


CONTRACT OF LEASE

KNOW ALL MEN BY THESE PRESENTS:

This Contract of Lease made and entered into this MAY 26 2020 day of _____ 2020 at SAN JUAN CITY Metro Manila, Philippines, by and between:

SECURITIES AND EXCHANGE COMMISSION, a government agency created by virtue of Commonwealth Act No. 83, with office address at Secretariat Building, Philippine cv International Convention Center, Pasay City, represented herein by **VICENTE GRACIANO P. FELIZMENIO, JR.**, OIC-Director of Information and Communications Technology Department duly authorized to sign this contract under SEC Office Order No. 270 series of 2019, copy of which is hereto attached as annex "A", hereinafter referred to as the "**SEC**";

and

 **MICRODATA SYSTEMS AND MANAGEMENT, INC.**, a corporation duly organized and existing under and by virtue of Philippine laws and with principal office address at 199 C.M. Recto Street, Barangay Addition Hills, San Juan City represented herein by its Vice President for Sales and Marketing, **Ms. ADELINE JO L. ANG-TE**, duly authorized for this purpose to sign this contract under authority of the signatory, copy of which is hereto attached as Annex "B", hereinafter referred to as the "**MICRODATA**"

WHEREAS, the Securities and Exchange Commission, through its Bids and Awards Committee (BAC) posted the Invitation to Bid for the Rental of Two (2) Units of Microfilm Reader/Printer Machine without Operator (Re-bidding) for a Period of One (1) year for the SEC in the PhilGEPS and SEC website and in the SEC Bulletin Boards continuously for at least seven (7) days starting January 11, 2020;

WHEREAS, the Public Bidding for this project is in compliance with DBM Circular No. 2019-01 requiring all government agencies to undertake Early Procurement Activity (EPA) of projects included in the Approved Indicative APP;

WHEREAS, the project with an Approved Budget for the Contract of One Million Five Hundred Thousand Pesos (P1,500,000.00) as indicated in the Approved Purchase Order No. 201910166 is included under item No. A-5 in FY 2020 Indicative Annual Procurement Plan (IAPP)




WHEREAS, on January 20, 2020 scheduled Pre-Bid Conference, Microdata Systems and Management, Inc. (Microdata) attended the scheduled Pre-Bid Conference;

WHEREAS, on January 21 and 24, 2020, Bid Bulletins were issued to clarify, modify and amend items in the bidding documents;

WHEREAS, on February 3, 2020, deadline for submission of eligibility, technical and financial documents only Microdata submitted its bid documents;

WHEREAS, on the same date, the BAC using the non-discretionary "pass/fail" criterion opened the bid documents submitted by Microdata. Upon examination, the BAC found the eligibility and technical documents of Microdata compliant with the minimum requirements;

WHEREAS, the BAC opened the financial offer of Microdata and that its financial bid in the amount of One Million Five Hundred Thousand Pesos (Php1,500,000.00) inclusive of VAT was found to be responsive and equivalent the Approved Budget for the Contract of One Million Five Hundred Thousand Pesos (Php1,500,000.00);

WHEREAS, the price quoted by Microdata was declared as the Single Calculated Bid;

WHEREAS, on February 6, 2020, the ICTD issued a Certificate of Acceptance to Microdata after passing the Proof of Concept;

WHEREAS, on February 10, 2020 the BAC endorsed the bidding documents of Microdata, to the Technical Working Group (TWG) for post-qualification and evaluation;

WHEREAS, the TWG, in accordance with its mandate under Section 34, Rule X of RA9184 and its IRR, conducted a post-qualification and evaluation process;

WHEREAS, based on the TWG Evaluation Report dated February 12, 2020, Microdata, was established to be compliant with the legal, financial and technical requirements for the project.

WHEREAS, on February 12, 2020, the TWG presented to the BAC its Post-Qualification and Evaluation Report and recommends award of contract to Microdata;

WHEREAS, in the BAC Resolution No. 2020-009 dated February 12, 2020, the BAC recommended to the Chairperson the award of the contract for the Rental of Two (2) Units of Microfilm Reader/Printer without operator to the Microdata;

WHEREAS, Microdata submitted its Performance Security in the form of Performance Bond in the amount of ₱ 450,000.00

WHEREAS, on February 19, 2020 the Chairperson approved the recommendation of the BAC and accordingly, issued the Notice of Award.

