

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

The **DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT**, a government agency with principal office address at IBP Road, Constitution Hills, Quezon City, Metro Manila, represented by its Undersecretary for Social Welfare and Development, **DANILO G. PAMONAG**, (hereinafter called the “**PROCURING ENTITY**”);

-and-

AG DATACOM PHILS., INC., a corporation organized and existing under Philippine law, with principal business address at Suite 1705, 17th Floor Atlanta Centre, #31 Annapolis Street, Greenhills, San Juan City, Metro Manila, Philippines, represented herein by its authorized representative, **REINA ROXANNE C. MAMMIE** (hereinafter called the “**SUPPLIER**”);

WHEREAS, the Procuring Entity through Competitive Bidding invited Bids for certain goods and ancillary services, specifically for the **Subscription to a Database Management and Cluster Management Service under ITB No. GOP/20-DSWD-062** where one (1) prospective bidder submitted its bid proposal, and after deliberation of the Bids and Awards Committee (BAC), has accepted the Bid of the Supplier being the Single Calculated and Responsive Bidder (SCRB), with the total contract price of **One Million Nine Hundred Forty-Eight Thousand Pesos (PhP1,948,000.00)** (hereinafter called “the Contract Price”).

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

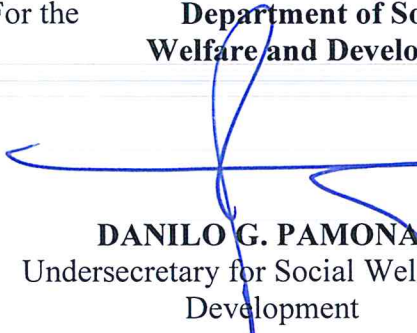
1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement, namely:
 - (a) the Bid Form and the Price Proposal Form/Schedule submitted by the Bidder;
 - (b) the Schedule of Requirements;
 - (c) the Technical Specifications;
 - (d) the General Conditions of Contract;
 - (e) the Special Conditions of Contract;
 - (f) the Supplemental/Bid Bulletin;
 - (g) the Procuring Entity’s Notification of Award; and
 - (h) the Performance Security
3. In consideration of the payments to be made by the Procuring Entity to the Supplier as hereinafter mentioned, the Supplier hereby covenants with the Procuring Entity to

provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract.

- The Procuring Entity hereby covenants to pay the Supplier in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract.

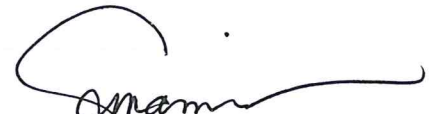
IN WITNESS whereof the parties signed this Contract in Quezon City, Philippines on the 29 day of April 2021.

For the **Department of Social Welfare and Development**


DANILO G. PAMONAG
Undersecretary for Social Welfare and Development


For the **AG Datacom Phils., Inc.**

By:


REINA ROXANNE C. MAMMIE
Authorized Representative

-Witnesses-


ANDREW J. AMBUBUYOG
Director IV
Information and Communications
Technology and Management Service


MARIEL JAN G. ARDON
SALES ACCOUNT EXECUTIVE

Certified funds available:


JUBIE LEAH MAE S. COLES

Division Chief, Accounting Division – Regular Programs
Financial Management Service

FC01-01101101 200000-1-1

01-20001-031-2021-04-00163

4/8/2021

₱ 1,948,000

ACKNOWLEDGMENT

Republic of the Philippines)
QUEZON CITY) S.S.

BEFORE ME, a Notary Public for and in Quezon City, on this APR 29 2021 day of _____ 2021 personally appeared the following with their respective proof of identification;

DANILO G. PAMONAG ID Type/No. : Passport - 50015732A
Place Issued : DFA MANILA
Date Issued : JUNE 24, 2019

REINA ROXANNE C. MAMMIE ID Type/No. : PASSPORT - P7308927A
Place Issued : MANILA
Date Issued : MAY 25, 2019

Both known to me to be the same people who executed the foregoing instrument and who acknowledge to me that the same is their own free will and voluntary act and deed.

This agreement consisting of three (3) pages signed by the parties and their instrumental witnesses in all pages refer to an AGREEMENT for the "Subscription to a Database Management and Cluster Management Service" under ITB No. GOP/20-DSWD-062.

