



Republic of the Philippines
NATIONAL PRIVACY COMMISSION
BIDS AND AWARDS COMMITTEE
Resolution No. 038-2022, Series of 2022

**RECOMMENDING THE AWARD OF CONTRACT FOR THE
LEASE OF VENUE**

WHEREAS, pursuant to Section 9 (c) of the Implementing Rules and Regulations (IRR) of Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012, the National Privacy Commission ("NPC" or the "Commission") is mandated to undertake necessary or appropriate efforts to inform and educate the public about data privacy, data protection, and fair information rights and responsibilities;

WHEREAS, the NPC formulated the 2017-2022 Strategic Plan. This plan is anchored on the goals set under the Philippine Development Plan 2017-2022 and geared towards AmBisyon Natin 2040, which articulates the Filipino people's collective vision of a MATATAG, MAGINHAWA, AT PANATAG NA BUHAY PARA SA LAHAT;

WHEREAS, in support of this objective, the End-users, the Human Resource Development Division (HRDD) and the Financial Planning and Management Division (FPMD), saw it fit to procure a Lease of Venue for the conduct of the FY 2022 Performance Review and Evaluation Workshop cum Team Building under APP Item No. 2021-0219 with an Approved Budget for the Contract (ABC) amounting to Php 910,000.00;

WHEREAS, Section 53.10 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 (2016 RIRR of RA 9184) recognizes the use of Lease of Venue as alternative mode of procurement;

WHEREAS, the NPC Bids and Awards Committee (NPC-BAC), through its Secretariat, sent Requests for Quotation on 23 May 2022, through electronic mail, to ten (10) suppliers: Shercon Resort, Calubcob Bay Beach Resort, Pam Beach Resort Laiya, La Luz Beach Resort, Forest Crest Nature Hotel and Resort, Inc., Lago De Oro, Gratchi's Getaway, Playfarm Tagaytay, Development Academy of the Philippines (DAP) Conference Center, and PhilJA;

WHEREAS, Shercon Resort and DAP Conference Center replied via email that they are not available or fully-booked during the scheduled dates of 1-3 June 2022. Copies of the email replies are attached as Annex "A" and "B", respectively;

WHEREAS, policy considerations in Section IV. (D) (9) of Annex H of the 2016 Revised Implementing Rules and Regulations of RA 9184 provide that it is preferred that government agencies lease publicly-owned real property or venue from other government agencies. However, no government facility in the considered areas of Cavite and Batangas are available for the said activity during the scheduled dated of 1-3 June 2022. Based on the above-mentioned letter of DAP Conference Center, it is not available on 1-3 June 2022. While PhilJA did not submit any quotation despite several follow-ups made;

WHEREAS, on 27 May 2022, the National Privacy Commission – Bids and Awards Committee (NPC-BAC) proceeded to evaluate the single submitted quotation from Forest Crest Nature Hotel and Resort Inc., the venue being offered by Forest Crest was rated in accordance with the technical specification prepared pursuant to the "Rating Factors and Determination of Reasonableness of Rental

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Rates" (Appendix B of ANNEX "H" of the 2016 RIRR of RA 9184). The aforementioned rating table is hereby attached as Annex "C";

WHEREAS, the preceding clauses are likewise in accordance the Market Study conducted and the Memorandum submitted by the End-users, which provide that: *out of all the venues that submitted their proposals, no government facility has met the technical, documentary, and financial requirements needed by the Agency. As a result, it is highly recommended to pursue an engagement with a private facility located in Batangas.* Copies of the Market Study and the Memorandum are attached as Annexes "D" and "E", respectively;

WHEREAS, the NPC-BAC determined that the Forest Crest Nature Hotel and Resort Inc., passed the technical requirements mandated under RA 9184 and was determined to have submitted the single calculated and responsive bid at a bid price of NINE HUNDRED TEN THOUSAND PESOS (Php 910,000.00);

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 the contract for the Lease of Venue to Forest Crest Nature Hotel and Resort, Inc. being the single calculated and responsive quotation in the total amount of NINE HUNDRED TEN THOUSAND PESOS (Php 910,000.00) same amount as the ABC.

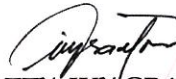
RESOLVED this 27th day of May 2022 via combination of on-site and videoconference meeting.

