



Republic of the Philippines
OFFICE OF THE PRESIDENT
**COMMISSION ON HIGHER EDUCATION
BIDS AND AWARDS COMMITTEE**
BAC Secretariat Office: G/F Higher Education Development Center (HEDC) Bldg., CP
Garcia Avenue, UP Diliman, Quezon City
Website: <http://www.ched.gov.ph> email: chedbac@ched.gov.ph

BAC RESOLUTION NO. 2022-025

"Recommendation to award the contract to OTUS COPY SYSTEMS, INC. for the Procurement of Rental of Photocopying Machines for FY 2022"

WHEREAS, per BAC Resolution No. 2022-017 dated February 21, 2022, the Bids and Awards Committee (BAC) resolved to declare **MCLINK COPY SERVICES PHILIPPINES INC.** as **disqualified** and further resolved to conduct **post qualification** to **OTUS COPY SYSTEMS, INC.**, the **second Lowest Calculated Bid (LCB)**;

WHEREAS, on March 2, 2022 regular BAC meeting, the BAC with the assistance of the TWG-OGS together with the BAC Secretariat and the end-user, upon **post qualification evaluation** through **virtual ocular inspection** and **validation of documents** conducted on February 24 & 28, 2022, respectively, and compliance on the technical requirements determined by the end-user on March 1, 2022, found **OTUS COPY SYSTEMS, INC.** responsive with the eligibility and technical specification requirements of the bid;

WHEREAS, the BAC upon motion, duly seconded resolved to declare **OTUS COPY SYSTEMS, INC.** as the **Lowest Calculated and Responsive Bid (LCRB)** for the **Procurement of Rental of Photocopying Machines for FY 2022**;

WHEREFORE, RESOLVE AS IT IS HEREBY RESOLVED, that the Bids and Awards Committee hereby recommends for approval by the Commission en Banc (CEB) the award of the contract to **OTUS COPY SYSTEMS, INC.** in the total amount of **One Million Two Hundred Forty Nine Thousand Two Hundred Pesos (P1,249,200.00)** for the **Procurement of Rental of Photocopying Machines for FY 2022**.

BAC RESOLUTION NO. 2022-025

Done this 2nd day of March 2022, in accordance with Memorandum from the Office of the Executive Director No. 177 series of 2022 dated February 28, 2022 re 100% On-site Workforce Capacity starting 01 March 2022.

Bids and Awards Committee


DIR. CORINNA FRANCES CABANILLA
Member


MR. WINSTON C. BRACEROS
Member


ATTY. FREDERICK MIKHAIL I. FAROLAN
Member


DR. MARIVIC V. IRIBERRI
Member


ATTY. CHRISTIAN E. RIVERO
Member


ATTY. RYAN L. ESTEVEZ
Vice-Chair


ATTY. CINDERELLA FILIPINA BENITEZ-JARO
Chairperson



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Page 1 of 2

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MR. WINSTON C. BRACEROS
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ATTY. CHRISTIAN E. RIVERO
Member



ATTY. RYAN L. ESTEVEZ
Vice-Chair

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by Estevez Ryan
Legisniana
Date: 2022.03.07
09:36:22 +08'00'



ATTY. CINDERELLA FILIPINA BENITEZ-JARO
Chairperson

COMPLETE STAFF WORK (CSW) FORM

A. Subject:

Approval of the award of contract to Otus Copy Systems, Inc. in the total amount of One Million Two Hundred Forty Nine Thousand Two Hundred Pesos (P1,249,200.00) for the Procurement of Rental of Photocopying Machines for FY 2022

B. Proponent Office: Bids and Awards Committee (BAC)

C. Action Requested

For comment

For approval

For endorsement

For signature

D. Rationale / Background Information:

The Commission en Banc (CEB), through CEB Resolution No. 009-2022 dated January 11, 2022 with concurrence of the Management Committee approved the award of the contract to MCLINK COPY SERVICES PHILIPPINES INC. in the total amount of Nine Hundred Fifty Nine Thousand Four Hundred Pesos (P959,400.00) for the Procurement of Rental of Photocopying Machines for FY 2022.

On February 18, 2022, MCLINK COPY SERVICES PHILIPPINES INC. submitted a letter informing the BAC that it cannot receive the Notice to Proceed for the Rental of Photocopying Machines for FY 2022 from CHED due to the challenges they are encountering on customs clearance.

