



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

BIDS AND AWARDS COMMITTEE
BAC Resolution No. 169-2021, Series of 2021

**RECOMMENDING THE AWARD OF CONTRACT FOR THE PROCUREMENT OF
DISTRIBUTED DENIAL OF SERVICE (DDOS) PROTECTION AND WEB
APPLICATION FIREWALL SUBSCRIPTION TO MICROGENESIS SOFTWARE, INC.
DOING BUSINESS UNDER THE NAME AND STYLE OF MICROGENESIS BUSINESS
SYSTEMS, THE DECLARED SINGLE CALCULATED AND RESPONSIVE BIDDER**

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

WHEREAS, in order to secure and protect NPC websites and web application assets, prevent malicious traffic and cyberattacks, and to maintain the availability and performance of the website and said assets, the NPC saw it fit to subscribe to a web security service such as Distributed Denial of Service (DDoS) protection and web application firewall;

WHEREAS, this is an Early Procurement Activity for FY 2022 under 2022 Indicative APP Item No. 2022-0032 with an Approved Budget for the Contract (ABC) amounting to Php2,350,700.00;

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, Section 7.6 of the Revised IRR of RA 9184 provides that to facilitate the immediate implementation of procurement of Goods, Infrastructure Projects or Consulting Services, even pending approval of the GAA, corporate budget or appropriations ordinance, as the case may be, and notwithstanding Section 7.2 of the Revised IRR, the Procuring Entity may undertake the procurement activities short of award, which will facilitate the awarding of procurement contracts after the enactment of the GAA, enabling the timely implementation and completion of programs and projects.

WHEREAS, on 04 November 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 11 November 2021, the Invitation to Bid was posted in the PhilGEPS and NPC websites as well as on the NPC bulletin board, together with the Bidding Documents. Invitations to observers were also sent in accordance with Section 13 of the Revised IRR of R.A. 9184;

Ref No.: 169-2021 *The original of this document (only containing the BAC members' signature) is in digital format*
NPC_BAC_RESO-V1.0, R0.0, 05 May 2021

WHEREAS, on 18 November 2021, the Pre-bid Conference was conducted, where representatives from Microgenesis Business Systems and from Microdata Services were present;

WHEREAS, the NPC-BAC issued Supplemental/Bid Bulletin No. 130-2021 to address the inquiries and clarifications sent by a prospective bidder, a copy of which was furnished to the prospective bidders and published in the NPC website, bulletin board and PhilGEPS website;

WHEREAS, the NPC-BAC set the deadline of submission of the Bids on 02 December 2021 at 8:00 a.m. where only one (1) bidder, Microgenesis Software, Inc. Doing Business under the Name and Style of Microgenesis Business Systems (Microgenesis Business Systems), submitted its bid;

WHEREAS, on the same date, at 09:00 a.m., the NPC-BAC proceeded to open the bid submitted and conduct preliminary evaluation to determine the bidder's compliance with the documents required to be submitted for eligibility and for the technical requirements. The NPC-BAC, with the assistance of the TWG, checked the submitted documents of the bidder 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 Revised IRR of R.A. 9184;

WHEREAS, upon inspection and evaluation of the eligibility and technical requirements submitted, it was determined that Microgenesis Business Systems passed all the eligibility requirements prescribed in accordance to the provisions of the Revised IRR of R.A. 9184;

WHEREAS, immediately after determining compliance with the requirements in the first envelope, the BAC opened the second bid envelope (Financial Proposal) of the eligible and technically complying bidder and determined that it passed all the financial requirements and was recommended for bid evaluation relative to the procurement of Distributed Denial of Service (DDoS) Protection and Web Application Firewall Subscription, as shown in the Abstract of Bids as Read herein attached as Annex "A";

WHEREAS, on 7 December 2021, the BAC conducted a bid evaluation in accordance with Section 32 of the Revised IRR of RA 9184;

WHEREAS, pursuant to the BAC-Technical Working Group's (TWG) Bid Evaluation Report, attached herein as Annex "B", reviewed by the NPC-BAC on 7 December 2021, it was found that the submitted bid amounting to Php2,350,000.00, is complete and contains no arithmetical error as shown in the Abstract of Bids as Calculated herein attached as Annex "C", and was endorsed for post-qualification evaluation;

WHEREAS, on 10 December 2021, the NPC-BAC proceeded to review the Post-Qualification Report submitted by the BAC-TWG, attached herein as Annex "D", and adopted the same, noting the recommendations made therein by the BAC-TWG;

WHEREAS, there being no issues in the BAC-TWG's Post-Qualification Report, it was moved and seconded to declare the bid by Microgenesis Business Systems 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, that the sole bidder, Microgenesis Software, Inc. Doing Business under the Name and Style of Microgenesis Business Systems, whose bid price is **Two Million Three Hundred Fifty Thousand and 0/100 Pesos** (Php2,350,000.00), be declared as the single calculated and responsive bidder and be recommended for the award of contract for the procurement of Distributed Denial of Service (DDoS) Protection and Web Application Firewall Subscription upon approval or enactment of the respective appropriations and issuance of budget authorization document, based on the amount authorized therein in, accordance with GPPB Circular 06-2019.


RESOLVED this 10th day of December 2021 via combination of on-site and videoconference meeting.

