



BIDS AND AWARDS COMMITTEE
Resolution No. 022-2025, Series of 2025

**RECOMMENDING THE AWARD OF CONTRACT FOR THE PROCUREMENT OF
DECOMMISSIONING, DISMANTLING OF THE DATA CENTER COMPONENT
(APP Item No. 2025-0107)**

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, pursuant to Section 10 of the Revised Implementing Rules and Regulation (RIRR) of Republic Act No. 9184, all procurement shall be done through competitive bidding, except as provided in Rule XVI of this IRR;

WHEREAS, Section 48.1 of the 2016 RIRR of R.A. No. 9184 provides that, “subject to the prior approval of the HoPE, and whenever justified by the conditions provided in this Act, the Procuring Entity may, in order to promote economy and efficiency, resort to any of the alternative methods of procurement provided in this Rule. In all instances, the Procuring Entity shall ensure that the most advantageous price for the Government is obtained”;

WHEREAS, the NPC received a letter from the Philippine International Convention Center, Inc. informing the former that the office spaces currently occupied by NPC are among those identified by the ASEAN National Organizing Committee for immediate renovation beginning 15 March 2025 and thus, directing the NPC to vacate the premises not later than 14 March 2025;

WHEREAS, Section 53.2 of the RIRR of R.A. No. 9184 recognizes negotiated procurement through Emergency Cases as an alternative mode of procurement, where the procuring entity directly negotiates a contract in case of imminent danger to life or property during a state of calamity, or **when time is of the essence arising from natural or man-made calamities or other causes, where immediate action is necessary to prevent damage to or loss of life or property, or to restore vital public services**, infrastructure facilities and other public utilities. The instances or stipulations where the foregoing conditions may be applied include the provision of immediate response and initial recovery steps to avoid loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with **damage to property, destruction of assets, loss of services, social and economic disruption** and environmental degradation;

WHEREAS, GPPB Circular No. 03-2020 clarified that Negotiated Procurement (Emergency Cases) modality shall be allowed (1) in case of imminent danger to life or property during a state of calamity; (2) when time is of the essence arising from natural or man-made calamities; or (3) **other causes where immediate action is necessary to prevent damage to or loss of life or property, or to restore vital public services**, infrastructure facilities and other public

utilities;

WHEREAS, the NPC is a national government agency that is mandated in preserving the rights of the data subject which is considered a vital public service.

WHEREAS, the NPC, in support of its core functions, established the NPC Data Center which houses critical infrastructure and contains servers storing sensitive information, case files, regulatory documents, and essential databases required for the Commission's day-to-day functions;

WHEREAS, the NPC complied with the directive of PICCI and successfully dismantled and moved all its assets except the Data Center, which requires urgent specialized services for proper dismantling of its equipment;

WHEREAS, a Certification of Availability of Funds was issued certifying that funds are available to cover the cost for the decommissioning and dismantling of the data center component amounting to Five Hundred Thousand Pesos (Php500,000.00) chargeable against Other Professional Services (OPERATIONS-MOOE), under 2025 Current Appropriations, programmed under the NPC CY 2025 APP;

WHEREAS, having found that the documents submitted by the end-user to be in order, the National Privacy Commission – Bids and Awards Committee (NPC-BAC) resolved to award the decommissioning and dismantling of the data center component with the **Builders Elite Services and Trading Best Corp.;**

NOW, THEREFORE, for and in consideration of the foregoing, WE, the members of the NPC-BAC, hereby RESOLVE, as it is hereby RESOLVED, for purposes of efficiency, expediency and economy, to recommend the award of the contract for the procurement of **Decommissioning , Dismantling of the Data Center Component** with the total amount of **Four Hundred Fifty Thousand Pesos (Php450,000.00)** in order to facilitate the immediate transfer of the National Privacy Commission, subject to the presentation of their original documentary requirements upon the signing of the Notice of Award (NOA).

RESOLVED this 14 March 2025, via combination of on-site meeting and videoconferencing.

ATTEST:

MR. LENNARD A. PLANDOR
Information Technology Officer II, IMISU
Provisional BAC Member/End-User

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

ATTY. ANNABEL F. HERNANDEZ

*Attorney III, OED
BAC Member*

ATTY. MARC RUSSEL ANN P.

