</p> <p>Must support having scan engine pooling with multiple engines grouped together to run any single scan to reduce and improve scanning time by load sharing.</p> <p>Supplier should have a local partner to provide immediate post-sales support.</p> <p>Supplier should have Manufacturer's Authorization to supply and support the renewal of the said license.</p> <p>Supplier should have at least Two (2) government contracts with satisfactory performance for the same product.</p> <p>Supplier should provide a minimum of 1-2 days of hands-on training on the use, analysis, and administration of the software.</p> <p>Delivery schedule: 30 working days from receipt of Purchase Order / Contract / Notice to Proceed</p>
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Reference No.: 17MSH-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



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**TRAINING**

A Training Plan shall be submitted which includes the course design and method of delivery, specific topics to be covered and the corresponding date and times for each topic. The plan must also indicate the recommended minimum qualifications of the participants.

Training shall be provided to at least twenty (20) selected personnel within thirty (30) days from the date of issuance of Certificate of User Acceptance or on the date and time as set by the National Privacy Commission for such purpose.

Proof of completion of required training to be conducted shall be the issuance of training certificates to the participants.

**IV. PAYMENT AND DELIVERY**

Delivery schedule: 30 working days from receipt of Purchase Order / Contract / Notice to Proceed

Payment shall be made when the Service/Goods have been rendered or delivered in accordance with the signed contract and instructions and upon issuance of Inspection and Acceptance Report by the Inspection and Acceptance Committee and Certificate of Acceptance by the End-User.

**V. FUND SOURCE AND APPROVED BUDGET FOR THE CONTRACT (ABC)**

Source of Fund: 2020 Continuing Appropriation

The approved budget for the contract is Three Million Three Hundred Sixty-One Thousand Pesos (P 3,361,000.00) only.

Reference No.: *1ms4-2021-024*

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



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NATIONAL PRIVACY COMMISSION


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Prepared by:

Santos  
Michael Reyes  
ATTY. MICHAEL R. SANTOS, End user  
OIC-Chief, CID

Digitally signed by Santos Michael Reyes  
Date: 2021.04.29 15:21:49 +0800

Noted by:

  
ROBELYN M. CRUZ  
Vice-chair, IMISU

Approved by:

  
VANDY R. IDANAN  
Head Executive Assistant

Reference No.: IMISU-2021-024

NPC\_DIT\_TOR-V1.0, R0.0, 05 April 2021



Republic of the Philippines  
NATIONAL PRIVACY COMMISSION

**NOTICE TO PROCEED**

Date Issued: 29-October-2021


**RENANTE A. CARMONA**  
*Authorized Representative*  
Maxcor Inter-Ventures, Co.  
105 Engineering Road Araneta University Village,  
Brgy. Potrero, Malabon City

Dear Mr. CARMONA:

Notice is hereby given to **Maxcor Inter-Ventures, Co.** for the commencement of the procurement for the **Penetration Testing and Forensic Software** for the National Privacy Commission at the Philippine International Convention Center (PICC) in accordance with the terms of and conditions of the attached Memorandum of Agreement.

Kindly acknowledge receipt and acceptance of this notice by signing both the copies in the space provided below. Keep one (1) copy and return the other to the NPC within three (3) days upon receipt of this notice.

Very truly yours,

  
**RAYMUND E. LIBORO**  
Head Of the Procuring Entity

I acknowledge receipt of this notice on 2 November 2021  
Name of the authorized representative of the Bidder RENANTE A. CARMONA  
Signature of the authorized representative 

Ref No.: ADMIN-21-00782

NPC\_FAO\_ASD\_NTP-V1.0, R0.0, 19 August 2021