



**Department of Science and Technology  
Philippine Atmospheric, Geophysical and  
Astronomical Services Administration (PAGASA)**

Science Garden, BIR Road, Diliman, Quezon City 1100

Tel. No. (02) 434-25-79; Fax. (02) 434-90-39

[pagasa\\_bac@yahoo.com](mailto:pagasa_bac@yahoo.com)

**NOTICE TO PROCEED**

**PLDT INC.**

8<sup>TH</sup> Floor, MGO Building, Legaspi St.

Cor. Dela Rosa St.,

Makati City, Metro Manila

Tel. No.: 888-0186 / 860-6246

Email Add: [goviray@pldt.com.ph](mailto:goviray@pldt.com.ph)

**Thru: Mr. GILBERT O. VIRAY**  
Relationship Manager

**Sir:**

The attached **CONTRACT** having been approved, notice is hereby given to your firm that, delivery of the goods and other ancillary services may proceed for the Project entitled: **"Straight Lease for PAGASA IP PBX with Two (2) Integrated Services Digital Network (ISDN) Primary Rate Interface (PRI) – Carrier Grade (Reference: PR No. 2018-04-0262 / IB 2018-002NP), effective upon receipt of this Notice.**

You are therefore responsible for performing the services under the terms and conditions of the Contract and in accordance with the Implementation Schedule.

Please acknowledge receipt and acceptance of this notice by signing both copies in the space provided below. Keep one copy and return the other to PAGASA.

Very truly yours,

  
**VICENTE B. MALANO, Ph.D.**

Administrator 

 I hereby acknowledge receipt of this Notice on

2/21/19

(date of receipt)

Name of Representative of the Bidder: **JOYCELYN R. HILAO**

Authorized Signature: \_\_\_\_\_

CI 2019-014

## CONTRACT FOR THE

### STRAIGHT LEASE FOR PAGASA IP PBX WITH TWO (2) INTEGRATED SERVICES DIGITAL NETWORK (ISDN) PRIMARY RATE INTERFACE (PRI) – CARRIER GRADE (Reference: PR No. 2018-04-0262 / IB 2018-002NP)

#### KNOW ALL BY MEN BY THESE PRESENTS:

This **CONTRACT** is made and entered into by and between:

**PHILIPPINE ATMOSPHERIC, GEOPHYSICAL AND ASTRONOMICAL SERVICES ADMINISTRATION**, a government agency under the Department of Science and Technology (DOST) duly organized and existing under and by virtue of the laws of the Philippines, with principal office address located at PAGASA Science Garden Complex, BIR Road, Diliman, Quezon City, represented herein by **DR. VICENTE B. MALANO**, in his capacity as the **Administrator** (hereinafter referred to as "**PAGASA**");

-and-

**PLDT INC.**, a domestic corporation duly organized by existing under and by virtue of the laws of the Republic of the Philippines, with principal office address at Ramon Cojuangco Building, Makati Avenue, Makati City, herein represented by its duly authorized representative, **MR. JUAN VICTOR I. HERNANDEZ**, (hereafter referred to as "**PLDT**").

#### WITNESSETH: That -

**WHEREAS**, **PAGASA** through the Bids and Awards Committee ("**PAGASA-BAC**") invited Bids for the engagement of the services of a competent, qualified and established network services provider including other ancillary services, particularly the - **Straight Lease for PAGASA IP PBX with Two (2) Integrated Services Digital Network (ISDN) Primary Rate Interface (PRI) – Carrier Grade (Reference: PR No. 2018-04-0262 / IB 2018-002NP)** (hereinafter referred to as the "**Project**");

**WHEREAS**, the **PAGASA-BAC** posted the said Invitation to Bid for the Project in the PhilGEPS, in the PAGASA website, and in its official place of business continuously for at least seven (7) days starting September 17, 2018;

**WHEREAS**, on October 08, 2018, after preliminary examination of the bids, the BAC, using the non-discretionary pass/fail criteria, declared the lone bid of **PLDT** compliant with the bidding requirements as well as its financial offer of **Sixteen Million One Hundred Seventy-Four Thousand Three Hundred Forty and 78/100 Philippine Peso (Php 16,174,340.78)**, inclusive of the applicable value-added tax is within PAGASA's Approved Budget for Contract ("**ABC**") of **Sixteen Million One Hundred Seventy-Four Thousand Nine Hundred Forty-Nine and 03/100 Philippine Peso (Php 16,174,949.03)**, inclusive of the applicable value-added tax;