WITNESS MY HAND AND NOTARIAL SEAL on the date and place first above written.

[Signature]
ATTY. PORTIA D. FLORES DIESTA
Notary Public
NOTARY PUBLIC
Until December 31, 2021
Attorney's Roll No. 41114
Notarial Commission No. 143 (2020-2021)
PTR No. 9840412 1/4/2021, Quezon City
IBP LRN No. 039543-Q.C. Chapter
MCLE Cert. No. VI-0029931 01/08/2020, Pasig City

Doc. No. 396
Page No. 81
Book No. W79V
Series of 2021

NOTICE TO PROCEED**REINA ROXANNE C. MAMMIE**

Authorized Representative

AG DATACOM PHILS., INC.1705, 17th Floor Atlanta Center,

#31 Annapolis Street, Greenhills,

San Juan City, Metro Manila, Philippines

Telephone Nos. (02) 8584 0988 Ext. 402

Email Address: mariel.abdon@agdatacom.comRoxanne.mammie@agdatacom.com

Dear Ms. Austria:


Please be informed that you may now proceed as the Service Provider for the contract entitled "**Subscription to a Database Management and Cluster Management Service**" with ITB No. **GOP/20-DSWD-062** and Contract No. **21-03-0014** amounting to **One Million Nine Hundred Forty-Eight Thousand Pesos (PhP 1,948,000.00)**, inclusive of all applicable taxes.

This Notice binds you to your bid price proposal, schedule of requirements, technical specifications, and other terms and conditions stipulated in the Contract. Please note that completion of Project Implementation and Service Subscription and Support Coverage are stipulated in the Schedule of Requirements of the contract. Further, we acknowledge receipt of your Performance Security in a form of:

(Please check type of Security)	Form of Performance Security	Amount of Performance Security/ Remarks
	Cash or cashier's / manager's check	
	Bank draft/guarantee or irrevocable letter of credit	
✓	Surety bond	PhP584,400.00

Kindly affix your signature and the corresponding date in the space provided below:

Very truly yours,



DANILO G. PAMONAG
Undersecretary
Social Welfare and Development

CONFORME:

REINA ROXANNE C. MAMMIE
Authorized Representative

Date: April 30, 2021

BIDS AND AWARDS COMMITTEE (BAC)
Resolution No. 21-01-011

**RECOMMENDING AWARD OF CONTRACT FOR THE SUBSCRIPTION TO A
DATABASE MANAGEMENT AND CLUSTER MANAGEMENT SERVICE**

(ITB NO. GOP/20-DSWD-062)
(PR NO. 2020090141)

WHEREAS, the Department of Social Welfare and Development (DSWD), through the Information and Communications Technology Management Service (ICTMS), aims to ensure database clustering and data enterprise backup with high level of security for ²more efficient and effective data management to support all DSWD enterprise needs. Under the Service, the Data Management Division (DMD) leads and supports enterprise integration (i.e. data, system, and process) in coordination with the concerned OBSUs; Manages the Data Warehouse by integrating operational data of the different programs and services of the Department; and presents information coming from the Data Warehouse using Business Intelligence, Geographic Information System (GIS) and other technologies for analysis, planning, and monitoring. In order to perform these, they manage the databases related to the programs and projects of the Department in a secure and efficient manner. Thus, there is a need to use database clustering and backup with a high level of security to ensure that these databases are accessed and managed by the Department's users effectively. This project, through subscription services, shall ensure that they have a database management and cluster management service for the year 2021 to support these needs. Copies of the Purchase Request (PR), Project Proposal and Technical Assistance Report are hereto attached, marked as **Annexes "A-1"**, **"A-2"** and **"A-3"**, respectively, and are made integral parts hereof;

WHEREAS, the DSWD, through the Bids and Awards Committee (BAC), posted an Invitation to Bid (ITB) for the Subscription to a Database Management and Cluster Management Service under ITB No. GOP/20-DSWD-062 at the Philippine Government Electronic Procurement System (PhilGEPS) and DSWD websites, and at conspicuous places within the Department premises starting 25 November 2020. The Approved Budget for the Contract (ABC) is One Million Nine Hundred Fifty Thousand Pesos (PHP1,950,000.00). Copies of the said ITB and proof of postings are hereto attached, marked as **Annexes "B-1"**, **"B-2"**, **"B-3"** and **"B-4"**, respectively, and are made integral parts hereof;

