



BIDS AND AWARDS COMMITTEE
Resolution No. 120-2023, Series of 2023

**RECOMMENDING THE AWARD OF CONTRACT TO MICROGENESIS BUSINESS SYSTEMS
AS THE SINGLE CALCULATED AND RESPONSIVE BID FOR THE PROCUREMENT OF
DISTRIBUTED DENIAL OF SERVICE (DDoS) PROTECTION SUBSCRIPTION
(APP ITEM NO. 2024-0006)**

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, and 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 20th of November 2023, a Certification of Availability of funds for the abovementioned 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 (Php2,500,000.00) chargeable against ICT Software Subscription programmed in the NPC Indicative APP FY 2024 with APP Item No. 2024-0006;

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 (RA 9184);

WHEREAS, the Invitation to Bid (ITB) was posted in the PhilGEPS, the NPC Website, 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 RA 9184;

WHEREAS, on 04 December 2023, 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;

WHEREAS, the NPC-BAC set the deadline of submission of eligibility documents on 15 December 2023 at 8:00AM. 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 Business Systems submitted their bid before the deadline;

WHEREAS, on 15 December 2023, 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 RA 9184;

WHEREAS, immediately upon determining compliance with the requirements in the first envelope (Technical Component), 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 was recommended for bid evaluation relative to the procurement of Distributed Denial of Service (DDoS) Protection Subscription with a bid price of Two Million Four Hundred Thousand Pesos (Php2,400,000.00);

WHEREAS, on 18 December 2023, the NPC-BAC conducted the Bid Evaluation for the procurement of DDoS Protection Subscription. The BAC-TWG recommended to declare Microgenesis Business System as the Single Calculated Bid and be endorsed for post evaluation/qualification in accordance with Rule X, Section 34 of the Revised IRR of RA 9184;

WHEREAS, on 18 December 2023, the NPC-BAC adopted the recommendation of the BAC-TWG through BAC Resolution No. 111-2023;

WHEREAS, on 26 December 2023, 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);

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 declare that the bid submitted by Microgenesis Business Systems, amounting to TWO MILLION FOUR HUNDRED THOUSAND PESOS (Php2,400,000.00) be declared as the Single Calculated and Responsive Bid and be recommended 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 26th day of December 2023 via combination of on-site and videoconference meeting.

ATTEST:



Digitally signed by
Plandor Lennard
Apora

MR. LENNARD A. PLANDOR
ITO II, IMISU
End-user/Provisional Member

On Official Business

MR. ERWIN D. ESPENILLA
HEA, OPC
BAC Member



Digitally signed
by Milanés Rainier
Anthony Mabias

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



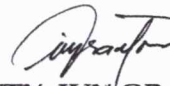
Digitally signed by
Fabricante Marlon
Ruben Natividad

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/End-user

On Official Business

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

Approved:



ATTY. JOHN HENRY D. NAGA

Privacy Commissioner
Head of the Procuring Entity

Date: JAN 02 2024



NOTICE OF AWARD

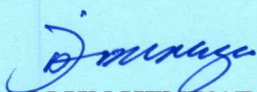
Date Issued: **JAN 02 2024**

MS. CONSTANCIA B. BAUTISTA
Solution Sales Specialist II
MICROGENESIS BUSINESS SYSTEMS
Unit 1202 Paragon Plaza Bldg. 162,
EDSA Corner Reliance St., Mandaluyong City

Dear **Ms. Bautista**,

Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 120-2023 series of 2023, the contract for procurement of **DISTRIBUTED DENIAL OF SERVICE (DDoS) PROTECTION SUBSCRIPTION** amounting to **TWO MILLION FOUR HUNDRED PESOS (PhP2,400,000.00)** VAT inclusive, is awarded to **MICROGENESIS BUSINESS SYSTEM** consistent with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.

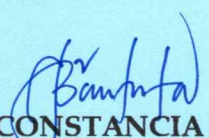
Very truly yours,


ATTY. JOHN HENRY D. NAGA
Privacy Commissioner
Head of the Procuring Entity

JAN 02 2024

Digitally signed
by Petrus Maria
Theresa Ebar




Conforme:


MS. CONSTANCIA B. BAUTISTA
Solution Sales Specialist II
MICROGENESIS BUSINESS SYSTEMS

Date: **JAN 08 2024**

PURCHASE ORDER NATIONAL PRIVACY COMMISSION

Entity Name

Supplier : MICROGENESIS SOFTWARE, INC. DOING BUSINESS UNDER THE NAME AND STYLE OF MICROGENESIS BUSINESS SYSTEMS Address : Unit 1202 Paragon Plaza, 162 Edsa Cor. Reliance St., Mandaluyong City, Metro Manila TIN : _____	P.O. No. : 2024- <u>01-0001</u> Date : <u>19 JAN 2024</u> Mode of Procurement : <u>Public Bidding</u>						
Gentlemen: Please furnish this Office the following articles subject to the terms and conditions contained herein:							
Place of Delivery : <u>NPC OFFICE</u> Date of Delivery : Full delivery shall be completed on or before 31 March 2024	Delivery Term : Full delivery shall be completed on or before 31 March 2024 Payment Term : <u>LDDAP-ADA</u>						
Stock/ Property No.	Unit	Description	Quantity	Unit Cost	Amount		
	Lot	DISTRIBUTED DENIAL OF SERVICE (DDOS) PROTECTION SUBSCRIPTION Specifications:	1	2,400,000.00	2,400,000.00		
		ITEM	QTY.	TOTAL PRICE			
		Distributed Denial of Service (DDOS) Protection Subscription	1	2,400,000.00			
<ul style="list-style-type: none"> One (1)-year subscription. At least 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 at least a minimum of 20 to 1,000 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. 							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> Delivery: Full delivery shall be completed on or before 31 March 2024 One (1) Year Subscription Place of Delivery: NPC 5th Floor, Delegation Building, PICC, Pasay City </td> <td style="width: 50%; vertical-align: top;"> Payment: 1. Payment shall be processed upon issuance of Order fulfillment and Certificate of Acceptance signed by the Inspection and Acceptance Committee and end-user. 2. Payment shall be made upon receipt of the Statement of Account/Billing statement/invoice/delivery receipt issued by the supplier and other documents provided by the end-user/IMISU </td> </tr> </table>						Delivery: Full delivery shall be completed on or before 31 March 2024 One (1) Year Subscription Place of Delivery: NPC 5th Floor, Delegation Building, PICC, Pasay City	Payment: 1. Payment shall be processed upon issuance of Order fulfillment and Certificate of Acceptance signed by the Inspection and Acceptance Committee and end-user. 2. Payment shall be made upon receipt of the Statement of Account/Billing statement/invoice/delivery receipt issued by the supplier and other documents provided by the end-user/IMISU
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(Total Amount in Words) TWO MILLION FOUR HUNDRED 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 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. CONSTANCIA B. BAUTISTA Signature over Printed Name of Supplier <u>January 30, 2024</u> Date			Very truly yours,  ATTY. JOHN HENRY D. NAGA Signature over Printed Name of Authorized Official Privacy Commissioner				
Fund Cluster : <u>01</u> Funds Available : <u>Php 2,400,000.00</u>  JOHANA CARLA T. GOMEZ <small>as per PCSO No. 017 s. 2023</small> Signature over Printed Name of Chief Accountant/Head of Accounting Division/Unit			ORS/BURS No. : <u>02-101-2024-01-00034</u> Date of the ORS/BURS: <u>January 24, 2024</u> Amount : <u>Php 2,400,000.00</u>				