**WHEREAS**, upon careful examination, validation, and verification of the eligibility, technical, and financial proposal, the **PAGASA-BAC** found the submission of **PLDT** as the Single Calculated and Responsive Bid;

**WHEREAS**, **PAGASA**, by virtue of **BAC Resolution No. 2018-042** dated October 30 2018 and duly approved by the Administrator, **PAGASA** has accepted the bid of **PLDT**;

**WHEREAS**, the Notice of Award dated November 08, 2018 has been issued to and duly received by **PLDT** within the prescribed 10-day period;



**WHEREAS**, the following documents shall be deemed to form and be read and construed as part of this Contract, viz.:

- (a) the Invitation to Bid (ITB);
- (b) the Instruction to Bidders;
- (c) the General and Special Conditions of Contract;
- (d) the Terms of Reference including the Technical Specifications;
- (e) the Bid Data Sheet (BDS);
- (f) Addendum and/or Supplemental/Bid Bulletins, *if any*;
- (g) the Eligibility and Technical Proposals and all other documents/statements submitted by the Bidder;
- (h) the Bidding Form, Price Schedule and the Detailed Cost Breakdown submitted by the Bidder;
- (i) the Entity's Notice of Award (NOA);
- (j) the Performance Security;
- (k) Integrated Services Digital Network Terms and Conditions;
- (l) Additional Terms and Conditions for the PABX; and
- (m) Internet/I-Gate Terms and Conditions

The aforementioned documents shall collectively be referred to as "**Contract Documents**".

**WHEREAS**, in this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract, the Terms of Reference (TOR), Integrated Services Digital Network Terms and Conditions, Additional Terms and Conditions for the PABX, and Internet/I-Gate Terms and Conditions respectively referred to in **items (c), (d), (k), (l) and (m)** of the immediately forgoing **Clause**.

**NOW THEREFORE**, for and in consideration of the above premises and the undertakings set forth, the parties hereto mutually comply and agree as follows:

#### A. SCOPE OF SERVICES

For and in consideration of the sum of money to be paid by **PAGASA**, **PLDT** shall provide **PAGASA** with Straight Lease for PAGASA IP PBX with Two (2) Integrated Services Digital Network (ISDN) Primary Rate Interface (PRI) – Carrier Grade, the details of which is summarized in the Technical Specification identified as **item (d)** of the Contract Document.

#### B. CONSIDERATION

The total consideration for the services, **PAGASA** shall pay **PLDT**, in Philippine Currency, an amount of **Sixteen Million One Hundred Seventy-Four Thousand Three Hundred Forty and 78/100 Philippine Peso (Php 16,174,340.78 )** representing the total contract cost, inclusive of the 12% Value Added Tax (VAT) and all other applicable taxes as may be required by law.

The monthly recurring rental charges shall be due and payable within ten (10) working days upon receipt by **PAGASA** of the Statement of Account for the applicable billing period.

#### C. PERFORMANCE SECURITY

Consistent with the applicable provisions of Republic Act No. 9184 otherwise known as the "Government Procurement Reform Act (GPRA) and its Implementing Rules and Regulations (IRR), **PLDT** shall post a Performance Security in favor of **PAGASA**, upon signing of the contract, in the form of cash, certified check, cashier's or manger's check, bank draft/guarantee confirmed by a reputable local bank, irrevocable letter of credit issued by a reputable commercial bank; surety bond callable upon demand issued by any reputable surety or insurance company duly accredited by the Philippine Insurance Commission or a combination of the foregoing in accordance with the following schedules:

Form of Performance Security	Amount of Performance Security (Equal to Percentage of the Total Contract Price)
Cash or cashier's/manager's check, Bank Draft/Guarantee confirmed by a Universal or Commercial Bank.	Five percent (5%)
Irrevocable letter of credit issued by a Universal or Commercial Bank.	
Surety bond callable upon demand issued by a surety bond or insurance company duly certified by the Insurance Commission as authorized to issue such security	Thirty percent (30%)

#### D. EFFECTIVITY AND DURATION

The Contract shall be for the period of **five (5) years** and to take effect upon signing of the parties herein.

