



Republic of the Philippines
**NATIONAL PRIVACY
COMMISSION**

BIDS AND AWARDS COMMITTEE
BAC Resolution No.027-2021, Series of 2021

**RECOMMENDING THE AWARD OF CONTRACT FOR THE PROCUREMENT OF
PROFESSIONAL SERVICES - DATA BREACH NOTIFICATION MANAGEMENT
SYSTEM TO SAGESOFT SOLUTIONS, INC. & MAROON STUDIOS, INC. (JOINT
VENTURE) AS THE HIGHEST RATED RESPONSIVE BIDDER**

WHEREAS, the National Privacy Commission (NPC), is the agency mandated to enforce data privacy protection;

WHEREAS, pursuant to its mandate to implement plans and policies to strengthen the protection of personal information in the country, NPC saw it fit to engage professional services for the development of the Data Breach Notification Management System under the 2020 Continuing APP (APP Item No. 2020- 0176) with an Approved Budget for the Contract (ABC) amounting to Php6,430,000.00;

WHEREAS, this item of procurement shall be under the mode of Competitive Bidding pursuant to Section 10 Rule IV of the Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (R.A. 9184);

WHEREAS, on 18 November 2020, the National Privacy Commission-Bids and Awards Committee (NPC-BAC) conducted a pre-procurement conference where the number of short-listed consultants were set, including the criteria and rating for the shortlisting;

WHEREAS, on 19 November 2020, the Request for Expression of Interest (REI) was posted in the PhilGEPS and NPC website as well as the NPC bulletin board. The Bidding Documents were also made available on the same date. Invitations to observers were also sent through mail in accordance with Section 13 of the IRR of R.A. 9184;

WHEREAS, the NPC-BAC set the deadline of submission of eligibility documents on 27 November 2020 at 9:00 a.m.;

WHEREAS, on the said date and time of deadline, the NPC-BAC was not able to receive any eligibility documents, thus necessitating the conduct of review and evaluation of terms, conditions, and specifications in the Bidding Documents, including its cost estimates on 06 January 2021 before the same is reposted;

WHEREAS, on 15 January 2021, the Request for Expression of Interest (REI) was reposted in the PhilGEPS and NPC websites as well as on the NPC bulletin board. The Bidding Documents were also made available on the same date. Invitations to observers were also sent through mail in accordance with Section 13 of the IRR of R.A. 9184;

WHEREAS, the NPC-BAC set the deadline of submission of eligibility documents on 26 January 2021 at 10:00 a.m.;

WHEREAS, on the said date and time of deadline, the NPC-BAC was still not able to receive any eligibility documents, prompting the members of the NPC-BAC to instead move the processing of this procurement through negotiated procurement due to two failed biddings in accordance with Section 53.1 of the IRR of R.A. 9184;

WHEREAS, on 4 February 2021, in view of the move to procure this item through negotiation, review and evaluation of the terms, conditions, and specifications in the Bidding Documents was conducted before reposting;

WHEREAS, on 5 February 2021, invitations to observers were sent through email in accordance with Section 13 of the IRR of R.A. 9184;

WHEREAS, on 12 February 2021, the Request for Quotation (RFQ) was posted in the PhilGEPS and NPC websites as well as on the NPC bulletin board. The Bidding Documents were also made available on the same date. Invitations for negotiation were also sent via email;

WHEREAS, the NPC-BAC set the deadline of submission of the technical and financial proposal on 3 March 2021 at 10:00 a.m. where Sagesoft Solutions, Inc. & Maroon Studios, Inc. (acting as Joint Venture) and MyBusyBee Inc. submitted their eligibility documents;

WHEREAS, on the same date, the NPC-BAC proceeded to open the bid submitted and conducted eligibility check in accordance with Section 24.4 of the IRR of R.A. 9184 and it was determined that both bidders passed all the eligibility requirements declared eligible;

WHEREAS, on the same date, the NPC-BAC proceeded to open the technical envelopes of the shortlisted bidders to determine each one's compliance with the required documents for the technical component of the bid. The BAC then proceeded to check the submitted documents of each bidder against the checklist of required documents to ascertain if they are all present in the technical envelope, using non-discretionary "pass/fail" criteria. Both bidders having passed the technical proposal, the BAC proceeded in evaluating the financial documents of the bidders, to which both bidders passed. The bid price was likewise revealed with Sagesoft Solutions, Inc. & Maroon Studios (acting as Joint Venture) bid price at Php5,144,160.00 while that of MyBusyBee Inc. amounted to Php 5,844,000.00;

