

**AGREEMENT FOR THE PROCUREMENT OF NETWORK INTRUSION PREVENTION,
NETWORK VISIBILITY AND SERVER SECURITY SOLUTIONS CY 2022**

IN ALL MEN BY THESE PRESENTS:

This Agreement for the Network Intrusion Prevention, Network Visibility, and Server Security Solutions for CY 2022 (hereinafter, the AGREEMENT), entered into in _____, Philippines, on 25 NOV 2022, between the:

DEPARTMENT OF FOREIGN AFFAIRS, (hereafter, the PROCURING ENTITY), with principal office address at 2330 Roxas Blvd., Pasay City, 1300 Metro Manila, represented by its Undersecretary and Head of the Procuring Entity (HOPE) **HONORABLE ANTONIO A. MORALES**,

and

GOCOM SYSTEMS SOLUTIONS CORPORATION, (hereinafter, the CONTRACTOR), a company duly organized and existing under and by virtue of the laws of the Philippines, as evidenced by the submitted SEC Certificate dated 09 August 2012 (ANNEX "A"), with principal address at Unit 218 Cityland Pioneer, Pioneer St. Highway Hills Mandaluyong, City, represented by its duly authorized and designated representative, **GLENN PAUL P. CACANINDIN**, who is duly authorized to enter into this Agreement, pursuant to the Secretary's Certificate and Omnibus Sworn Statement dated 19 October 2022, copies which are attached as Annex "B" and made an integral part of this AGREEMENT.

WITNESSETH:

WHEREAS, the PROCURING ENTITY invited bids for the Procurement of Network Intrusion Prevention, Network Visibility and Server Security Solutions in the sum of **Five Million Twenty-Six Thousand Four Hundred and Forty-Eight Pesos (PhP5,026,448.00)** only, (hereinafter, the Contract Price), inclusive of all applicable taxes and other lawful charges.

WHEREAS, the parties complied with the relevant requirements of Republic Act 9184 otherwise known as the "Government Procurement Reform Act" and Government Procurement Policy Board (GPPB) Rules and Regulations, and entered into this AGREEMENT, pursuant to **BAC Resolution No. CPM-PB-25-22 dated 02 November 2022**.

NOW, THEREFORE, for and in consideration of the foregoing premises, the PARTIES agree as follows:

1. The relevant definitions and general provisions in the General Conditions of Contract (GCC) of the Philippine Bidding Documents which are not otherwise provided for herein or in any annexes to this Agreement shall apply suppletory.
2. The following documents are deemed to form, be read and construed integral parts of this AGREEMENT:

- ANNEX A - SEC Certificate
- ANNEX B - Secretary's Certificate & Omnibus Sworn Statement dated 19 Oct 2022
- ANNEX C - Notice of Award dated 02 November 2022
- ANNEX D - Bid Form
- ANNEX E - Certificate of Availability of Funds FY 2022
- ANNEX F - Technical Specifications
- ANNEX G - General Conditions of Contract
- ANNEX H - Special Conditions of Contract

3. The CONTRACTOR shall deliver the goods to the PROCURING ENTITY within the period prescribed in the Terms of Reference/ Technical Specifications (Annex "F").
4. For and in consideration of the performance of services and delivery of goods, the PROCURING ENTITY shall pay the CONTRACTOR the Contract Price within thirty (30) working days upon delivery of goods and submission of all pertinent documents to the payment process of the project. The terms of payment shall be made in accordance with the Terms of Reference/ Technical Specifications (Annex "F").
5. The Commencement of the agreement is upon delivery of the licenses and the End term is 1 year after the commencement of this agreement.

IN WITNESS WHEREOF, the Parties through their authorized representatives hereto have signed this **AGREEMENT** on 25 NOV 2022, in _____, Metro Manila.

For the Procuring Entity:
DEPARTMENT OF FOREIGN AFFAIRS



By: **ANTONIO A. MORALES**
 Undersecretary and
 Head of the Procuring Entity

For the Contractor:
GOCOM SYSTEMS SOLUTIONS CORPORATION



By: **GLENN PAUL P. CACANINDIN**
 Representative

WITNESSES



By: **LYNE F. PULGENCIO**
 Acting Chief Accountant



By: **GEORGE ORINICE**

ACKNOWLEDGEMENT

Republic of the Philippines)
PASAY CITY) s.s.

06 JAN 2023

BEFORE ME, a NOTARY PUBLIC for and in the City of **PASAY CITY**, Philippines, on _____, personally appeared Honorable **ANTONIO A. MORALES**, Undersecretary of the Department of Foreign Affairs and **GLENN PAUL P. CACANINDIN** duly authorized and designated representative of _____, known to me to be the same persons who executed the foregoing **Agreement for the Procurement of Network Intrusion, Network Visibility and Server Security Solutions** which instrument consists of _____ pages including the page on which this acknowledgment is written and the Annexes attached thereto, all pages of which have been signed by said PARTIES and their witnesses, and who acknowledged to me that the same is their free and voluntary act and deed and of the entities they represent.