WHEREAS, the Competitive Bidding Procedure for Goods and Services was adopted in this undertaking pursuant to Republic Act No. 9184 (RA 9184) otherwise known as the Government Procurement Reform Act (GPRA) and its 2016 Revised Implementing Rules and Regulations (IRR);

WHEREAS, a Pre-Bid Conference was conducted on 07 December 2020 at 01:30 PM and was attended via video conference by a prospective bidder, A.G. Datacom Philippines Inc.. A copy of the Minutes of the Pre-Bid Conference is hereto attached, marked as **Annex "C"**, and made an integral part hereof;



WHEREAS, the BAC issued two (2) Supplemental/ Bid Bulletins which formed part of the Bidding Documents and were posted at the PhilGEPS and DSWD websites, and at conspicuous places within the DSWD premises, to wit:

Reference No.	Date	Announcement
Supplemental/ Bid Bulletin No. 1	03 December 2020	<ul style="list-style-type: none"> • Changes in the procurement schedule <ul style="list-style-type: none"> - The schedule for the Pre-Bid Conference is moved from 04 December to 07 December 2020
Supplemental/ Bid Bulletin No. 2	18 December 2020	<ul style="list-style-type: none"> • Changes in the Bidding Documents <ul style="list-style-type: none"> - Section VII. Technical Specifications • Deadline for the submission and receipt of bids <ul style="list-style-type: none"> - 28 December 2020

Copies of Supplemental/ Bid Bulletin and proof of postings are hereto attached, marked as **Annexes "D-1"** and **"D-2"**, respectively, and are made integral parts hereof;

WHEREAS, in response to the ITB, only one (1) prospective bidder, A.G. Datacom Philippines Inc., secured a complete set of Bidding Documents upon payment of an applicable fee in the amount of Two Thousand Five Hundred Pesos (Php2,500.00). Copy of Official Receipt as proof of payment is hereto attached, marked as **Annex "E"**, and made an integral part hereof;

WHEREAS, during the deadline for the submission and receipt of bids on 28 December 2020 at 09:00 AM, one (1) bidder, A.G. Datacom Philippines Inc., came to submit its bid proposal. The receiving copy of the bid is hereto attached, marked as **Annex "F"**, and made an integral part hereof;

WHEREAS, on 28 December 2020 at 11:30 AM, during the opening of bids and preliminary examination of the documents submitted by the lone bidder, the BAC had the following findings:

Name of Bidder	Technical Component	Financial Component
A.G. Datacom Philippines Inc.	"Passed"	"Passed"

Copies of the Minutes of Bid Opening and Abstract of Bids "As Read" are hereto attached, marked as **Annexes "G-1"** and **"G-2"** respectively, and are made integral parts hereof;

WHEREAS, the BAC, with the assistance of its Secretariat, conducted the Bid Evaluation to determine the Single Calculated Bid (SCB) and if there are computational errors in the bid prices submitted by the bidder, A.G. Datacom Philippines Inc. to wit:

PARTICULARS	QUANTITY	BID PRICE
Subscription to Database Management and Cluster Management Service	1 LOT	1,948,000.00 (SCB)

A copy of the Bid Evaluation Report is hereto attached, marked as **Annex "H"**, and made an integral part hereof;



WHEREAS, for purposes of conducting the Post-Qualification, the BAC requested A.G. Datacom Philippines, Inc. being the SCB, to submit additional documents within five (5) calendar days from receipt of notice, pursuant to Section 34.2 of the 2016 Revised IRR of RA 9184. A copy of the Notice of Post-Qualification is hereto attached, marked as **Annex "I"**, and made an integral part hereof;

WHEREAS, the BAC created a TWG pursuant to Section 12 of the 2016 Revised IRR of RA 9184 that will conduct the Post-Qualification of the above-mentioned SCB. A copy of the said creation of TWG is hereto attached, marked as **Annex "J"**, and made an integral part hereof;

WHEREAS, on 18 January 2021, the BAC received the TWG report which found A.G. Datacom Philippines, Inc. as "responsive" to all the requirements stipulated in the Bidding Documents. A copy of the said TWG Report is hereto attached, marked as **Annex "K"**, and made an integral part hereof;

