



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
OFFICE OF THE GOVERNMENT CORPORATE COUNSEL

3rd Floor MWSS Administration Building, Katipunan Road
Balara, Quezon City

Tel. Nos. 927-0030 / 920-7477 • Fax No. 436-4405

www.ogcc.gov.ph

info@ogcc.gov.ph

NOTICE OF AWARD

18 June 2021

MS. ANALIZA GAMENG

Sales Representative

MASANGKAY COMPUTER CENTER

1143 - G Masangkay St.

Sta. Cruz, Manila

Dear Ms. Gameng:

We are pleased to notify you that pursuant to BAC Resolution No. 02-2021, your quotation for the **"Supply, Delivery and Installation of Twenty-Seven (27) Units of Multi-Function Printer (Black) and Seventeen (17) Units of Multi-Function Printer (Colored)"** for the use of the Office of the Government Corporate Counsel, with a Contract Price of **Seven Hundred Fifteen Thousand Five Hundred Six Pesos (PhP715,506.00)** inclusive of local taxes, is hereby accepted.

This original NOA shall be returned within two (2) working days upon receipt with signature on the "CONFORME" portion.

Very truly yours,


ELPIDIO J. VEGA
Government Corporate Counsel

Conforme:


ANALIZA GAMENG

Sales Representative

MASANGKAY COMPUTER CENTER

1143 - G Masangkay St.

Sta. Cruz, Manila

Date: June 23, 2021



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CONTRACT AGREEMENT

This Contract Agreement ("Agreement") made and executed this 18th day of June 2021 at Quezon City, Metro Manila, by and between:

OFFICE OF THE GOVERNMENT CORPORATE COUNSEL, a government agency with address at 3rd Floor, MWSS Building, Katipunan Avenue, Diliman, Quezon City, herein represented by **ATTY. ELPIDIO J. VEGA**, the Government Corporate Counsel, Officer-in-Charge, and hereinafter referred to as "OGCC";

and

MASANGKAY COMPUTER CENTER, a sole proprietorship duly organized and existing under Philippine laws, with address at 1143-G Masangkay St., Sta. Cruz, Manila and represented herein by **ANALIZA GAMENG**, duly authorized for this purpose evidenced by of the DTI Certificate/Ominibus Sworn Statement dated 12 January 2021 attached as **Annex A** and hereinafter referred to as "MCC";

ANTECEDENTS

WHEREAS, the OGCC, as the principal law office of all government-owned and controlled corporations whether incorporated by law or created by charter, issues advisory opinions and contract reviews for government agencies;

WHEREAS, MCC is a company engaged, among others, in dealing with computers, computer-related accessories, printers, and other IT related products.

WHEREAS, the OGCC advertised the procurement opportunity via Request for Quotation (RFQ) No. 2020-12-049 for the "**SUPPLY, DELIVERY AND INSTALLATION OF MULTI-FUNCTION LASER PRINTERS**" for the Office of the Government Corporate Counsel on 16 December 2020 with the deadline for submission of quotation set on 21 December 2020.

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under the rule of law*



WHEREAS, the OGCC – BAC subsequently declared that no prospective bidders submitted a quotation. Hence, the OGCC-BAC caused the posting of a Bid Supplement Abstract on the PhilGEPS website, extending the deadline for the submission of quotations from 21 December 2020 to 28 December 2020 in the hopes of getting suppliers to submit their respective quotations.

WHEREAS, upon lapse of the extended period on 28 December 2020, there were still no prospective bidders who submitted a quotation. Thus, the OGCC-BAC issued BAC Resolution No. 53, Series of 2020 declaring a failure of bidding and causing a re-study of the technical specification and re-posting of the RFQ.

WHEREAS, on 9 January 2021, the OGCC-BAC reposted the RFQ. Pursuant to Sections 53.9 (Small Value Procurement) in relation to Annex H of the 2016 RIRR of RA 9184. Three (3) bidders participated but only two (2) sent their respective quotations, to wit:

BIDDER	PRICE QUOTATION
MASANGKAY COMPUTER CENTER	PhP 715,506.00
BUSINESS MACHINES, CORP.	PhP 747,188.04
BAYANPC TECHNOLOGIES, INC.	No quotation submitted

WHEREAS, Upon evaluation of the quotation submitted by the bidder, the TWG, after evaluation and validation of its eligibility, technical and financial requirements, found MCC to have the Lowest Calculated and Responsive Bid. Hence, the OGCC BAC issued BAC Resolution No. 02, Series of 2021 declaring MCC with the Lowest Calculated and Responsive Bid and recommended the Issuance of a Notice of Award (NOA) in favor of MCC.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them under the Terms of Reference and Terms of Conditions referred to.