The Philippine Government-Issued ID of the Parties were exhibited to me, the same bearing:

NAME	ID No.	PLACE OF ISSUE	DATE OF ISSUE
ANTONIO A. MORALES			
GLENN PAUL P. CACANINDIN	P8790759A	DFA NCR EAST	18 SEPT. 2018

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day, year and in the place above written.

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Book No. 1
Series of 2022

M. Cleopie L. Jaime
MA. CLEOPIE L. JAIME
 NOTARY PUBLIC
 UNTIL DECEMBER 31, 2023
 COMMISSION NO. 20-04
 ROLL NO. 27802
 PTR NO. 8064931 PASAY CITY 1-3-2023
 IBP OR NO. 178431 ISSUED BY IBP
 NAT'L OFFICE - 2 - 16 - 22
 MCLE COMPL. VII-0018402
 ISSUED ON - MAY 20, 2022 VALID UNTIL
 APRIL 14, 2025

[Handwritten Signature]



DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS

BIDS AND AWARDS COMMITTEE

BAC Resolution No. CPM-PB-25-22

**RESOLUTION RECOMMENDING, BY REFERENDUM, THE AWARD OF
CONTRACT OF PROCUREMENT OF NETWORK INTRUSION PREVENTION,
NETWORK VISIBILITY AND SERVER SECURITY SOLUTIONS**

WHEREAS, the Department of Foreign Affairs (DFA), through the authorized appropriations under the **FY 2021 General Appropriations Act, Continuing Appropriations**, intends to apply the sum of **Six Million Six Hundred Thousand Pesos (PhP 6,600,000.00)** only - the Approved Budget for the Contract (ABC) for the **Procurement of Network Intrusion Prevention, Network Visibility and Server Security Solutions** (“Procurement”);

WHEREAS, the Approved Budget for the Contract (ABC) is chargeable against **OAMSS’ FY 2021 Continuing Appropriations for ICT Software Subscription**;

WHEREAS, on **22 September 2022**, the Bids and Awards Committee (BAC) conducted a Pre-Procurement Conference to discuss the various aspects of the Procurement, as provided under Section 20.1 of Republic Act 9184’s Implementing Rules and Regulations (IRR);

WHEREAS, starting on **30 September 2022**, the Bids and Awards Committee (BAC) Secretariat posted for seven (7) consecutive calendar days the **Invitation to Bid** for the Procurement on the DFA website, PhilGEPS website, and conspicuous places within the premises of the DFA, in accordance with Section 21.2 of IRR;

WHEREAS, on 07 October 2022, the BAC held a **Pre-Bid Conference** to discuss the eligibility requirements, and the technical and financial components of the Procurement, which was attended by **Universal Access and Systems Solutions Philippines Inc.**, and **GOCOM Systems Solutions Corporation**;

WHEREAS, on 21 October 2022, the deadline for the submission and receipt of bids as well as the date of opening thereof, **GOCOM Systems Solutions Corporation** and **Universal Access and Systems Solutions Philippines Inc.** submitted their bids for the said procurement activity, the details of which are as follows:

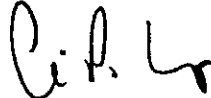
Bidders	Eligibility and Technical Component	Financial Component
GOCOM Systems Solutions Corporation	Compliant	Five Million Twenty-Six Thousand Four Hundred Forty-Eight Pesos (PhP 5,026,448.00)
Universal Access and Systems Solutions Philippines Inc.	Compliant	Five Million Six Hundred Ten Thousand Forty-Eight and 78/100 Pesos (Php 5,610,048.78)

WHEREAS, the BAC declared **GOCOM Systems Solutions Corporation** as having the Lowest Calculated Bid, and subjected it to Post-Qualification on **25 October 2022**, pursuant to Section 34.2 of the IRR of RA 9184;

WHEREAS, during the post-qualification of bids and after careful evaluation, the BAC and Technical Working Group determined that the bid of **GOCOM Systems Solutions Corporation** was compliant with and responsive to all the requirements and conditions specified in the Bidding Documents;

NOW, THEREFORE, we, the members of the Bids and Awards Committee, unanimously RESOLVE to RECOMMEND the award of the contract for the **Procurement of Network Intrusion Prevention, Network Visibility and Server Security Solutions** to **GOCOM Systems Solutions Corporation** for having submitted the Lowest Calculated and Responsive Bid in the amount of **Five Million Twenty-Six Thousand Four Hundred Forty-Eight Pesos (PhP 5,026,448.00)** only, pursuant to Section 37 of the revised IRR of RA 9184.

ADOPTED, this 2nd day of November 2022, Pasay City.



