



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

BIDS AND AWARDS COMMITTEE
BAC Resolution No. 153-2022, Series of 2022

DECLARING THE BID OF MICROGENESIS SOFTWARE, INC. DOING BUSINESS UNDER THE NAME AND STYLE OF MICROGENESIS BUSINESS SYSTEMS FOR THE PROCUREMENT OF DISTRIBUTED DENIAL OF SERVICE (DDOS) PROTECTION SUBSCRIPTION AS THE SINGLE CALCULATED AND RESPONSIVE BID AND RECOMMENDING THE AWARD OF CONTRACT (APP ITEM NO. 2023-0007)

WHEREAS, the National Privacy Commission (*NPC* or *Commission*) is an independent body mandated to administer and implement Republic Act No. 10173 of the Data Privacy Act of 2012 and to monitor and ensure compliance of the country with international standards set for data protection;

WHEREAS, Section 9 (c) of the Implementing Rules and Regulations of Republic Act No. 10173 tasked the NPC to inform and educate the public on data privacy, data protection, and fair information rights and responsibilities;

WHEREAS, axiomatic to the above is providing an unhampered accessibility and performance of NPC Services through its website, hence the Interim Management Information Unit (IMISU) as the acting Information Technology Division of the Commission, tasked with supporting, maintaining, implementing Information and Communications Technology (ICT), proposed the procurement of subscription to a Distributed Denial of service (DDOS) protection to safeguard the NPC website and web application assets through the prevention of malicious traffic and cyberattacks targeting the same;

WHEREAS, on 28 October 2022 a Certification of Availability of funds for the above-mentioned procurement was issued, and has been confirmed to be existing as Distributed Denial of Service (DDOS) Protection Subscription, amounting to Two Million Five Hundred Thousand Pesos (P2,500,000.00) chargeable against ICT Software Subscription Expense (Operations-MOOE) under the NPC CY 2023 Indicative APP with Item No. 2023-0007;

WHEREAS, this item shall be procured through 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 21 November 2022, the Invitation to Bid (ITB) was posted in the PhilGEPS, the NPC websites and the NPC bulletin board. The Bidding Documents were also made available on the same date. Invitations to Observers were also sent in accordance with Section 13 of the RIRR of R.A. 9184;

The original of this document (containing only the BAC member's signature) is in digital format

Ref No.: BAC-22-00908

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

5th Floor, Philippine International Convention Center, Vicente Sotto Avenue, Pasay City, Metro Manila 1307

URL: <https://www.privacy.gov.ph> Email Add: info@privacy.gov.ph Tel No. 8234-2228

WHEREAS, on 28 November 2022, the NPC – Bids and Awards Committee (NPC-BAC) conducted a pre-bid conference where the NPC-BAC Guidelines on Electronic Submission and Receipt of Bids (Guidelines) and the Bidding Documents were discussed and clarificatory questions were raised and answered. A supplemental bid bulletin was issued last 5 December 2022 for this procurement item;

WHEREAS, the NPC-BAC set the deadline of submission of eligibility documents on 12 December 2022 at 8:00 a.m. An instruction on adoption of the procedure for the electronic submission and receipt of the financial and technical bid documents in accordance with the Guidelines was also provided in the Bidding Documents;

WHEREAS, only Microgenesis Software, Inc. doing business under the name and style of Microgenesis Business Systems (Microgenesis) submitted their bid before the deadline;

WHEREAS, on 12 December 2022, with the assistance of its Technical Working Group (TWG), the NPC-BAC 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 IRR of R.A. 9184;

WHEREAS, the NPC-BAC evaluated and inspected the first bid envelope (Technical Component) submitted by Microgenesis, and has determined that the latter passed all the eligibility and legal requirements prescribed in accordance with the provisions of the IRR of R.A. 9184;

WHEREAS, immediately upon determining compliance with the requirements in the first envelope, the NPC-BAC opened the second envelope (Financial Proposal) of the eligible and technically complying bidder, Microgenesis, and determined that it passed all the financial requirements and recommended it for bid evaluation;

WHEREAS, the NPC-BAC with the assistance of the BAC-TWG conducted a bid evaluation in accordance with Section 32 of the Revised IRR of R.A 9184;

WHEREAS, pursuant to the BAC-TWG’s Bid Evaluation Report, The NPC-BAC determined that the 1) bid submitted is complete, 2) no computational errors were found, 3) and that it provided all the required items in the Bidding Documents;

WHEREAS, in accordance with the above, the NPC-BAC recommended on 15 December 2022 that the bid of Microgenesis be declared as the Single Calculated Bid and be endorsed for post-qualification in accordance with Rule X – Post-Qualification under section 34 of the revised IRR of RA 9184 to determine whether the bidder has complied with and is responsive to all the requirements and conditions as specified in the bidding documents;

