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**BIDS AND AWARDS COMMITTEE**  
BAC Resolution No. 012-2024, Series of 2024

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**RECOMMENDING THE AWARD OF CONTRACT FOR HEAVY DUTY / INDUSTRIAL  
SHREDDER (2 UNITS) (APP Item No. 2024-0021)**

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**WHEREAS**, the National Privacy Commission (NPC) is an independent body mandated to administer and implement Republic Act No. 10173 or the Data Privacy Act (DPA) of 2012 and to monitor and ensure compliance of the country with international standards set for data protection;

**WHEREAS**, Section 7 of the DPA, the NPC is charged with the administration and implementation of the provisions of the law, which includes ensuring compliance with the provisions of the DPA and with international standards for data protection and carrying out efforts to formulate and implement plans and policies that strengthen the protection of personal information in the country, in coordination with other government agencies and the private sector;

**WHEREAS**, to ensure the continuous and effective operation while providing excellent services to the data subjects, the Commission, thru its Administrative Services Division shall procure Heavy Duty/Industrial Shredder for paper-type documents that can be used by the General Records Unit and various offices for the disposal and/or destruction of Official NPC records upon approval by the National Archives of the Philippines (NAP);

**WHEREAS**, this procurement has a Certification of Availability of Funds (CAF) with an Approved Budget for the Contract of One Hundred Thousand Pesos (Php100,000.00) and has been confirmed to be existing as APP Item 2024-0021 in the NPC CY 2024 chargeable against Semi-Expendable Office Equipment Expenses (GAS-MOOE), under the General Appropriations Act of 2024 (RA 11975);

**WHEREAS**, Section 53.9 of the Revised Implementing Rules and Regulations (RIRR) of Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act" recognizes Small Value Procurement as a method of procuring goods where the amount involved does not exceed the threshold prescribed in Annex "H" of the RIRR, provided, that in case of goods, the procurement does not fall under shopping in Section 52;

**WHEREAS**, based on the market study conducted by the end-user to determine the probable sources, herein attached as "Annex A," the providers who were determined to have the capacity to undertake the project at a more advantageous terms and are technically, legally, and financially capable are Business Machines Corporation and Geschäft Equipment Corporation;

**WHEREAS**, a Request for Quotation (RFQ) was posted in PhilGEPS, the NPC website, and the NPC bulletin board and was likewise sent to twenty (20) suppliers;

**WHEREAS**, the Business Machines Corporation and Geschaft Equipment Corporation proceeded to submit their quotations as requested;

**WHEREAS**, on 08 March 2024, the National Privacy Commission – Bids and Awards Committee (NPC-BAC) proceed to evaluate the submissions from Business Machines Corporation and Geschaft Equipment Corporation and determined that both of the supplier is compliant and submitted the same amount of quotation amounting to Ninety-Nine Thousand Pesos (Php99,000.00);

**WHEREAS**, on the GPPB Circular 06-2005 Tie-Breaking Method and NPM No. 0985-2016, it is stated that in case of tie the procuring entity shall resort to non-discretionary and non-discriminatory such that the same is based on sheer luck or chance. The procuring entity may use “draw lots” or similar to methods of chance;

**WHEREAS**, the BAC resolved to do a toss coin to determine the responsive quotation;

**WHEREAS**, BAC Resolved that heads shall represent Business Machines Corporation and tail shall represent Geschaft Equipment Corporation;

**WHEREAS**, BAC instructed the BAC Secretariat Head to conduct the toss coin via video conference and that the whole process is recorded;


**WHEREAS**, the BAC agreed to adopt the result of the toss coin and recommend the award of responsive quotation to Business Machines Corporation;

**NOW, THEREFORE**, for and in consideration of the foregoing, WE, the members of the NPC Bids and Awards Committee (NPC-BAC), hereby RESOLVE, as it is hereby RESOLVED, to recommend the award of contract for the procurement of Heavy Duty / Industrial Shredder (2 Units) (APP Item no. 2024-0021) to the **BUSINESS MACHINES CORPORATION** for being the responsive quotation in the total amount of **NINETY-NINE THOUSAND PESOS (P99,000.00)**, subject to the presentation of their original documentary requirements upon the signing of the Notice of Award (NOA).


**RESOLVED** this 08<sup>th</sup> day of March 2024, via combination of on-site and videoconference meeting.

**ATTEST:**

  
**MR. JOEL T. PAGTULINGAN JR.**  
AO III, ASD  
Provisional BAC Member/End-User

  
**MR. MARLON RUBEN N. FABRICANTE**  
Chief, ASD  
BAC Member

  
Digitally signed  
by Cabatu  
Rodolfo Serios Jr  
**ATTY. RODOLFO S. CABATU, JR**  
Chief, EnD  
BAC Member

  
Digitally signed  
by Nieva Aubin  
Arn Romero  
**ATTY. AUBIN ARN R. NIEVA**  
Director IV, DASCO  
BAC Vice Chairperson

The original of this document (containing only the BAC member's signature) is in digital format  
Ref No.: BAC-24-00173 NPC\_BAC\_RESO-V1.0, R2.0, 04 March 2024

URL: <https://www.privacy.gov.ph> Email Add: [info@privacy.gov.ph](mailto:info@privacy.gov.ph) Tel No. +632 5322 1322



Digitally signed  
by Patula Maria  
Theresita Elnar

**ATTY. MARIA THERESITA E. PATULA**

*Director IV, LEO  
BAC Chairperson*

**APPROVED:**



**ATTY. JOHN HENRY D. NAGA**

*Privacy Commissioner  
Head of the Procuring Entity*

Date: **APR 11 2024**



*The original of this document (containing only the BAC member's signature) is in digital format*

