

**AGREEMENT FOR THE PROCUREMENT OF RENEWAL OF CYBERSECURITY
LICENSES AND WARRANTY CY 2022**

KNOW ALL MEN BY THESE PRESENTS:

This Agreement for the Procurement of Renewal of Warranty for Cybersecurity CY 2022 (hereinafter, the AGREEMENT), entered into in _____, Philippines, on 05 DEC 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

MICRODATA SYSTEMS AND MANAGEMENT INC., (hereinafter, the CONTRACTOR), a company duly organized and existing under and by virtue of the laws of the Philippines, as evidenced by the submitted Securities and Exchange Commission (SEC) Certificate of Registration dated 31 March 1987 (ANNEX "A"), with principal address at 199 Crystal Building CM Recto St., Barangay Addition Hills, San Juan City, represented by, **JOANA A. MAXIMO**, who is duly authorized to enter into this Agreement pursuant to the Secretary's Certificate dated 10 November 2022 and Board Resolution No. 11032022, copies of which are attached as Annex "B" and made an integral part of this AGREEMENT.

WITNESSETH:

WHEREAS, the PROCURING ENTITY invited bids for the Renewal of Cybersecurity Licenses and Warranty CY 2022 and has accepted a bid by the **CONTRACTOR** in the amount of **Eighteen Million Six Hundred Thirty-Nine Thousand Five Hundred Ninety-One and 06/100 (PhP18,639,591.06)** 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 No. 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-29-2022 dated 18 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 and Special Conditions of the Contract (GCC) of the Philippine Bidding Documents which are not otherwise provided for herein or in any of the 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 and Board Resolution No. 11032022

ANNEX C – BAC Resolution



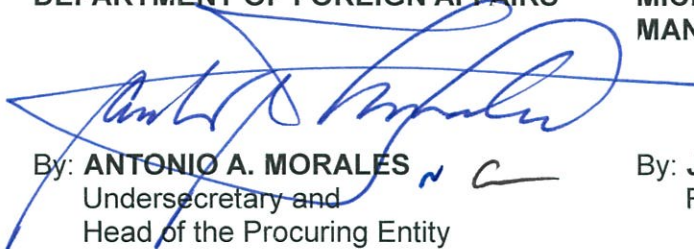
- ANNEX D – Notice of Award dated 18 November 2022
- ANNEX E – Bid Form
- ANNEX F – Certificate of Availability of Funds
- ANNEX G – Technical Specifications
- ANNEX H – General Conditions of the Contract
- ANNEX I – Special Conditions of the Contract

3. The CONTRACTOR shall deliver the goods to the PROCURING ENTITY within the period prescribed in the Terms of Reference/ Technical Specifications (Annex “G”).
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 Forty-Five (45) 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 30 days upon receipt of Notice to proceed 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 05 DEC 2022, in _____, Metro Manila.

For the Procuring Entity:
DEPARTMENT OF FOREIGN AFFAIRS


For the Contractor:
**MICRODATA SYSTEMS AND
 MANAGEMENT INC.**


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


 By: **JOANA A. MAXIMO**
 Representative

WITNESSES


 By: **LYRIEFF FULGENCIO**
 Acting Chief Accountant


 By: **Celeste A. Sia**
 VP Operations



ACKNOWLEDGEMENT

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

06 JAN 2023

PASAY CITY
BEFORE ME, a NOTARY PUBLIC for and in the City of _____, Philippines, on _____, personally appeared Honorable **ANTONIO A. MORALES**, Undersecretary of the Department of Foreign Affairs and **JOANA A. MAXIMO**, duly authorized and designated representative of **MICRODATA SYSTEMS AND MANAGEMENT INC.**, known to me to be the same persons who executed the foregoing **Agreement for the Procurement of Renewal of Cybersecurity Licenses and Warranty CY 2022** 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			
JOANA A. MAXIMO	<i>N01-08-003612</i>	<i>SAN JUAN CITY</i>	<i>5/16/2022</i>

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

Doc. No. 32
Page No. 8
Book No. 1
Series of 2022

M. Cleofel L. Jaime
MA. CLEOFEL 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

R



DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS

BIDS AND AWARDS COMMITTEE

BAC Resolution No. CPM-PB-29-2022

RESOLUTION RECOMMENDING, BY REFERENDUM, THE AWARD OF CONTRACT OF THE RENEWAL OF CYBERSECURITY LICENSES AND WARRANTY

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 Twenty-Six Million Pesos (Php 26,000,000.00) only- the Approved Budget for the Contract (ABC) for the *Renewal of Cybersecurity Licenses and Warranty*;

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

WHEREAS, on 12 October 2022, the Bids and Awards Committee (BAC) conducted a Pre-Procurement Conference to discuss the Technical Specifications/Terms of Reference of the Renewal of Cybersecurity Licenses and Warranty;