ATTEST:

on official business
ATTY. RAINIER ANTHONY M. MILANES
Chief, CMD
BAC Member



Digitally signed
by Mendoza Ma
Josefina Eusebio
ATTY. MA. JOSEFINA E. MENDOZA
Attorney IV, LD
BAC Member


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


Digitally signed by Ivy
Grace T. Villasoto
Date: 2022.05.30
09:12:27 +08:00
ATTY. IVY GRACE T. VILLASOTO
Attorney V, PDD
BAC Vice Chairperson


Digitally signed by Patula Maria
Theresita Elnar
Date: 2022.05.30 09:28:41
+08'00'
ATTY. MARIA THERESITA E. PATULA
Director IV, LEO
BAC Chairperson

Approved:


Digitally signed
by Naga John
Henry Du
ATTY. JOHN HENRY D. NAGA
Privacy Commissioner
Head of the Procuring Entity
Date: MAY 30 2022

Ref No.: 038-2022

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NPC_BAC_RESO-V1.0, R0.0, 05 May 2021



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

NOTICE OF AWARD

Date Issued: **MAY 30 2022**

[REDACTED]
Forest Crest Nature Hotel & Resort
Km 72 Batulao, Nasugbu Batangas

Dear [REDACTED]

Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 038-2022 series of 2022, the contract for the procurement of **Lease of Venue** amounting to **Nine Hundred Ten Thousand Pesos (P 910,000.00)**, VAT inclusive, is hereby awarded to **Forest Crest Nature Hotel and Resort, Inc.**, consistent with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.

Very truly yours,

Digitally signed
by Naga John
Henry Du

ATTY. JOHN HENRY D. NAGA

Privacy Commissioner
Head of the Procuring Entity

MAY 30 2022

Conforme:

[REDACTED]
Forest Crest Nature Hotel & Resort
Km 72 Batulao, Nasugbu Batangas
Date: **May 30, 2022**

Ref No.: 020-2022

NPC_BAC_NOA-V1.0, R0.0, 05 May 2021

PURCHASE ORDER
NATIONAL PRIVACY COMMISSION
Entity Name

Supplier :	FOREST CREST NATURE HOTEL AND RESORT, INC.	P.O. No. :	2022-05-0016
Address :	KM 72 Brgy Kaylaway Nasugbu Batangas	Date :	31 MAY 2022
TIN :		Mode of Procurement :	Lease of Real Property or Venue

Gentlemen:

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

Place of Delivery : FOREST CREST NATURE HOTEL AND RESORT Nasugbu Batangas	Delivery Term : June 1-3, 2022
Date of Delivery : June 1-3, 2022	Payment Term : LDDAP-ADA

Stock/ Property No.	Unit	Description	Quantity	Unit Cost	Amount
	Lot	<p style="text-align: center;">LEASE OF VENUE</p> <p>Specifications: Lease of Venue for 200 pax with provision of the following: 1. Room Accommodation for 3 days and 2 nights including complementary rooms for advance party 2. Meals for 200 pax : Managed Buffets from day 1 to 3 with drinks per meal including free flowing coffee and welcome drinks 3. Function rooms/Conference rooms (air-conditioned) for 200 pax with sound system and LCD projectors including Wi Fi internet access 4. Team Building facilities and activity area including in-house facilitator</p> <p>Other requirements: Use of pools, open-field and court areas, welcome banner/s, shuttle services within the vicinity, first aid responders and parking slots for NPC vehicles</p> <p>Delivery: Full delivery shall be on June 1-3, 2022</p> <p>Payment: 1. Payment shall be processed upon issuance of <i>Certificate of Acceptance of Output</i> by the end-user/s 2. Payment shall be made through send bill arrangement and shall be processed upon receipt of the Statement of Account/Billing statement/Invoice issued by the supplier</p>	1	910,000.00	910,000.00

(Total Amount in Words)

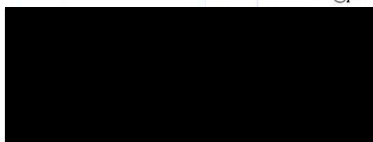
NINE HUNDRED TEN THOUSAND PESOS

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 Mr. Joel Pagtulingan Jr. at (02)8234-2228 local 119 or email at asd@privacy.gov.ph for questions/delivery and other concerns.

Conforme:



Signature over Printed Name of Supplier

MAY 31 2022

Date

Very truly yours,

ATTY. IVIN RONALD D.M. ALZONA

Signature over Printed Name of Authorized Official

Executive Director IV

Designation

Fund Cluster : 01

Funds Available : ₱ 910,000.00

JENSEN JOY L. BALLICUD

Signature over Printed Name of Chief Accountant/Head of Accounting Division/Unit

ORS/BURS No. : 02-102-2022-05-0048

Date of the ORS/BURS: MAY 31, 2022

Amount : ₱ 910,000.00