ATTEST:

ERWIN D. ESPENILLA
Executive Assistant IV, OPC
BAC Member

On official business
ATTY. AURELLE DOMINIC E. NARAG
Executive Assistant IV, OPC
BAC Member

JONATHAN RUDOLPH Y. RAGSAG
OIC-Chief, DSTSD
BAC Member


Digitally signed
by Mendoza
Ma Josefina
Eusebio
ATTY. MA. JOSEFINA E. MENDOZA
Attorney IV, Legal Division
BAC Member

On official business
ATTY. IVY GRACE T. VILLASOTO
OIC-Director, PPO
BAC Vice Chairperson

ATTY. MARIA THERESITA E. PATULA
Director IV, LEO
BAC Chairperson

Approved:

ATTY. JOHN HENRY D. NAGA
Privacy Commissioner
Head of the Procuring Entity
Date: **January 20, 2022**

Ref No.: 169-2021

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NPC_BAC_RESO-V1.0, R0.0, 05 May 2021



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

NOTICE OF AWARD

Date Issued: January 20, 2022

MS. CONSTANCIA B. BAUTISTA

Representative

Microgenesis Business Systems
Unit 1202 Paragon Plaza Bldg.,
162 EDSA corner Reliance Street,
Mandaluyong City

Dear **Ms. Bautista**:

Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 169-2021, Series of 2021, the award of the contract for the procurement of Distributed Denial of Service (DDOS) Protection and Web Application Firewall Subscription amounting to **Two Million Three Hundred Fifty Thousand and 0/100 Pesos (Php2,350,000.00)**, VAT inclusive, is awarded to Microgenesis Software, Inc. Doing Business under the Name and Style of Microgenesis Business Systems, consistent with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.

Very truly yours,

ATTY. JOHN HENRY D. NAGA

Privacy Commissioner
Head of the Procuring Entity

January 20, 2022

Conforme:

MS. CONSTANCIA B. BAUTISTA

Representative

Microgenesis Business Systems

Date: January 21, 2022

Ref No.: 129-2021

NPC_BAC_NOA-V1.0, R0.0, 05 May 2021

**PURCHASE ORDER
NATIONAL PRIVACY COMMISSION**

Entity Name

Supplier : <u>MICROGENESIS SOFTWARE, INC. doing business under the Name and Style of MICROGENESIS BUSINESS SYSTEMS</u> <u>UI202 Paragon Plaza Bldg., 162 Edsa cor. Reliance St.,</u> <u>Mandaluyong City</u>	P.O. No. : <u>2022-01-0001</u>
TIN : XXXXXXXXXX	Date : <u>26 JAN 2022</u>
Gentlemen:	Mode of Procurement : <u>Competitive Bidding</u>

Please furnish this Office the following articles subject to the terms and conditions contained herein:

Place of Delivery : <u>NPC OFFICE</u>	Delivery Term : Full Delivery and activation shall be made on <u>March 9, 2022</u>
Date of Delivery Full Delivery and activation shall be made on <u>March 9, 2022</u>	Payment Term : <u>LDDAP-ADA</u>

Stock/ Property No.	Unit	Description	Quantity	Unit Cost	Amount
	Lot	Distributed Denial of Service (DDoS) Protection and Web Application Firewall Subscription Specifications: <ul style="list-style-type: none"> • One (1)-year subscription • 2 Root Domains (TLDs) with unlimited subdomains • Unlimited DDoS mitigation, No overage charges. • DDOS attack mitigation and Enhanced security with Web Application Firewall (WAF) with unlimited custom rulesets for NPC domain and subdomains • Global Content Delivery Network (CDN) • SSL Custom Certificates • Image optimization and Mobile optimization • Included, access to raw log traffic from the network edge • Included, role and permission-based access. Each user is given set permissions, individual API keys, and optional two-factor authentication. • User-friendly Management/User Interface feature, DNS Management, Bot management, Audit Log, Under Attack Mode Feature, Development Mode Feature, Manage Caching and Analytics/Reporting for Web Traffic, Security and Performance. • Named Dedicated Solutions Engineer & Customer Success Manager. For assistance with on-boarding, optimization, and technical support. • Network prioritization. Enterprise web assets are placed on dedicated IP ranges, providing prioritized routing and protection to ensure maximum speed and availability. • 24/7/365 support - email, chat, and phone support hotline. • 100% Uptime Guaranteed • Up to 25x SLA Penalties 	1	2,350,000.00	2,350,000.00
Payment & Delivery: Payment shall be made through send bill arrangement and shall be processed upon receipt of the Statement of Account/Billing statement/Invoice and Delivery Receipt submitted by the supplier Payment shall be processed upon issuance of Certificate of Acceptance of Output by the end-user Full Delivery and activation shall be made on <u>March 9, 2022</u>					

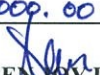
(Total Amount in Words) TWO MILLION THREE HUNDRED FIFTY THOUSAND PESOS ONLY

In case of failure to make the full delivery within the time specified above, a penalty of one-tenth (1/10) of one percent for every day of delay shall be imposed on the undelivered item/s.

NOTICE TO PROCEED: Notice is hereby given that by conforming to this Purchase Order, the Service Provider/Supplier shall proceed with the delivery of the items in accordance with the terms and conditions specified herein to commence from the date of conformance hereunder indicated.

Contact Mr. Joel Pagtulingan Jr. at (02)8234-2228 local 119 or email at asd@privacy.gov.ph for questions/delivery and other concerns.

Conformer:  <u>MS. CONSTANCIA B. BAUTISTA</u> Signature over Printed Name of Supplier <u>01-28-22</u> Date	Very truly yours,  <u>ATTY. JOHN HENRY D. NAGA</u> Signature over Printed Name of Authorized Official <u>Privacy Commissioner</u> Designation
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Fund Cluster : <u>01</u> Funds Available : <u>₱ 2,350,000.00</u>  <u>JENSEN JOY L. BALLICUD</u> Signature over Printed Name of Chief Accountant/Head of Accounting Division/Unit	ORS/BURS No. : <u>02-101-2022-01-0017</u> Date of the ORS/BURS: <u>27 JAN 2022</u> Amount : <u>₱ 2,350,000.00</u>
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