WHEREAS, on 5 March 2021, the NPC-BAC proceeded to rate the shortlisted bidders using the Quality Cost Based Evaluation procedure where Sagesoft Solutions, Inc. & Maroon Studios (acting as Joint Venture) obtained a rating of 79% and MyBusyBee Inc. had a rating of 84%. The weighted average of both the technical and financial rating was then determined to arrive at the over-all rating of both bidders. It was determined that Sagesoft Solutions, Inc. & Maroon Studios (acting as Joint Venture) obtained an overall rating of 87.2% while MyBusyBee Inc. obtained an over-all rate of 80.8%;

WHEREAS, having declared Sagesoft Solutions, Inc. & Maroon Studios, Inc. (acting as Joint Venture) as the highest rated responsive bidder their bid was then endorsed to the BAC-TWG for post-qualification evaluation;

WHEREAS, on 08 March 2021, the NPC-BAC proceeded to review the Post-Qualification Evaluation Report submitted by the BAC-TWG, herein attached as Annex "A", and recommended the adoption of the same, noting the recommendations made therein by the BAC-TWG particularly on requiring Maroon Studios, Inc. to submit its most recent Mayor's Permit prior to payment;

NOW, THEREFORE, for and in consideration of the foregoing, WE, the members of the NPC-BAC, hereby RESOLVE, as it is hereby RESOLVED, to adopt the report by the BAC-TWG declaring Sagesoft Solutions, Inc. & Maroon Studios Inc. (acting as Joint Venture) as having passed the post-qualification evaluation, thus making it the highest rated responsive bidder, and to recommend the award of the contract for the procurement of professional services for the Data Breach Notification Management System to said bidder in the total amount of FIVE MILLION ONE HUNDRED FORTY-FOUR THOUSAND ONE HUNDRED AND SIXTY PESOS (Php5,144,160.00).

RESOLVED this 8th day of March 2021 via videoconference meeting.

ATTEST:

Sgd.
ERWIN D. ESPENILLA
Executive Assistant IV, OPC
BAC Member

SGD.
ATTY. AURELLE DOMINIC E. NARAG
Executive Assistant IV, OPC
BAC Member

Ragsag Jonathan
Rudolph Yandan
JONATHAN RUDOLPH Y. RAGSAG
OIC-Chief, DSTSD
BAC Member

Digitally signed by Ragsag
Jonathan Rudolph Yandan
Date: 2021.04.07 11:19:49
+08'00'

Mendoza Ma
Josefina Eusebio
ATTY. MA. JOSEFINA E. MENDOZA
Attorney IV, Legal Division
BAC Member

Digitally signed by Mendoza Ma
Josefina Eusebio
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Digitally signed by
Villasoto Ivy Grace Torres
Date: 2021.04.07 08:57:53
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ATTY. IVY GRACE T. VILLASOTO
OIC-Director, PPO
BAC Vice Chairperson

Patula Maria
Theresita Elnar

Digitally signed by Patula
Maria Theresita Elnar
Date: 2021.04.07 10:45:00
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ATTY. MARIA THERESITA E. PATULA
Director IV, LEO
BAC Chairperson

Approved:



RAYMUND ENRIQUEZ LIBORO
Privacy Commissioner
Head of the Procuring Entity
Date: 23 MAR 2021



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

NOTICE OF AWARD


23 MAR 2021

Mr. Anthony Misajon
Business Development Specialist
MaroonStudios Inc. & SageSoft Solutions Inc. (Joint Venture)
115 Dr. Alejos St., San Isidro Labrador
Quezon City 1114

Dear Mr. Misajon:

Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 027-2021 series of 2021, the contract for the procurement of Professional Services-Data Breach Notification Management System amounting to FIVE MILLION, ONE HUNDRED FORTY-FOUR THOUSAND, ONE HUNDRED SIXTY and 0/100 PESOS (Php5,144,160.00), VAT inclusive, is awarded to MaroonStudios Inc. & SageSoft Solutions Inc. (Joint Venture), consistent with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.

Very truly yours,


RAYMUND E. LIBORO
Privacy Commissioner
Head of the Procuring Entity
23 MAR 2021

Amor Espinosa II, Clerk
Nancy M. ...
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...

Conforme:

Mr. Anthony Misajon
Business Development Specialist
MaroonStudios Inc. & SageSoft Solutions Inc. (Joint Venture)
Date: _____