



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

BIDS AND AWARDS COMMITTEE
Resolution No. 160-2022, Series of 2022

**RECOMMENDING THE APPROVAL OF THE EXTENSION OF CONTRACT FOR
SECURITY SERVICES**

WHEREAS, the National Privacy Commission (NPC or Commission) is a Procuring Entity mandated by law to meticulously and judiciously plan its budget consistent with government fiscal discipline measures;

WHEREAS, the Security Services is essential, indispensable and necessary for the operations of NPC, so as not to disrupt the provision of services, to ensure the protection of the employees and the clients and to safeguard the properties and assets of the Commission;

WHEREAS, the contract with Grand Meritus Security Agency, Inc. with a total contract amounting to Php2,447,792.22 commenced on 1 February 2022 and will end on 31 December 2022;

WHEREAS, the Administrative Services Division (ASD), the end-user, requested for the extension of the existing contract under the same terms and conditions of the original contract, in order to ensure continuity in the provision of security services while the procurement of the regular contract is still pending;

WHEREAS, the period for extension shall commence from 1 January 2023 until 31 March 2023, or until the award of a new contract is completed, whichever comes first;

WHEREAS, Section 4.0 of Appendix 24 (Revised Guidelines on the Extension of Contracts for General Support Services), of the Revised Implementing Rules and Regulations (IRR) of R.A. 9184, provides that procuring entities may extend the duration or effectivity of an ongoing contract about to expire, provided it complies with the conditions stated therein;

WHEREAS, this procurement has a Certificate of Availability of Funds (CAF) amounting to Six Hundred Forty-Five Thousand Nine Hundred Pesos and Ninety Centavos (Php645,990.90) chargeable against Security Services (GAS-MOOE), under the General Appropriations Act FY 2023 (RA 11936) and pursuant to the National Expenditure Program (NEP) for 2023;

WHEREAS, the supplier has not violated any of the provisions of the original contract that would preclude extension of the contract as evidenced by the Certification of Satisfactory Performance issued by the end-user, herein attached as Annex "A";


WHEREAS, the supplier, through its authorized representative, Ms. Rosario Buenaobra-Lipata, expressed its conformity to the requested extension;

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 recommend the extension of the contract for Security Services entered into with **Grand Meritus Security Agency, Inc.** from 1 January 2023 to 31 March 2023 or until the award of a new contract is completed, whichever comes first, with a total cost of **Six Hundred Forty-Five Thousand Nine Hundred Ninety Pesos and Ninety Centavos (Php645,990.90)** subject to the compliance of all relevant provisions of R.A. 9184 and its Revised IRR;

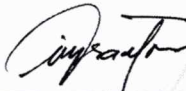
RESOLVED this 28th day of December 2022, via combination of on-site and videoconference meeting.

ATTEST:

On leave
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

On leave
JONATHAN RUDOLPH Y. RAGSAG
ITO II, DSTSD
BAC Member


Digitally signed
by Ivy Grace T.
Villasoto
ATTY. IVY GRACE T. VILLASOTO
Chief, 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: DEC 28 2022

EXTENSION OF CONTRACT FOR SECURITY SERVICES

KNOW ALL MEN BY THESE PRESENTS:

This EXTENSION OF CONTRACT is made and entered into this **29 December 2022**, in Metro Manila, Philippines, by and between:

The **NATIONAL PRIVACY COMMISSION**, a government agency mandated to administer and implement the Data Privacy Act of 2012, and to ensure compliance of the country with international standards set for data protection, with office address at the 5th Floor Delegation Building, PICC Complex, Vicente Sotto Avenue, Pasay City, Metro Manila, Philippines, represented herein by its Privacy Commissioner, **ATTY. JOHN HENRY D. NAGA** (hereinafter referred to as the "NPC");

- and -

The **GRAND MERITUS SECURITY AGENCY, INC.**, a corporation duly organized and existing under and by virtue of Philippine laws, with principal office at [REDACTED] Philippines, herein represented by its Marketing Officer In Charge, **ROSARIO BUENAOBRALIPATA** (hereinafter referred to as the "SERVICE PROVIDER");

The NPC and the SERVICE PROVIDER shall hereinafter be referred to collectively as the "PARTIES."