#### E. VALIDITY CLAUSE

If any term or condition of this Contract is held invalid or contrary to law, the validity of the other terms and conditions hereof shall not be affected thereby.

**IN WITNESS WHEREOF**, the parties hereto have caused this Contract to be executed in accordance with the laws of the Republic of the Philippines on the FEB 15 2019 in CITY OF PASAY.

#### PHILIPPINE ATMOSPHERIC, GEOPHYSICAL AND ASTRONOMICAL SERVICES ADMINISTRATION (PAGASA)

By:



**VICENTE B. MALANO, Ph.D.**  
Administrator

By:



**JUAN VICTOR I. HERNANDEZ**  
Senior Vice President and Head of  
Enterprise Business of PLDT Inc.

Signed in the Presence of:



**EDWIN F. MANRESA**  
Chief, ETSD



**GILBERT O. VIRAY**  
Authorized Representative

Bernard Louise C. Datuin  
OIC - Accounting Section

ORSH 2018-12-7346

5020502002 6,883,465.07

5020503000 9,291,484.02



ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)

) S.S.

CITY OF PASAY

CITY OF PASAY

BEFORE ME, a Notary Public in and for \_\_\_\_\_, Philippines, this \_\_\_\_\_ day of ~~FEB 15 2019~~ **2018** personally appeared:

Name	ID Presented/ID No.	Date & Place issued
VICENTE B. MALANO, Ph.D.	_____	_____
JUAN VICTOR I. HERNANDEZ	PASSPORT EB9861704	Dec 20, 2013, valid until Dec 19, 2018 at DFA Manila

All known to me to be the same persons who executed the foregoing Contract and acknowledged to me that the same is their free and voluntary act and deed and that of the entities they respectively represent.

This instrument consists of four (4) pages, including this page where this acknowledgment is written.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my notarial seal on the date and at the place first above written.

Doc No. 101;  
Page No. 22;  
Book No. 11;  
Series of 2018.

**NOTARY PUBLIC**  
**ATTY. HENRY D. ADASA**  
NOTARY PUBLIC  
UNTIL DECEMBER 31, 2019  
COMMISSION 17-29-  
PASADENIA ST., PASAY CITY  
IBP NO. 067427 - 01/03/19 PASIG  
PFD NO. 8826067 01/03/19 P.C.  
MCLE COMPLIANCE NO. VI-0002830 - 4/14/2022  
ROLL NO. 29879



NOV 08 2018

## NOTICE OF AWARD

**PLDT INC.**

8<sup>th</sup> Floor, MCO Building, Legaspi St.,  
cor. Dela Rosa St.,  
Makati, Metro Manila  
Tel# 888 0186 / 860 6246  
E-mail Add: [goviray@pldt.com.ph](mailto:goviray@pldt.com.ph)

**Thru: MR. GILBERT O. VIRAY**  
Relationship Manager

**Sir/Madam:**

We are pleased to notify you that the PAGASA Management has approved the award to your firm the contract for the **"Straight Lease for PAGASA IP PBX with Two (2) Integrated Services Digital Network (ISDN) Primary Rate Interface (PRI) – Carrier Grade** (Reference: PR No.2018-04-0262 / IB 2018-002NP) in the total calculated amount of **SIXTEEN MILLION ONE HUNDRED SEVENTY FOUR THOUSAND THREE HUNDRED FORTY AND 70/100 PESOS (Php16,174,340.70) ONLY.**

You are therefore requested to accept and conform to this award by affixing your signature hereunder and provide within **ten (10) calendar days**, from receipt hereof, the requisite performance security in any of the following forms:

Form of Performance Security	AMOUNT (Equal to Percentage of the Total Contract Price)	
• Cash or Cashier's/Manager's check, Bank Draft/Guarantee confirmed by a Universal or Commercial Bank.	5%	Php808,717.035
• Irrevocable letter of credit issued by a Universal or Commercial Bank.		
• Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.	30%	Php4,852,302.21

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

Very truly yours,

**VICENTE B. MALANO, Ph.D.**  
Administrator

Conforme:

Date: NOV. 8, 2018

"tracking the sky...helping the country"

Postal Address: P.O. Box 3278 Manila • Tel No. (63-2) 929-4865 / 434-9040 • Fax No. 929-4865



