



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

BIDS AND AWARDS COMMITTEE
BAC Resolution No. 024-2022, Series of 2022

RECOMMENDING THE RENEWAL OF CONTRACT FOR
AN INTERNET SERVICE PROVIDER (APP ITEM NO. 2022-0030)

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

WHEREAS, in order to be able to effectively perform its mandate, NPC should have a reliable internet service/subscription provider (ISP);

WHEREAS, the Government Procurement Policy Board (GPPB) has issued Resolution No. 019-2006 adopting the guidelines on the procurement of water, electricity, telecommunications and internet service providers;

WHEREAS, GPPB Resolution No. 019-2006 recognizes that changing ISPs yearly may prove to be more costly to the government with the ISPs charging the government for its initial investments in infrastructure requirements. Further, changing ISPs entails interruption of internet access and, thus, any public service dependent on such access could likewise be interrupted;

WHEREAS, in order to save on the costs, the GPPB allows the renewal of ISP provided that the Procuring Entity must first assess the quality of services provided by its current supplier, compare the cost charged and the range of services it offers as against other service providers in the area;

WHEREAS, upon review and evaluation by the NPC Bids and Awards Committee (NPC-BAC), the current service provider continues to display acceptable quality of service and has not committed any violation of the contract as evidenced by the Certificate of Acceptance issued by the end-user herein attached as Annex "A". Further, the Assessment/Cost Benefit Analysis and Market Study prepared by the end-user, herein attached as Annex "B" and "C", showed that it is more advantageous for the NPC to renew its contract with the current provider than engage the service of a new one;

WHEREAS, for efficiency and economy, GPPB Resolution No. 41-2017 further allows the expansion or reduction of the services provided by the existing service provider during contract renewal, subject to the need of the Procuring Entity and the best way by which such need may be addressed and satisfied, subject to existing budgeting, accounting and auditing rules;

Ref No.: 024-2022 *The original of this document (containing only the BAC member's signature) is in digital format*
NPC_BAC_RESO-V1.0, R0.0, 05 May 2021

WHEREAS, the current 70Mbps subscription of the NPC has been overutilized, which has resulted to slow and/or intermittent connection, especially during on-site hybrid online meetings and webinars by many NPC user-employees;

WHEREAS, pursuant to the provisions of GPPB Resolution No. 19-2006, as amended by GPPB Resolution 41-2017, and in order to ensure efficient delivery of public service, the management of NPC saw it fit to renew the contract, with an increase in bandwidth from 70Mbps to 200Mbps, with its current internet service provider, *Converge Information and Communications Technology Solutions, Inc.*, and with the renewed contract commencing from 1 May 2022 until 31 December 2022;

NOW, THEREFORE, for and in consideration of the foregoing, WE, the members of the NPC Bids and Awards Committee (NPC-BAC), hereby RESOLVE, as it is hereby RESOLVED, to recommend the renewal of the contract with *Converge Information and Communications Technology Solutions, Inc.*, as the NPC's internet service provider from 1 May 2022 to 31 December 2022 for **Eight Hundred Eighty-Eight Thousand, Eight Hundred Eighty-Eight 88/100 Pesos (Php 888,888.88)**, subject to the execution of a new contract and compliance to all relevant provisions of R.A. 9184 and its IRR;


RESOLVED this 26 April 2022 via combination of on-site and videoconference meeting.

ATTEST:


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



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


Digitally signed
by Milanes
Rainier Anthony
Mabias
ATTY. RAINIER ANTHONY M. MILANES
Chief, CMD
BAC Member


Digitally signed by
Ivy Grace T. Villasoto
Date: 2022.04.27
10:58:11 +08'00'
ATTY. IVY GRACE T. VILLASOTO
Attorney V, PDD
BAC Vice Chairperson


Digitally signed by Patula
Maria Theresita Elnar
Date: 2022.04.27 10:36:58
+08'00'
ATTY. MARIA THERESITA E. PATULA
Director IV, LEO
BAC Chairperson

Approved:


ATTY. JOHN HENRY D. NAGA
Privacy Commissioner
Head of the Procuring Entity
Date: APR 27 2022

Ref No.: 024-2022

The original of this document (containing only the BAC member's signature) is in digital format
NPC_BAC_RESO-V1.0, R0.0, 05 May 2021



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

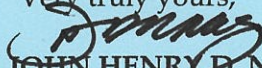
NOTICE OF AWARD

APR 27 2022


PRINCESS JOSEFA N. MARCELO
Authorized Representative
Converge Information and Communications Technology Solutions, Inc.