WHEREAS, on 20 October 2022, the Bids and Awards Committee (BAC) Secretariat posted for seven (7) consecutive calendar days the *Invitation to Bid* for the Procurement of Renewal of Cybersecurity Licenses And Warranty on the DFA and PhilGEPS websites, and conspicuous places within the premises of the DFA, in accordance with Section 21.2 of the Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184;

WHEREAS, on 27 October 2022, the BAC held a *Pre-Bid Conference*, to discuss the eligibility requirements and the technical and financial components of the contract to be bid, which was attended by Microdata Systems and Management, Inc. and Pronet Systems Integrated Network Solution, Inc.;

WHEREAS, on 11 November 2022, the deadline for the submission and receipt of bids as well as the date of opening thereof, Microdata Systems and Management, Inc. and Pronet Systems Integrated Network Solution, Inc. submitted their bids for the said procurement activity, the details of which are as follows:

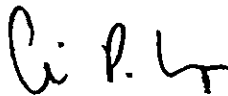
BIDDERS	Eligibility and Technical Component	Financial Component
Microdata Systems and Management, Inc	Compliant	PhP 18,639,591.06
Pronet Systems Integrated Network Solution, Inc.	Compliant	PhP 18,891,198.00

WHEREAS, after bid evaluation, the BAC declared *Microdata Systems and Management, Inc.* as having the Lowest Calculated Bid, and subjected it to Post-Qualification on 17 November 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 *Microdata Systems and Management, Inc.* 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 Renewal of Cybersecurity Licenses and Warranty to *Microdata Systems and Management, Inc.* for having submitted the Lowest Calculated and Responsive Bid in the amount of *Eighteen Million Six Hundred Thirty-Nine Thousand Five Hundred Ninety-One Pesos and Six Centavos Only (PhP 18,639,591.06)*, pursuant to Section 37 of the revised IRR of RA 9184.

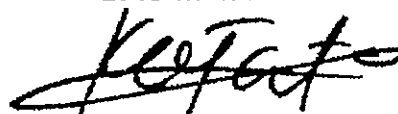
ADOPTED, this 18th November 2022, Pasay City.



CHARLIE P. MANANGAN
BAC Chairperson



JED ELROY E. RENDOR
BAC Member

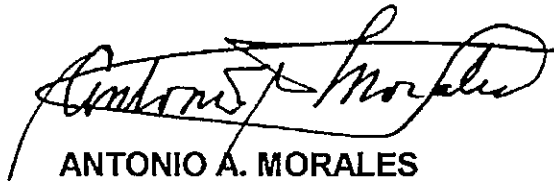


KERWIN ORVILLE C. TATE
BAC Alternate Member


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

18 November 2022

NOTICE OF AWARD

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-29-2022 dated 18 November 2022, the Department is awarding the Contract on Renewal of Cybersecurity Licenses and Warranty to *Microdata Systems and Management, Inc.* in the total amount of *Eighteen Million Six Hundred Thirty-Nine Thousand Five Hundred Ninety-One Pesos and Six Centavos Only (PhP 18,639,591.06)* 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 of the revised IRR of RA 9184. Failure to provide the Performance Security or to sign the 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,

A handwritten signature in black ink, appearing to read 'Antonio A. Morales'.

ANTONIO A. MORALES
Acting Undersecretary and
Head of Procuring Entity

Ms. JOANA A. MAXIMO

Authorized Representative

Microdata Systems and Management, Inc.

199 CM Recto St. Cor. A. Mabini St.,

San Juan City



DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS

NOTICE TO PROCEED

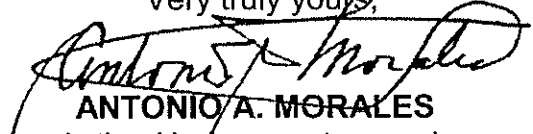
05 DEC 2022

Sir:

Please be informed that, pursuant to the Notice of Award dated 18 November 2022 signed by the Undersecretary and Head of the Procuring Entity, **Microdata Systems and Management, Inc.** is hereby given Notice to Proceed with the implementation of the contract for the Renewal of Cybersecurity Licenses and Warranty in the total amount of *Eighteen Million Six Hundred Thirty-Nine Thousand Five Hundred Ninety-One Pesos and Six Centavos Only (PhP 18,639,591.06)* only inclusive of all taxes and other lawful charges.

This Notice is 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
Acting Undersecretary and
Head of Procuring Entity

Ms. JOANA A. MAXIMO
Authorized Representative
Microdata Systems and Management, Inc.
199 CM Recto St. Cor. A. Mabini St.,
San Juan City

2330 Roxas Blvd., Pasay City, 1300 Philippines
Tel. No. 834 - 4000
www.dfa.gov.ph