**Bids and Awards Committee (BAC) Resolution Declaring as Single Calculated and Responsive Bid, Recommending Acceptance of the Lowest Price Quotation; And Recommending Approval**

**Resolution No. 2018-042**

**WHEREAS**, the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) through the Bids and Awards Committee (PAGASA-BAC), by virtue of **BAC Resolution No. 2018-024** series of 2018, has posted the **Notice to Bidders (NTB)** on **18 September 2018** at the PAGASA website, the G-EPS and PAGASA Bulletin Board, notifying all interested bidders of the Agency's resort to **Alternative Method of Procurement through Negotiated Procurement** under **Rule XVI, Section 53.1** of the Revised IRR of R.A. 9184, following two failures of Public Bidding the procurement of the following goods/items with their corresponding Approved Budget for Contract (ABC), to wit:

PARTICULARS	ABC	Reference (PR No.)
Straight Lease for PAGASA IP PBX with two(2) Integrated Services Digital Network (ISDN) Primary Rate Interface (PRI) – Carrier Grade (NP)	Php16,174,949.03	PR No. 2018-04-0262

**WHEREAS**, the following bidders/suppliers who are duly accredited and listed under PAGASA's list of legitimate suppliers have been invited to submit their respective lowest price quotations. These bidders are as follows: 1) PLDT Inc.; 2) PAGECOM INC.; and 3) TEL-TRADE COMMUNICATIONS AND DEVELOPMENT, INC.

**WHEREAS**, in response to the said invitation, only PLDT Inc., attended the **negotiation conference** scheduled by the Bids and Awards Committee on **26 September 2018**;

**WHEREAS**, on **08 October 2018**, the schedule for **Submission and Opening** of Envelope I (Eligibility and Technical Components) and Envelope II (Financial Component), only **PLDT Alpha**, timely submitted their bid tenders for the project;

**WHEREAS**, in the subsequent opening and evaluation of the financial requirement of the Project, the PAGASA-BAC accepted the bidder financial proposal. Its financial proposal, "**as READ**" is summarized as follows:

NAME OF BIDDER	BID OFFER (As Read)	RANK
PLDT Inc.	Php16,174,340.78	1

**WHEREAS**, the report on the detailed evaluation of bids conducted by the TWG resulted in the following:

Name of Bidder	Bid Amount (As Calculated)	RANK
PLDT Inc.	Php16,174,340.78	SCRB

**WHEREAS**, upon careful examination, validation and verification of PLDT Inc. tender documents, the Committee has determined that, the former has complied with all the requirements. Hence, it was moved and duly seconded that PLDT Inc. be declared as the bidder with the Single Calculated and Responsive Bid (SCRB) for the implementation of the instant Project;

**NOW, THEREFORE**, for and consideration of the foregoing, we the Members of the Bids and Awards Committee, hereby **RESOLVE** as it is hereby **RESOLVED**:

- a) To **DECLARE**, **PLDT Inc.**, as the bidder with the **Single Calculated and Responsive Bid (SCRB)** for the Project entitled, Straight Lease for **PAGASA IP PBX** with two(2) Integrated Services Digital Network (ISDN) Primary Rate Interface (PRI) – Carrier Grade (NP);
- b) To **RECOMMEND**, the acceptance of the latter's lowest price quotation in the total calculated amount of **Sixteen Million One Hundred Seventy Four Thousand Three Hundred Forty and 78/100 pesos (Php16,174,340.78) Only**;
- c) To **RECOMMEND**, finally, the **APPROVAL** of the foregoing findings and recommendations.

**RESOLVED**, this **30 October 2018** at the Amihan Conference Room, 2<sup>nd</sup> Floor, **PAGASA Main Building**, Science Garden Complex, BIR Road, Diliman, Quezon City.

  
**CLARO JESUS M. CAPULONG**  
Interim Member/End-user

  
**CESAR A. RAMOS**  
Member

  
**Engr. JESSIE B. ARCE**  
2<sup>nd</sup> Vice-Chairperson

  
**JOEL C. RIVERA**  
Member

**EDNA L. JUANILLO**  
1<sup>st</sup> Vice Chairperson

  
**Engr. CATALINO L. DAVIS**  
Chairperson

  
APPROVED/DISAPPROVED:

**VICENTE B. MALANO, Ph.D.**  
Administrator

Approved on \_\_\_\_\_