WITNESSETH, that:

WHEREAS, the NPC and the SERVICE PROVIDER, pursuant to NPC Bids and Awards Committee (BAC) Resolution No. 172-2021, series of 2021, entered into a Security Services Agreement on 26 January 2022 which was in force and effect until 31 December 2022. A copy of said Agreement is attached herein as "ANNEX A" and made an integral part of this Extension of Contract;

WHEREAS, on 28 December 2022 the NPC Accountant issued Certificate of Availability of Funds (CAF) amounting to **Six Hundred Forty-Five Thousand Nine Hundred Ninety Pesos and Ninety Centavos** (PHP645,990.90). A Copy of the CAF is herein attached as Annex "B" and made an integral part of this Agreement.

WHEREAS, on 28 December 2022, the NPC BAC deliberated on and resolved to approve the request of the end-user for an extension of aforementioned Security Services Agreement from **1 January to 31 March 2023** as an emergency measure, given that the services rendered by the SERVICE PROVIDER are essential, indispensable, and necessary for the daily operation of the NPC, and that the extension of the contract with the SERVICE PROVIDER is vital to maintain security and orderly office environment in the Commission.

WHEREAS, GPPB Resolution No. 23-007 authorizes the extension of contracts of general support services which are essential, indispensable, or necessary to support the operations of the procuring entity for the enhancement of the welfare of its personnel, including security services;

WHEREAS, Section 4.0 of Annex "A" of the Revised Guidelines on the Extension of Contracts for General Support Services provides that procuring entities may extend the duration or effectivity of an on-going contract about to expire for a period not to exceed one (1) year, provided that the current service provider has not violated any provisions of the original contract, that the extension is merely an emergency measure to maintain status quo in the operations of the

WHEREAS, the terms and conditions of the Security Services Agreement dated 26 January 2022 shall be read and construed as part of this Agreement, and all terms and conditions of the Original Contract which are not inconsistent with this Agreement shall remain unchanged and in full force and effect.

WHEREAS, the following modifications is hereby adopted which redounds to the advantage of the government at no additional cost to the NPC:

NPC may immediately terminate this Security Service Agreement upon service and delivery of a notice of the termination to the SERVICE PROVIDER on any of the following grounds: (1) failure to perform or materially breach, any of its obligations, covenants, or representations as set forth in the Security Services Agreement; (2) failure to produce a result that meets the specifications of provided for in the Security Services Agreement; and, (3) when the failure or breach is serious enough to materially harm or otherwise reduce the value of the Security Services Agreement.

In the event of termination, payment of the contract price will be made to the SERVICE PROVIDER only for the services rendered up to the date of termination.

NPC shall pay the SERVICE PROVIDER a monthly rate of Two Hundred Fifteen Thousand Three Hundred Thirty Pesos and Thirty Centavos (Php215,330.30) equivalent to a total rate of **Six Hundred Forty Five Thousand Nine Hundred Ninety Pesos and Ninety Centavos (PHP645,990.90)** for three (3) months inclusive of all applicable taxes.

NOW, THEREFORE, for and in consideration of the foregoing premises, the PARTIES hereby agree to extend aforementioned Security Services Agreement from 1 January 2023 to 31 March 2023.

IN WITNESS WHEREOF, the PARTIES hereto have signed this Extension of Contract this 29th day of December 2022 at Pasay City.

NATIONAL PRIVACY COMMISSION

By:


ATTY. JOHN HENRY D. NAGA
Privacy Commissioner


JENSEN JOY L. BALLICUD
Accountant III


MARLON RUBEN N. FABRICANTE


Signature over Printed Name

GRAND MERITUS SECURITY SERVICES, INC.

By:


ROSARIO BUENAOBRA-LIPATA
Marketing Officer In Charge

Signed in the Presence of:



Signature over Printed Name

ACKNOWLEDGMENT

BERORE ME, a Notary Public for and in the City of Pasay, Philippines, personally appeared the following:

NAME	GOVERNMENT-ISSUED ID/ Date issued/ Expiring Date
ATTY. JOHN HENRY D. NAGA	[REDACTED]
ROSARIO BUENAOBRA-LIPATA	[REDACTED]

Known to me to be the same persons who executed the foregoing extension to the Security Services Agreement. 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 DEC 29 2022 at the City of Pasay, Metro Manila, Philippines.

NOTARY PUBLIC

Doc. No. 191 ;
 Page No. 40 ;
 Book No. LIX ;
 Series of 2022

ATTY. CHARLIE S. GARCIA
 Adm. Matter NO. NP-249
 Extended until December 31, 2022 per BIA
 No. 3795
 Notary Public for and in Quezon City
 #12 Xavierville Ave. cor Pajo St. Loyola
 Heights Quezon City
 Roli no. 58309
 PTP NO. 2508197 ; 1-12-2022 QUEZON CITY
 IBP NO. 197108 ; 1-7-2022 LAGUNA