2. The following documents shall be deemed to form, and be read and construed as part of this Agreement, viz:

- (a) Request for Quotation
- (b) MCC’s Bid, including the Technical and Financial Proposals, and all other documents/statements submitted;
- (c) Certificate or official document indicating that it is an authorized re-seller/dealer
- (d) Terms of Reference

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- (e) Technical Specifications;
- (f) Notice of Award.

3. In consideration of the payments to be made by the OGCC, MCC hereby covenants with the OGCC to provide the goods and services and to remedy defects therein, in conformity in all respects with the provisions under the Terms of Reference and Terms of Conditions, as follows:

ITEMS	Delivery Period/Place	Unit price	Quantity	Total
Brother DCP-L2550DW Multi-Function Printer (Black)	Within 30 days upon receipt of the Notice to Proceed at the Office of the Government Corporate Counsel 3 rd Floor, MWSS Building, Balara, Katipunan Ave., Quezon City	PhP13,584.00	27 Units	PhP366,768.00
Brother MFC-L3735CND Multi-Function Printer (Colored)	Within 30 days upon receipt of the Notice to Proceed at the Office of the Government Corporate Counsel 3 rd Floor, MWSS Building, Balara, Katipunan Ave., Quezon City	PhP20,514.00	17 Units	PhP348,738.00
Total				PhP715,506.00

4. OGCC hereby covenants to pay MCC in the amount of **SEVEN HUNDRED FIFTEEN THOUSAND FIVE HUNDRED SIX PESOS (PHP715,506.00)** inclusive of VAT, 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, within 60 days after the delivery, acceptance and inspection of the Equipment, in consideration of the provision of the goods and services and the remedying of defects therein.

IN WITNESS WHEREOF, the parties hereto set their hands on the date and place first written above.

For:

OFFICE OF THE GOVERNMENT
CORPORATE COUNSEL

MASANGKAY COMPUTER
CENTER

By:


ELPIDIO J. VEGA
Government Corporate Counsel


ANALIZA GAMENG
Sales Representative



Signed in the presence of:

_____ *Luzviminda*
LANI ESPINOSA

As to availability of funds:

[Signature]
RYAN JOSEPH C. RODRIGUEZ
Supervising Administrative Officer
CHARGED TO CONGRESSIONAL INSERTIONS

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ACKNOWLEDGMENT

Republic of the Philippines)
Quezon City) S.S.

BEFORE ME, a Notary Public for and in Quezon City, personally appeared the following persons presenting to me their respective competent proofs of identity as follows:

Name	Valid Government ID	Date/Place Issued
ELPIDIO J. VEGA	OGCC ID No. 0001	Quezon City
ANALIZA GAMENG	UMID No. 0003-7724823-6	City of Manila

All known to me and to me known to be the same persons who executed the foregoing Memorandum of Agreement of their own free and voluntary act and deed and that of the institutions they respectively represent.

The instrument, consisting of five (5) pages including the page on which this Acknowledgment is written, has been signed by the Parties and their instrumental witnesses on each and every page.

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

Doc. No. 2148 ;
Page No. 5 ;
Book No. XIV ;
Series of 2021.





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NOTICE TO PROCEED

18 June 2021

MS. ANALIZA GAMENG

Sales Representative

MASANGKAY COMPUTER CENTER

1143 - G Masangkay St.

Sta. Cruz, Manila

Dear Ms. Gameng:


This is to inform you that the Contract for the "Supply, Delivery and Installation of Twenty-Seven (27) Units of Multi-Function Printer (Black) and Seventeen (17) Units of Multi-Function Printer (Colored)" for the Office of the Government Corporate Counsel, in the amount of **Seven Hundred Fifteen Thousand Five Hundred Six Pesos (PhP715,506.00)**, has been approved by the concerned authorities.

Accordingly, you are hereby directed to commence the work in accordance with the Terms and Reference and provisions of the Contract.

Very truly yours,


ELPIDIO J. VEGA
Government Corporate Counsel

Conforme:


ANALIZA GAMENG
Sales Representative
MASANGKAY COMPUTER CENTER
1143 - G Masangkay St.
Sta. Cruz, Manila

Date: June 23, 2021

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