On February 21, 2022 Special BAC meeting, the BAC deliberated on the letter submitted by MCLINK COPY SERVICES PHILIPPINES INC.

The BAC, during deliberation, considered Section 40.1 of the 2016 Revised IRR of R.A 9184 which states:

"If the bidder with the LCRB, HRRB, SCRB or SRRB fails, refuses or is unable to submit the documents required under Section 37.1 of this IRR or to make good its bid by entering into a contract with the Procuring Entity or post the required Performance Security within the period stipulated in this IRR or in the Bidding Documents, the bid security shall be forfeited and the appropriate sanctions provided in this IRR and existing laws shall be imposed, except where such failure, refusal or inability is through no fault of the said bidder"

Further, Section 40.2 of the 2016 Revised IRR of R.A 9184 states:

"In the case of the failure, refusal or inability of the bidder with LCRB or HRRB to submit the documents required under Section 37.1 of this IRR or to enter into contract and post the required Performance Security, as provided in this Section, the BAC shall disqualify the said bidder, and shall initiate and complete the post qualification process on the bidder with the second Lowest Calculated Bid/Highest Rated Bid: Provided, however, That in the case of Consulting Services, the second Highest Rated Bid has successfully undergone the negotiation stage in accordance with Section 33.2.5 of this IRR. This procedure shall be repeated until the LCRB or HRRB is determined for award. However, if no bidder passes post-qualification, the BAC shall declare the bidding a failure and conduct a re-bidding with re-advertisement."

Should there occur another failure of bidding after the conduct of the contract's re-bidding, the Procuring Entity concerned may enter into a negotiated procurement"

The BAC, upon deliberation, moved, and duly seconded declared MCLINK COPY SERVICES PHILIPPINES INC. as disqualified and further resolved to conduct post qualification to OTUS COPY SYSTEMS, INC., the second Lowest Calculated Bid.

On March 2, 2022 regular BAC meeting, the BAC with the assistance of the TWG-OGS together with the BAC Secretariat and the end-user, upon post qualification evaluation through virtual ocular inspection and validation of documents conducted on February 24 & 28, 2022, respectively, and compliance on the technical requirements determined by the end-user on March 1, 2022, found OTUS COPY SYSTEMS, INC. responsive with the eligibility and technical specification requirements of the bid.

In relation to this, the BAC hereby requests for approval to award the contract to the declared Lowest Calculated and Responsive Bid (LCRB) for the following lot:

PARTICULARS	ABC	CONTRACT AMOUNT	BIDDER
Procurement of Rental of Photocopying Machines for FY 2022	P1,900,000.00	P1,249,200.00	Otus Copy Systems, Inc.

E. Supporting Documents:

- Draft CEB Resolution
- MOA/Contract
- CMO, CSO, CAO
- Certification / Justification

F. Proposed Keywords for the CEB Resolution Online Library Entry

(maximum of 5 keywords)

1. Award of contract
2. Otus Copy Systems, Inc.
3. Bids and Awards Committee
4. Procurement of Rental of Photocopying Machines for FY 2022
5. AFMS

G. Recommending Approval

OFFICE	SIGNATURE	REMARKS
BAC	 ATTY. CINDERELLA FILIPINA S. BENITEZ-JARO BAC Chairperson	

Mr

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COMPLETE STAFF WORK (CSW) FORM