WHEREAS, on 20 December 2022, the bid submitted by Microgenesis was subjected to post-qualification evaluation, and determined, after verification and examination of Microgenesis’ bid documents, that it complied with the eligibility requirements (Legal, Financial and Technical), under the Revised IRR of R.A. 9184, and thus, passed the post-qualification evaluation, hence the BAC-TWG recommended that the bid of Microgenesis be declared as the Single Calculated and Responsive Bid (SCRB);

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NOW, THEREFORE, for and in consideration of the foregoing, WE, the members of the NPC Bids and Awards Committee, hereby **RESOLVE**, as it is hereby **RESOLVED**, to declare that the bid submitted by Microgenesis Software, Inc. doing business under the name and style of Microgenesis Business Systems, amounting to TWO MILLION THREE HUNDRED FIFTY THOUSAND PESOS (Php 2,350,000.00) be declared as the Single Calculated and Responsive Bid and be recommend for the award of contract for the procurement of Distributed Denial of Service (DDoS) Protection 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 No. 06-2019 on the Guidelines on the Implementation of Early Procurement Activities (EPA).

RESOLVED this 20th day of December 2022 via combination of onsite and videoconference meeting.

ATTEST:



Digitally signed by
Milanes Rainier
Anthony Mabias

ATTY. RAINIER ANTHONY M. MILANES
Chief, CMD
BAC Member



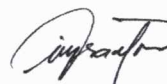
Digitally signed by
Mendoza Ma Josefina
Eusebio

ATTY. MA. JOSEFINA E. MENDOZA
Attorney IV, LD
BAC Member



Digitally signed by Ragsag
Jonathan Rudolph Yandan

MR. JONATHAN RUDOLPH Y. RAGSAG
Information Technology Officer II, DSTSD
BAC Member



Digitally signed by
Ivy Grace T. Villasoto

ATTY. IVY GRACE T. VILLASOTO
Attorney V, PDD
BAC Vice Chairperson



Digitally signed by
Patula Maria Theresita
Elnar

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

Approved:



Digitally
signed by
Naga John
Henry Du

ATTY. JOHN HENRY D. NAGA
Privacy Commissioner
Head of the Procuring Entity
Date: JAN 17 2023

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Republic of the Philippines
NATIONAL PRIVACY COMMISSION

NOTICE OF AWARD

JAN 17 2023

MS. CONSTANCIA B. BAUTISTA
Microgenesis Business System

Dear Ms. Bautista:

Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 153-2022, series of 2022, the contract for the procurement of Distributed Denial of Service (DDOS) Protection Subscription (APP Item No. 2023-0007) amounting to **TWO MILLION THREE HUNDRED FIFTY THOUSAND PESOS (Php 2,350,000.00), VAT inclusive**, is awarded to Microgenesis Software, Inc. doing business under the name and stye of Microgenesis Business System, 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

Date: JAN 17 2023

Conformer:


MS. CONSTANCIA B. BAUTISTA

Microgenesis Business System **JAN 18 2023**

PURCHASE ORDER NATIONAL PRIVACY COMMISSION

Entity Name

Supplier : MICROGENESIS SOFTWARE, INC. DOING BUSINESS UNDER THE NAME AND STYLE OF MICROGENESIS BUSINESS SYSTEMS Address : [REDACTED] TIN : _____	P.O. No. : 2023- <u>01-0001</u> Date : <u>JAN 27 2023</u> Mode of Procurement : <u>Public Bidding</u>
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Gentlemen:

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

Place of Delivery : NPC OFFICE

Delivery Term : Delivery shall be completed on March 9, 2023

Date of Delivery : Delivery shall be completed on March 9, 2023

Payment Term : LDDAP-ADA

Stock/ Property No.	Unit	Description	Quantity	Unit Cost	Amount
	Lot	DISTRIBUTED DENIAL OF SERVICE (DDOS) PROTECTION SUBSCRIPTION	1	2,350,000.00	2,350,000.00

Specifications:

- 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.
- 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.

Delivery:

Delivery shall be completed on March 9, 2023

Payment:

1. Payment shall be processed upon issuance of Proof of renewal or Order Fulfillment and Certificate of Acceptance signed by the Inspection and Acceptance
2. Payment shall be made through send bill arrangement and shall be processed upon receipt of the Statement of Account/Billing statement/invoice issued by the supplier.

(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 Pagtungan Jr. at (02)8234-2228 local 123 or email at asd@privacy.gov.ph for questions delivery and other concerns.

Conforme:


MS. CONNIE B. BAUTISTA

Signature over Printed Name of Supplier

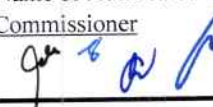
JAN 30 2023

Date

Very truly yours,


ATTY. JOHN HENRY D. NAGA

Signature over Printed Name of Authorized Official
Privacy Commissioner



Fund Cluster : 01

Funds Available : ₱ 2,350,000.00 ✓


JENSEN JOY L. BALLICUD

Signature over Printed Name of Chief Accountant/Head of
Accounting Division/Unit

ORS/BURS No. : 02-101-2023-01-00018

Date of the ORS/BURS: 30 JAN 2023

Amount : ₱ 2,350,000.00 ✓