Ref No.: BAC-24-00173

NPC\_BAC\_RESO-V1.0, R2.0, 04 March 2024

URL: <https://www.privacy.gov.ph> Email Add: [info@privacy.gov.ph](mailto:info@privacy.gov.ph) Tel No. +632 5322 1322





## NOTICE OF AWARD

Date Issued: APR 11 2024

**MS. MYLENE L. PALALAY**  
*Business Machines Corporation*  
Carson Bldg., 1888 Orense St.,  
Guadalupe Nuevo, Makati City

Dear **Ms. Palalay**,

Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 012-2024 series of 2024, the contract for procurement of **HEAVY DUTY/INDUSTRIAL SHREDDER (2 Units)** amounting to **Ninety-Nine Thousand Pesos (PhP99,000.00)** VAT inclusive, is awarded to **BUSINESS MACHINES CORPORATION** consistent with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.

Very truly yours,

**ATTY. JOHN HENRY D. NAGA**  
Privacy Commissioner  
Head of the Procuring Entity

Digitally  
signed by  
Mendoza  
Ma Josefina  
Eusebio

Conforme:

**MS. MYLENE L. PALALAY**  
*Business Machines Corporation*  
Carson Bldg., 1888 Orense St.,  
Guadalupe Nuevo, Makati City  
Date: APR 17 2024

**PURCHASE ORDER**  
**NATIONAL PRIVACY COMMISSION**  
 Entity Name

Supplier :	BUSINESS MACHINES CORPORATION (BISMAC)	P.O. No. :	2024- <b>04 - 0013</b>
Address :	Carson Bldg., 1888 Orense St., Guadalupe Nuevo, Makati City;	Date :	<b>24 APR 2024</b>
TIN :	_____	Mode of Procurement :	Small Value Procurement

Gentlemen:  
 Please furnish this Office the following articles subject to the terms and conditions contained herein:

Place of Delivery :	<u>NPC OFFICE</u>	Delivery Term :	Delivery shall be completed within 30 calendar days from receipt of Purchase Order
Date of Delivery :	Delivery shall be completed within 30 calendar days from receipt of Purchase Order	Payment Term :	<u>LDDAP-ADA</u>


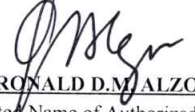
Stock/ Property No.	Unit	Description	Quantity	Unit Cost	Amount
	LOT	<b>HEAVY DUTY/INDUSTRIAL SHREDDER</b> <b>KOBRA 240.1 S4</b> Throat width: 240mm Shredded size: 3.9mm straight cut Paper capacity: 24-26 A4 70gr, 20-22 A4 80gr Shreddable Materials: Paper, Credit Cards, Credit Cards with chip, CDs/DVDs, Floppy Disks Speed: 0.09m/sec Noise level: 55dba Voltage: 230 Volt Power: 500 watt Waste bag volume: 40 liters Dimensions: 40x36x64cm Weight: 24kg <b>WARRANTY:</b> 1. Warranties against manufacturing defects, as well as parts and service. The evaluation of the equipment shall include, but not limited to, a. Inspection and Acceptance of the product by the end-user, NPC Inspection and Acceptance Committee and Property Officer; and b. Physical checks on the item for any deformation, dents and cracks and the completeness of the equipment for its physical and visual examination. 2. Warranty period/s: One (1) Year 3. Warranty shall commence upon issuance of the Inspection and Acceptance Report (IAR) by the Inspection and Acceptance Committee and end-user. 4. Service Warranty: Lifetime free services provided that all repairs, consumables and spare parts must be supplied only by the provider.  <b>Delivery:</b> 1. <b>Place of Delivery:</b> NPC, 5th Floor, Philippine International Convention Center, Vicente Sotto Ave. Pasay City 2. Delivery shall be completed within 30 <b>calendar days</b> from receipt of Purchase Order  <b>Payment:</b> 1. Payment shall be processed upon issuance of Inspection and Acceptance Report (IAR) by the Inspection and Acceptance Committee 2. Payment shall be made upon receipt of the Statement of Account/Billing statement/Billing invoice and delivery receipt.	1  <b>(2 units)</b>	99,000.00	99,000.00

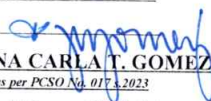
**(Total Amount in Words)** NINETY-NINE THOUSAND PESOS ONLY

In case of failure to make the full delivery within the time specified above, a penalty of one-tenth (1/10) of one percent for every day of delay shall be imposed on the undelivered item/s.

**NOTICE TO PROCEED:** Notice is hereby given that by conforming to this Purchase Order, the Service Provider/Supplier shall proceed with the delivery of the items in accordance with the terms and conditions specified herein to commence from the date of conformance hereunder indicated.

Contact Ms. Joan P. Del Mundo at +632 5322 1322 local 203 or email at [asd@privacy.gov.ph](mailto:asd@privacy.gov.ph) for questions delivery and other concerns.

Conforme:		Very truly yours,	
	<b>MS. MYLENE L. PALALAY</b>		<b>ATTY. IVIN RONALD D.M. ALZONA</b>
	Signature over Printed Name of Supplier		Signature over Printed Name of Authorized Official
	<u>08 MAY 2024</u>		Executive Director, OED
	Date		

Fund Cluster :	<u>01</u>	ORS/BURS No. :	<u>027012024-04-00203</u>
Funds Available :	<u>99,000.00</u>	Date of the ORS/BURS:	<u>April 20, 2024</u>
		Amount :	<u>99,000.00</u>
	<b>JOHANA CARLA T. GOMEZ</b>		
	Signature over Printed Name of Chief Accountant/Head of Accounting Division/Unit		
	<small>as per PCSO No. 0173-2023</small>		