<p>A. Subject:</p> <p>Approval of the award of contract to Otus Copy Systems, Inc. in the total amount of One Million Two Hundred Forty Nine Thousand Two Hundred Pesos (P1,249,200.00) for the Procurement of Rental of Photocopying Machines for FY 2022</p>
<p>B. Proponent Office: Bids and Awards Committee (BAC)</p>
<p>C. Action Requested</p> <p><input type="checkbox"/> For comment <input type="checkbox"/> For endorsement <input checked="" type="checkbox"/> For approval <input type="checkbox"/> For signature</p>
<p>D. Rationale / Background Information:</p> <p>The Commission en Banc (CEB), through CEB Resolution No. 009-2022 dated January 11, 2022 with concurrence of the Management Committee approved the award of the contract to MCLINK COPY SERVICES PHILIPPINES INC. in the total amount of Nine Hundred Fifty Nine Thousand Four Hundred Pesos (P959,400.00) for the Procurement of Rental of Photocopying Machines for FY 2022.</p> <p>On February 18, 2022, MCLINK COPY SERVICES PHILIPPINES INC. submitted a letter informing the BAC that it cannot receive the Notice to Proceed for the Rental of Photocopying Machines for FY 2022 from CHED due to the challenges they are encountering on customs clearance.</p> <p>On February 21, 2022 Special BAC meeting, the BAC deliberated on the letter submitted by MCLINK COPY SERVICES PHILIPPINES INC.</p> <p>The BAC, during deliberation, considered Section 40.1 of the 2016 Revised IRR of R.A 9184 which states:</p> <p><i>"If the bidder with the LCRB, HRRB, SCRB or SRRB fails, refuses or is unable to submit the documents required under Section 37.1 of this IRR or to make good its bid by entering into a contract with the Procuring Entity or post the required Performance Security within the period stipulated in this IRR or in the Bidding Documents, the bid security shall be forfeited and the appropriate sanctions provided in this IRR and existing laws shall be imposed, except where such failure, refusal or inability is through no fault of the said bidder"</i></p> <p>Further, Section 40.2 of the 2016 Revised IRR of R.A 9184 states:</p> <p><i>"In the case of the failure, refusal or inability of the bidder with LCRB or HRRB to submit the documents required under Section 37.1 of this IRR or to enter into contract and post the required Performance Security, as provided in this Section, the BAC shall disqualify the said bidder, and shall initiate and complete the post qualification process on the bidder with the second Lowest Calculated Bid/Highest Rated Bid: Provided, however, That in the case of Consulting Services, the second Highest Rated Bid has successfully undergone the negotiation stage in accordance with Section 33.2.5 of this IRR. This procedure shall be repeated until the LCRB or HRRB is determined for award. However, if no bidder passes post-qualification, the BAC shall declare the bidding a failure and conduct a re-bidding with re-advertisement.</i></p>

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Should there occur another failure of bidding after the conduct of the contract's re-bidding, the Procuring Entity concerned may enter into a negotiated procurement"

The BAC, upon deliberation, moved, and duly seconded declared MCLINK COPY SERVICES PHILIPPINES INC. as disqualified and further resolved to conduct post qualification to OTUS COPY SYSTEMS, INC., the second Lowest Calculated Bid.

On March 2, 2022 regular BAC meeting, the BAC with the assistance of the TWG-OGS together with the BAC Secretariat and the end-user, upon post qualification evaluation through virtual ocular inspection and validation of documents conducted on February 24 & 28, 2022, respectively, and compliance on the technical requirements determined by the end-user on March 1, 2022, found OTUS COPY SYSTEMS, INC. responsive with the eligibility and technical specification requirements of the bid.

In relation to this, the BAC hereby requests for approval to award the contract to the declared Lowest Calculated and Responsive Bid (LCRB) for the following lot:

PARTICULARS	ABC	CONTRACT AMOUNT	BIDDER
Procurement of Rental of Photocopying Machines for FY 2022	P1,900,000.00	P1,249,200.00	Otus Copy Systems, Inc.

E. Supporting Documents:


- Draft CEB Resolution
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1. Award of contract
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5. AFMS

G. Recommending Approval

OFFICE	SIGNATURE	REMARKS
BAC	 ATTY. CINDERELLA FILIPINA S. BENITEZ-JARO BAC Chairperson	


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MEMORANDUM

TO : THE CHED MANAGEMENT COMMITTEE

FOR : THE HONORABLE CHAIRMAN AND COMMISSIONERS

THROUGH : **ATTY. CINDERELLA FILIPINA S. BENITEZ-JARO**
Executive Director IV

FROM : 
MS. BEATRIZ D. PASCUAL
Head, Bids and Awards Committee Secretariat

SUBJECT: COMPLETED STAFF WORK (CSW) FOR THE RECOMMENDATION OF THE BAC FOR APPROVAL ON THE AWARD OF CONTRACT TO OTUS COPY SYSTEMS, INC. IN THE TOTAL AMOUNT OF ONE MILLION TWO HUNDRED FORTY NINE THOUSAND TWO HUNDRED PESOS (P1,249,200.00) FOR THE PROCUREMENT OF RENTAL OF PHOTOCOPYING MACHINES FOR FY 2022

This is to respectfully submit the Complete Staff Work (CSW) for the recommendation of the BAC to approve the award of contract to Otus Copy Systems, Inc. in the total amount of One Million Two Hundred Forty Nine Thousand Two Hundred Pesos (P1,249,200.00) for the Procurement of Rental of Photocopying Machines for FY 2022 for inclusion in the agenda for the March 8, 2022 Commission en Banc meeting / Joint Management Committee and Commission en Banc meeting under the items for the Bids and Awards Committee (BAC).