NOW THEREFORE, for and in consideration of the foregoing premises, the parties hereby mutually stipulate and agree as follows:

1. The contract shall have a term of One (1) year effective on May 26, 2020.
2. In this contract, the words and expressions shall have the same meaning as are respectively assigned to them in the General Specification of this Contract.
3. The following documents shall be deemed to form and be read and construed as part of this Agreement, namely;

ANNEX	DESCRIPTION OF DOCUMENTS	NO. OF PAGES
A	SEC Office Order No. 270, series of 2019	1
B	Authority to Sign for Microdata	6
C	SEC Bidding Documents	75
D	Bid Bulletin 1 and 2	2
E	Bidders Eligibility and Technical Documents	27
F	Bidders Financial Proposal	3
G	Performance Security	
H	Notice of Award	1
I	General Conditions of the Contract	15
J	Special Conditions of Contract	3

4. In consideration of the payments to be made by SEC, MICRODATA hereby covenants with SEC to the Rental of Two (2) Units of Microfilm Reader/Printer without operator in conformity in all respects with the provision of this Agreement;
5. The SEC hereby agrees to pay Microdata the amount of One Million Five Hundred Thousand Pesos (P1,500,000.00) in consideration of its performance of the services and delivery of goods under the provisions of this agreement at the times and in the matter prescribed herein;
6. In any legal action is necessary to enforce the terms and conditions of this Agreement, the parties agree that the City of Pasay shall be the sole venue and jurisdiction of the filing of such action.

- 7. If any term, provision, covenant or condition of this Agreement is held by court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provision hereof shall remain in full force and effect and shall in no way be affected, impaired or invalidated.
- 8. In carrying out provisions of this Agreement, there shall be no personal liability on the officials and employees of the SEC, it being understood that in such matters they act as agents and representatives of the SEC. Any right of action by the Supplier against any official or employees of the SEC is waived.

IN WITNESS WHEREOF, the parties have caused this contract to be executed in accordance with laws of the Republic of the Philippines on the day and year first above written.

**SECURITIES & EXCHANGE
AND COMMISSION ("SEC")**
T.I.N. 000-190-308-000


**MICRODATA SYSTEMS AND
MANAGEMENT, INC. ("SUPPLIER")**
T.I.N. 000-171-929-000

Signing for, and on Behalf of the Chairperson;


By:


By:


VICENTE GRACIANO P. FELIZMENIO, JR.
 OIC-Director-ICTD
 TIN:116-242-160


ADELINYO L. ANG-TE
 Vice-President for Sales and Marketing
 TIN: 223-524-607

Signed in the Presence of Witnesses


NOEL B. ARA
 End-User-SEC-ICTD


CELESTE SIA
 Vice-President of Operations

Certified Funds Available:


ADELAIDA NAVARRO BANARIA
 Director, FMD



ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES }
SAN JUAN CITY CITY

} S.S.

BEFORE ME, This _____ day of MAY 26 2020 2020 personally appeared the following:
SAN JUAN CITY

ADELINE JO L. ANG-TE

TIN: 223-524-607

known to me and to me known to be the same persons who executed this instrument and they acknowledged to me that the same is their free and voluntary act and deed and that of the government agency and corporation which they respectively represent.

I further certify that this instrument refers to a Contract Agreement for the **Rental of Two (2) Units of Microfilm Reader Printer without Operator for a period of one (1) year** and all its Annexes and sealed with my notarial seal.

NOTARY PUBLIC



PEDRO T. SANTOS JR.
NOTARY PUBLIC

UNTIL DECEMBER 31, 2021,

PTR NO. 1401518 1/6/2020, San Juan City

IBP NO. 94612 11/11/2019 Pasig City, ROLL NO. 8364,

APPT. NO. 43. MCLF CERT. OF EXEMPTION VI-NP 003176

143 F. BLUMENTRUIB ST., SAN JUAN CITY,

METRO MANILA, PHILIPPINES

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Page No. 102
Book No. 79
Series of 2020



ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES }
_____ CITY

} S.S.

BEFORE ME, This _____ day of _____ 2020 personally appeared the following:

VICENTE GRACIANO P. FELIZMENIO, JR.

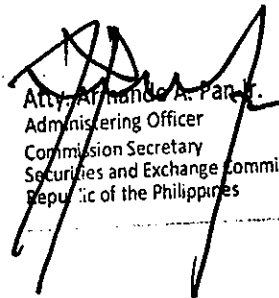
TIN: 116-242-160

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Atty. Armando A. Parilla
Administering Officer
Commission Secretary
Securities and Exchange Commission
Republic of the Philippines