LUBANGCO
*Division Chief, CID
BAC Vice Chairperson*

ATTY. AUBIN ARN R. NIEVA

*Director IV, DASCO
BAC Chairperson*

Approved:

 Digitally signed
by Naga John
Henry Du

ATTY. JOHN HENRY D. NAGA

*Privacy Commissioner
Head of the Procuring Entity
Date: 14 March 2024*



Republic of the Philippines
NATIONAL PRIVACY COMMISSION
5th Floor, Philippine International Convention Center,
Vicente Sotto Avenue, Pasay City, Metro Manila 1307



NOTICE OF AWARD

Date Issued: 14 March 2025

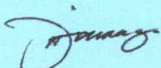


BUILDERS ELITE SERVICES AND TRADING (BEST) CORP.
65 Buenvaje Bldg., III, Liamzon St., Brgy. San Roque,
Marikina City, Metro Manila

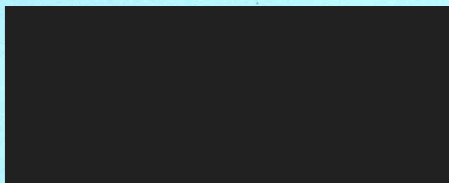
Dear ,

Please be advised that upon the recommendation of the NPC Bids and Awards Committee, per BAC Resolution No. 022-2025 series of 2025, the contract for **DECOMMISSIONING AND DISMANTLING OF THE DATA CENTER COMPONENT** amounting to **Four Hundred Fifty Thousand Pesos (Php450,000.00)** VAT inclusive, is awarded to **BUILDERS ELITE SERVICES AND TRADING (BEST) CORP.**, 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


Digitally
signed by
Raysen Jaica
Rita Sabayton



BUILDERS ELITE SERVICES AND TRADING (BEST) CORP.

Authorized Representative

Date: MAR 14 2025

PURCHASE ORDER
NATIONAL PRIVACY COMMISSION
Entity Name

Supplier :	BUILDERS ELITE SERVICES AND TRADING (BEST) CORP.	P.O. No. :	2025- 05 - 0013
Address :	#65 Buenvaje Building, III, Liamzon Street, Brgy.San Roque, Marikina City	Date :	08 MAY 2025
TIN :	010-135-367-000	Mode of Procurement :	Negotiated Procurement – Emergency Cases (Sec. 53.2)

Gentlemen:
Please perform/provide the following services subject to the terms and conditions contained herein.

Place of Delivery:	National Privacy Commission, 5th Floor, Delegation Building, Philippine International Convention Center, Vicente Sotto Avenue, Pasay City	Delivery Term :	Full-service delivery on or before 14 March 2025
Date of Delivery :	Full-service delivery on or before 14 March 2025	Payment Term :	LDDAP-ADA

Stock/ Property No.	Unit	Description	Quantity	Unit Cost	Amount
	LOT	DECOMMISSIONING AND DISMANTLING OF DATA CENTER COMPONENT	1	450,000.00	450,000.00
		<div><div>Specifications: The decommissioning and dismantling of data center components cover a comprehensive range of activities, starting with the mobilization and demobilization of resources. Below is the scope of work for dismantling of data center components: <ul style="list-style-type: none">*Pre-testing of data-center components*Mobilization*Dismantling of Raised Flooring System*Dismantling of Indoor and Outdoor of PACU*Check and verify FM200 Cylinder Tank Pressure and smoke detectors.*Dismantling of racks(West wing-main datacenter and East wing rack)*Dismantling of Biometrics System*Dismantling of Alarm System*Dismantling of Fire Suppression System including FM200 tank and associated components.*Dismantling of Control Panels*Safekeeping of all materials during the activity*Supply of consumables if needed*Submission of post-inventory of Data Center Components<i>(Attached as "Annex A" is the Terms of Reference as additional reference as to much detailed specifications, terms and conditions)</i></div><div>Payment: Payment shall be processed upon performance of the services in accordance with the signed Purchase Order (PO) and instructions and upon issuance of Certificate of Acceptance by the Inspection Committee and End-User.</div></div>			

Basis of Award: BAC Resolution No. 022-2025, Series of 2025, and Notice of Award (NOA) issued on 14 March 2025

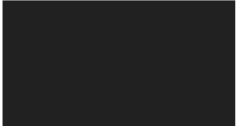
(Total Amount in Words) FOUR HUNDRED FIFTY THOUSAND PESOS ONLY

In case of failure to make the delivery/performance of services within the date specified, a penalty of one-tenth (1/10) of one percent of the bid price for every day of delay shall be imposed.


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


You may coordinate with Ms. Joan P. Del Mundo at +632 5322 1322 local 203 or email at asd@privacy.gov.ph for delivery/service concerns.

Conforme:


Signature over Printed Name of Supplier
13 May 2025
Date

Very truly yours,


MARIA DELIA S. PRESQUITO
Signature over Printed Name of Authorized Official
Director IV, FAO

Fund Cluster : 01	ORS/BURS No. : 02-101-2025-05-00299
Funds Available : ₱ 450,000.00	Date of the ORS/BURS: 09 MAY 2025
 JOHANA CARLA T. GOMEZ <small>as per PCSO No. 017 s.2023</small> Signature over Printed Name of Chief Accountant/Head of Accounting Division/Unit	Amount : ₱ 450,000.00