



Republic of the Philippines
NATIONAL PRIVACY COMMISSION
BIDS AND AWARDS COMMITTEE

BIDS AND AWARDS COMMITTEE
Resolution No. 062-2023, Series of 2023

RECOMMENDING THE AWARD OF CONTRACT FOR THE PROCUREMENT OF RENEWAL OF PHILIPPINE JURISPRUDENCE ONLINE ACCESS SUBSCRIPTION (APP Item No. 2023-0039)

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, as general counsel of the NPC, the Legal Division (*LD*) is regularly consulted about legal matters and requested to issue legal opinions and contract reviews accordingly. In order to efficiently fulfill these tasks, the LD requires the acquisition of reliable sources such as laws, jurisprudence, and other issuances;

WHEREAS, this procurement has a Certificate of Availability of Funds (*CAF*) and has been confirmed to be existing as APP Item No. 2023-0039 in the NPC CY 2023 APP, with an Approved Budget for Contract (*ABC*) amounting to One Hundred Twenty Thousand Pesos (Php120,000.00);

WHEREAS, Section 50 of the Revised Implementing Rules and Regulations (*RIRR*) of Republic Act No. 9184 recognizes Direct Contracting as a method of procurement when the item is sold by an exclusive dealer or manufacturer which does not have sub-dealers selling at lower prices and for which no suitable substitute can be obtained at more advantageous terms to the government or when the goods are of proprietary nature which can be obtained only from the proprietary store, *i.e.*, when patents, trade secrets, and copyrights prohibit others from manufacturing the same item;

WHEREAS, based on the survey of the industry conducted by the end-user prior to the commencement of the procurement process, it was determined that the CD Technologies Asia, Inc. is the only supplier which can provide the needs of the NPC, as stated in the end-user's Technical Specifications and no other suitable substitute in the market can be obtained at more advantageous terms;

WHEREAS, a Request for Quotation dated 15 August 2023 was sent to CD Technologies Asia, Inc.;

WHEREAS, in response to the said RFQ, CD Technologies Asia, Inc., submitted its responsive quotation on 16 August 2023 with a bid price of One Hundred Thousand Eight Hundred Pesos (Php100,800.00);

WHEREAS, on 24 August 2023, the NPC-BAC proceeded to evaluate the submission by CD Technologies Asia, Inc. and determined that it passed the legal, technical, and financial requirements mandated by R.A. 9184 and its IRR;

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 award of contract for the procurement of Renewal of Philippine Jurisprudence Online Access Subscription to **CD TECHNOLOGIES ASIA, INC.** with Direct Contracting as mode of procurement for having the single calculated and responsive quotation in the total amount of **One Hundred Thousand Eight Hundred Pesos (Php100,800.00)**.

RESOLVED this 24th day of August 2023 via combination of on-site and videoconference meeting.

ATTEST:

On Official Business

ATTY. RASIELE REBEKAH D.L. RELLOSA-SAGUIGUIT

*Chief, Legal Division
End-user/Provisional Member*


MR. ERWIN D. ESPENILLA

*HEA, OPC
BAC Member*



Digitally signed
by Milanes
Rainier Anthony
Milanes

ATTY. RAINIER ANTHONY M. MILANES

*Chief, CMD
BAC Member*



Digitally signed by
Fabricante Marlon
Ruben Natividad

MR. MARLON RUBEN N. FABRICANTE

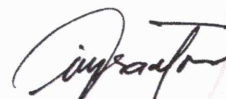
*Chief, ASD
BAC Member*



Digitally signed by
Mendoza Ma
Josefina Eusebio

ATTY. MA. JOSEFINA E. MENDOZA

*Attorney IV, LD
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:



ATTY. JOHN HENRY D. NAGA

*Privacy Commissioner
Head of the Procuring Entity*

Date: ~~SEP 11 2023~~



Republic of the Philippines
NATIONAL PRIVACY COMMISSION
BIDS AND AWARDS COMMITTEE

NOTICE OF AWARD

Date Issued: **SEP 11 2023**

MS. MARY GRACE B. ELUNA

Marketing and Sales Associate

CD Technologies Asia, Inc.