CHARLIE P. MANANGAN
BAC Chairperson



PAUL VINCENT L. UY
BAC Vice-Chairperson



JED ELROY E. RENDOR
BAC Member

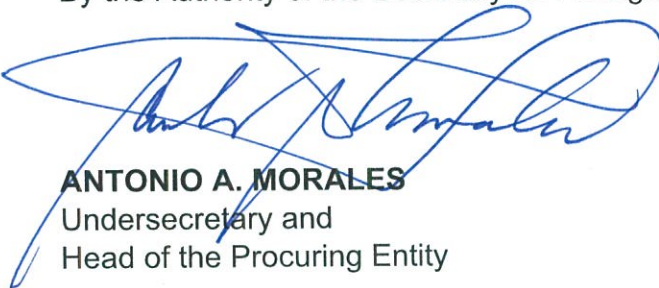


KERWIN ORVILLE C. TATE
BAC Alternate Member



MEDARDO G. MACARAIG
End-User Representative

Approved:
By the Authority of the Secretary for Foreign Affairs:



ANTONIO A. MORALES
Undersecretary and
Head of the Procuring Entity



DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS

NOTICE OF AWARD

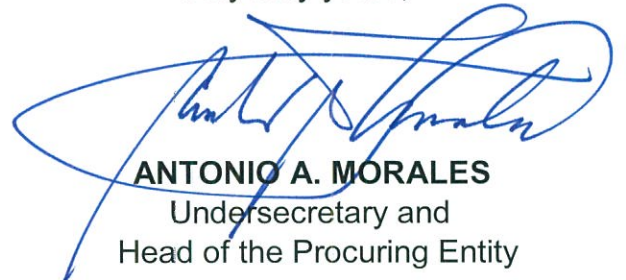
2 November 2022

Sir:

Please be informed that, upon the recommendation of the Bids and Awards Committee (BAC) of the DFA as contained in its Resolution No. **CPM-PB-25-22** dated 26 October 2022, the Department is awarding the **Contract on Network Intrusion Prevention, Network Visibility and Server Security Solutions** to **GOCOM Systems Solutions Corporation** in the total amount of **Five Million Twenty-Six Thousand Four Hundred Forty-Eight Pesos (PhP 5,026,448.00)** only, including taxes and other lawful charges.

You are hereby required to provide, within ten (10) calendar days from receipt of this Notice of Award, a **Performance Security** in the acceptable form and amount stated in the Bidding Documents of said procurement, as well as sign the Contract within the same period, pursuant to Section 37.2 of the revised IRR of RA 9184. Failure to provide the Performance Security or to sign a contract within the prescribed period shall constitute sufficient grounds for the cancellation of the award and forfeiture of the bid security, or bid securing declaration, as the case may be.

Very truly yours,



ANTONIO A. MORALES
Undersecretary and
Head of the Procuring Entity

Conformé:

Mr. GLENN PAUL P. CACANINDIN

Representative

GOCOM Systems and Solutions Corporation

Unit 218 Cityland Pioneer, Pioneer St., Buayang Bato

Mandaluyong City 1500



DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS

NOTICE TO PROCEED

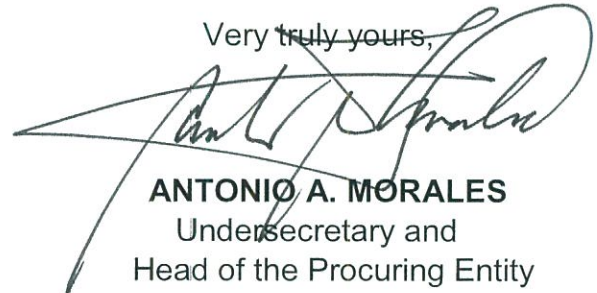
25 NOV 2022

Sir:

Please be informed that, pursuant to the Notice of Award dated **2 November 2022**, signed by the Head of the Procuring Entity, **GOCOM Systems Solutions Corporation** is hereby given this Notice to Proceed with the implementation of the **Contract on Network Intrusion Prevention, Network Visibility and Server Security Solutions**, with a total contract price of **Five Million Twenty-Six Thousand Four Hundred Forty-Eight Pesos (PhP 5,026,448.00) only**, inclusive of all taxes and other lawful charges.

This Notice is being issued in accordance with the requirements of Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act of 2003" and shall take effect upon receipt hereof.


Very truly yours,



ANTONIO A. MORALES
Undersecretary and
Head of the Procuring Entity

Conforme:
GOCOM Systems Solutions Corporation

Ms. GLENN PAUL P. CACANINDIN
Representative
GOCOM Systems and Solutions Corporation
Unit 218 Cityland Pioneer, Pioneer St., Buayang Bato
Mandaluyong City 1500

RECEIVED BY:

RUEL PENAFIORIDA
9/01/23