Dear Ms. Marcelo,

Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 024-2022, series of 2022, the contract for the procurement of an internet service/subscription provider amounting to Eight Hundred Eighty-Eight Thousand, Eight Hundred Eighty-Eight Pesos 88/100 Pesos (Php 888,888.88), VAT inclusive, for a contract period of eight (8) months, is awarded to Converge Information and Communications Technology Solutions, Inc., 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: APR 27 2022

Conforme:


PRINCESS JOSEFA N. MARCELO
Authorized Representative
Converge Information and Communications Technology Solutions, Inc.
Date: APR 29 2022

Ref. No.: 008-2022

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

RENEWAL AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Renewal Agreement ("Agreement") is made and entered into 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, **ATTY. JOHN HENRY D. NAGA** (hereinafter referred to as the "NPC" or the "COMMISSION");

- and -

The **CONVERGE INFORMATION & COMMUNICATIONS TECHNOLOGY SOLUTION, INC.**, a corporation duly organized and existing under and by virtue of Philippine laws, with principal office at [REDACTED], herein represented by its duly authorized and designated representative, **EVANGELINE AQUINO** (hereinafter referred to as the "PROVIDER");

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

WITNESSETH: That -


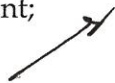
WHEREAS, on 01 February 2021, NPC and the PROVIDER entered into a 11-month contract ("Original Contract") for Dedicated Internet Access (DIA) subscription (the "Existing Services"), which was subsequently renewed/extended until 31 March 2022. A copy of the Original Contract and the Extension Contract are attached and made an integral part of this Agreement as ANNEX "A" and ANNEX "B" respectively;

WHEREAS, the NPC sees the need to renew the subscription of the Existing Services for another year with increase in bandwidth requirement, or from 01 May 2022 until 31 December 2022;

WHEREAS, the end-user has submitted its assessment/Cost-Benefit Analysis (CBA) as approved by the HoPE, favorably recommending the continued subscription for the Existing Services provided by the PROVIDER;

WHEREAS, the Internet Service Provider (ISP)- Main with approved budget of Php 1,000,000.00 is included in the 2022 APP;

WHEREAS, GPPB Resolution Nos. 019-2006, amended by GPPB Resolution No. 41-2017, recognizes that changing telecommunications provider yearly may prove to be more costly to the government;



WHEREAS, for efficiency and economy, during the effectivity of the contract, the GPPB allows for the renewal of telecommunication, whether expansion or reduction of the services, provided that the procuring entity must first assess the quality of services provided by its current supplier, compare the cost charged and the range of services it offers as against other service providers in the area;

WHEREAS, the Privacy Commissioner of the National Privacy Commission approved the NPC - BAC Resolution No. 024-2022, series of 2022 Recommending the award of contract for Internet Service Provider (ISP)- Main to the PROVIDER for a period of 01 May 2022 until 31 December 2022; with total contract amount of EIGHTHUNDRED EIGHTY-EIGHT THOUSAND, EIGHT HUNDRED EIGHTY-EIGHT PESOS AND EIGHTY-EIGHT CENTAVOS ONLY (Php 888,888.88);

NOW THEREFORE, the NPC and the PROVIDER hereby agree as follows:

1. The terms and conditions of the Original Contract 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. Also attached in this Agreement as ANNEX "D" are the Scope of Work Services that indicates the increase in the bandwidth requirements from 70mbps to 200 mbps.
2. This Agreement, which further renews/extends the Original Contract between the PARTIES, shall be for a period 01 May 2022 until 31 December 2022.
3. The NPC hereby covenants to pay the PROVIDER, in consideration of the provision of the Existing Service during the renewal/extension period under this Agreement, the total contract amount of EIGHTHUNDRED EIGHTY-EIGHT THOUSAND, EIGHT HUNDRED EIGHTY-EIGHT PESOS AND EIGHTY-EIGHT CENTAVOS ONLY (Php 888,888.88), Philippine currency, inclusive of value-added tax, as well as such other sum as may become payable under the provisions of the Original Contract, at the time and in the manner prescribed by the Original Contract.

[Signature page follows.]




IN WITNESS WHEREOF, the PARTIES hereto have signed this Agreement this day of _____ at Pasay City.

APR 29 2022

NATIONAL PRIVACY COMMISSION

CONVERGE INFORMATION &
COMMUNICATIONS TECHNOLOGY
SOLUTION, INC.,

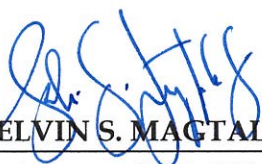
By:


ATTY. JOHN HENRY D. NAGA
Privacy Commissioner

By:



EVANGELINE AQUINO
Unit Head, Public Sector


JENSEN JOY L. BALLICUD
Accountant II


KELVIN S. MAGTALAS

Signature over Printed Name

Signed in the Presence of:


Princess Josefa Maralo

Signature over Printed Name

[Acknowledgment pages follow.]

ACKNOWLEDGMENT

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

NAME	GOV'T ISSUED ID/Date issued/ Expiring Date
ATTY. JOHN HENRY D. NAGA	
EVANGELINE AQUINO	

Known to me to be the same person who executed the foregoing Renewal Agreement and he acknowledged that the same is his true act and voluntary will and deed as well as the true will and deed of the entity he represents. The foregoing instrument consists of ____ (____) pages, including the Acknowledgment pages, and has been signed by the authorized representative of the party on the space above his name and on all pages at the margins, including the witness.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this day of APR 29 2022 at the City of Pasay, Metro Manila, Philippines.

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of 7622

NOTARY PUBLIC

Jose B. Constantino
ATTY. JOSELITO B. CONSTANTINO
NOTARY PUBLIC
Cities of Pasig, San Juan and in the Municipality
of Pateros, Metro Manila
Until December 31, 2022
PTR No. 7870581 / 01-03-2022
IBP No. 171404 01-03-2022 For Year 2022/ RSM
MCLE No. VII-0019927 April 14, 2025
S.C. Roll No. 31102 / 05-04-1981
TIN No. 232-590-923-000
G/F Pasig City Hall Brgy. San Nicolas, Pasig City
Appointment No. 55- (2021- 2022)
CONTACT No. 09273112426 - 09499240131

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Republic of the Philippines
NATIONAL PRIVACY COMMISSION

NOTICE TO PROCEED

Date Issued: APR 29 2022

Ms. EVANGELINE AQUINO
Authorized Representative
Converge Information & Communications
Technology Solution, Inc

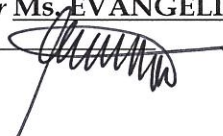
Dear Ms. AQUINO:

Notice is hereby given to EVANGELINE AQUINO for the commencement of the procurement for the **Internet Service Provider (ISP) - MAIN** for the National Privacy Commission at the Philippine International Convention Center (PICC) in accordance with the terms and conditions of the attached Internet Service Provider (ISP) Renewal 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,


ATTY. JOHN HENRY D. NAGA
Head Of the Procuring Entity

I acknowledge receipt of this notice on APR 29 2022
Name of the authorized representative of the Bidder Ms. EVANGELINE AQUINO
Signature of the authorized representative 

Ref No.: ADMIN-22-00616

NPC_FAO_ASD_NTP-V1.0, R0.0, 19 August 2021