WHEREAS, the BAC discussed and deliberated the merits of the TWG report during its Regular Meeting on 20 January 2021. The BAC found that A.G. Datacom Philippines, Inc. is legally, technically and financially capable to provide the goods and services needed by the DSWD, and thus resolved to recommend award of contract to A.G. Datacom Philippines, Inc.. A copy of the Minutes of Regular Meeting is hereto attached marked as **Annex "L"**, and made an integral part hereof;

NOW, THEREFORE, in view of the foregoing and on the basis of the documents presented, we, the Bids and Awards Committee, resolves as it is hereby resolved, to recommend award of contract for the **Subscription to a Database Management and Cluster Management Service** under ITB No. GOP/20-DSWD-062 to **A.G. Datacom Philippines, Inc.**, being the Single Calculated and Responsive Bid (SCRB), with a Total Contract Price (TCP) of **One Million Nine Hundred Forty-Eight Thousand Pesos (Php1,948,000.00)**.

RESOLVED, this 22th day of January 2021 at Quezon City, Philippines.

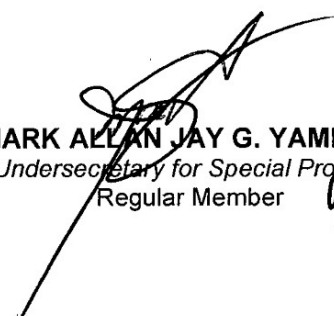
ATTY. SITTIE RAIFAH M. PAMALOY-HASSAN
Officer-In-Charge, Legal Service
Regular Member

ATTY. MARIA CASSANDRA M. URBIZTONDO
Attorney V, Legal Service
Alternate Member

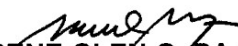
ERNESTINA Z. SOLLOSO
Deputy Program Manager, Pantawid Pamilyang Pilipino Program
Regular Member


FELIX M. ARMEÑA
Division Chief, Information and Communication Technology Management Service
Alternate Member





MARK ALLAN JAY G. YAMBAO*
Undersecretary for Special Projects
Regular Member

EMMANUEL P. PRIVADO
Director IV, National Response Logistics
and Management Bureau
Alternate Member


RENE GLEN O. PAJE
Undersecretary for Inclusive and Sustainable
Peace
Chairperson *g.e.d.*


ANDREW J. AMBUBUYOG
Director IV, Information and Communications
Technology Management Service
Provisional Member

Approved Disapproved


DANILO G. PAMONAG
Undersecretary for Social Welfare and Development
(Per Special Order No. 3242, Series of 2019)
(Head of the Procuring Entity/Authorized Representative)

*Designated as Vice-Chairperson in the absence of the Chairperson

NOTICE OF AWARD
NOA No.: 2021-02-015

03 February 2021

MS. REINA ROXANNE C. MAMMIE

Authorized Representative

AG DATACOM PHILS., INC.

Suite 1705, 17th Floor Atlanta Centre,

#31 Annapolis St., Greenhills, San Juan City

Telephone No.: (02) 8584 0988 Ext. 402

Email Address: mariel.abdon@agdatacom.com

roxanne.mammie@agdatacom.com

Dear **Ms. Mammie**:

We are pleased to inform you that the contract for the “**Subscription to a Database Management and Cluster Management Service**” under ITB No. GOP/20-DSWD-062, as evaluated in accordance with the Invitation to Bid (ITB), is hereby accepted. The total contract price amount is **One Million Nine Hundred Forty-Eight Thousand Pesos (Php1,948,000.00)**, inclusive of all applicable taxes.

You are therefore required to provide us within ten (10) calendar days, upon receipt of this Notice, the performance security in any of the forms prescribed in Section 39 of the 2016 Revised IRR of RA No. 9184.

Failure to provide the performance security shall constitute sufficient ground for cancellation of the award and forfeiture of your bid security.

Very truly yours,



DANILO G. PAMONAG

Undersecretary for Social Welfare and Development
(Head of the Procuring Entity/Authorized Representative)

Conforme:



MS. REINA ROXANNE C. MAMMIE

A.G. DATACOM PHILS., INC.

Date: 3/15/2021