No. 10 San Roque St.,

Brgy. Kapitolyo, Pasig City 1603

Dear **MS. ELUNA**,

Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 062-2023 series of 2023, the contract for **RENEWAL OF PHILIPPINE JURISPRUDENCE ONLINE ACCESS SUBSCRIPTION** amounting to **ONE HUNDRED THOUSAND EIGHT HUNDRED PESOS (Php100,800.00)** VAT inclusive, is awarded to **CD Technologies Asia, 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

SEP 11 2023

jnaga
Digitally signed
by *John Henry D. Naga*
DN: cn=*John Henry D. Naga*

Conforme:

Ms. Mary Grace B. Eluna

Marketing and Sales Associate

CD Technologies Asia, Inc.

Date: SEP 12 2023

Ref No.: BAC-23-00594

The original of this document is in digital format
NPC_BAC_NOA-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

**PURCHASE ORDER
NATIONAL PRIVACY COMMISSION**

Entity Name

Supplier : CD TECHNOLOGIES ASIA, INC.	P.O. No. : 2023- <u>09-0019</u>
Address : No. 10 San Roque St., Kapitolyo Pasig City	Date : SEP 15 2023
TIN :	Mode of Procurement : <u>Direct Contracting</u>

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

Place of Delivery : <u>NPC OFFICE</u>	Delivery Term : User Account credentials shall be delivered within 15 days after receipt of Purchase Order/Notice to Proceed Effectivity Date of the Subscription: 18 December 2023
Date of Delivery : User Account credentials shall be delivered within 15 days after receipt of Purchase Order/Notice to Proceed Effectivity Date of the Subscription: 18 December 2023	Payment Term : <u>LDDAP-ADA</u>

Stock/ Property No.	Unit	Description	Quantity	Unit Cost	Amount
	1	RENEWAL OF PHILIPPINE JURISPRUDENCE ONLINE ACCESS SUBSCRIPTION	Lot	100,800.00	100,800.00

Item	Quantity	Amount per user ID	Total Amount
RENEWAL OF PHILIPPINE JURISPRUDENCE ONLINE ACCESS SUBSCRIPTION	15	6,720.00	100,800.00

1	The Supplier must be able to provide a comprehensive compilation of laws and Philippine Jurisprudence (1901-present)
2	The content shall come from official sources only to ensure its accuracy and reliability
3	It shall be capable of being updated on a regular basis (e.i. monthly, or annually) and/ or whenever necessary
4	It shall have a search and retrieval software that will facilitate easy acces and cross-referencing
5	The product shall be internet-based and can be accessed from any device (e.i laptop, tablet, mobile phone)
6	There should be an after-sales customer support available for products and services issues

Delivery:
 1. User Account credentials shall be delivered within 15 days after receipt of Purchase Order/Notice to Proceed
 2. Effectivity Date of the Subscription: **18 December 2023**
 3. Completion of the delivery is after the actual activation of the subscription.

Payment:
 1. Payment shall be processed upon issuance of Certificate of Acceptance of Output (CAO) by the end-user.
 2. Payment shall be made through send bill arrangement and shall be processed upon receipt of the Statement of Account/Billing statement/Sales Invoice and proof of delivery (e.g. summary of user account credentials) issued by the supplier.

(Total Amount in Words) ONE HUNDRED THOUSAND EIGHT HUNDRED 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 Ms. Joan P. Del Mundo at (02)8234-2228 local 203 or email at asd@privacy.gov.ph for questions/delivery and other concerns.


Conforme:


MS. MARY GRACE B. ELUNA
 Signature over Printed Name of Supplier
20 SEP 2023
 Date

Very truly yours,


ATTY. MANUEL C. SATUITO
 Signature over Printed Name of Authorized Official
 Director IV, FAO + 

Fund Cluster : 01
 Funds Available : ₱100,800.00


JOHANA CARLA T. GOMEZ
as per PISO No. 017 s. 2023
 Signature over Printed Name of Chief Accountant/Head of Accounting Division/Unit

ORS/BURS No. : 02-101-2023-09-00509
 Date of the ORS/BURS: SEPT. 18 2023
 Amount : ₱ 100,800.00