Attached with the CSW are the following documents:

1. BAC Resolution

The Bids and Awards Committee (BAC) hereby requests the recommendations from the CHED Joint Management Committee and Commission en Banc on the proposed actions for the above-mentioned concerns.

EXCERPTS FROM THE MINUTES OF THE COMMISSION EN BANC MEETING
HELD ON 08 MARCH 2022 VIA ZOOM VIDEO CONFERENCING

RESOLUTION No. ____ - 2022

WHEREAS, the Commission en Banc (CEB), through CEB Resolution No. 009-2022 dated January 11, 2022 with concurrence of the Management Committee approved the award of the contract to MCLINK COPY SERVICES PHILIPPINES INC. in the total amount of Nine Hundred Fifty Nine Thousand Four Hundred Pesos (P959,400.00) for the Procurement of Rental of Photocopying Machines for FY 2022;

WHEREAS, on February 18, 2022, MCLINK COPY SERVICES PHILIPPINES INC. submitted a letter informing the BAC that it cannot receive the Notice to Proceed for the Rental of Photocopying Machines for FY 2022 from CHED due to the challenges they are encountering on customs clearance;

WHEREAS, on February 21, 2022 Special BAC meeting, the BAC deliberated on the letter submitted by MCLINK COPY SERVICES PHILIPPINES INC.;

WHEREAS, the BAC, upon deliberation, considered Section 40.1 of the 2016 Revised IRR of R.A 9184 which states:

"If the bidder with the LCRB, HRRB, SCRB or SRRB fails, refuses or is unable to submit the documents required under Section 37.1 of this IRR or to make good its bid by entering into a contract with the Procuring Entity or post the required Performance Security within the period stipulated in this IRR or in the Bidding Documents, the bid security shall be forfeited and the appropriate sanctions provided in this IRR and existing laws shall be imposed, except where such failure, refusal or inability is through no fault of the said bidder"

WHEREAS, the BAC, further considered Section 40.2 of the 2016 Revised IRR of R.A 9184 states:

"In the case of the failure, refusal or inability of the bidder with LCRB or HRRB to submit the documents required under Section 37.1 of this IRR or to enter into contract and post the required Performance Security, as provided in this Section, the BAC shall disqualify the said bidder, and shall initiate and complete the post qualification process on the bidder with the second Lowest Calculated Bid/Highest Rated Bid:

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Provided, however, That in the case of Consulting Services, the second Highest Rated Bid has successfully undergone the negotiation stage in accordance with Section 33.2.5 of this IRR. This procedure shall be repeated until the LCRB or HRRB is determined for award. However, if no bidder passes post-qualification, the BAC shall declare the bidding a failure and conduct a re-bidding with re-advertisement. Should there occur another failure of bidding after the conduct of the contract's re-bidding, the Procuring Entity concerned may enter into a negotiated procurement"

WHEREAS, the BAC, upon deliberation, moved, and duly seconded declared MCLINK COPY SERVICES PHILIPPINES INC. as disqualified and further resolved to conduct post qualification Bidder to OTUS COPY SYSTEMS, INC., the second Lowest Calculated Bidder;

WHEREAS, on March 2, 2022 regular BAC meeting, the BAC with the assistance of the TWG-OGS together with the BAC Secretariat and the end-user, upon post qualification evaluation through virtual ocular inspection and validation of documents conducted on February 24 & 28, 2022, respectively, and compliance on the technical requirements determined by the end-user on March 1, 2022, found OTUS COPY SYSTEMS, INC. responsive with the eligibility and technical specification requirements;

NOW, WHEREFORE, in view of the foregoing, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, that in view of the recommendation of the Bids and Awards Committee, and upon its discussion and agreement, the Commission **approved** the award of the contract to Otus Copy Systems, Inc. in the total amount of One Million Two Hundred Forty Nine Thousand Two Hundred Pesos (P1,249,200.00) for the Procurement of Rental of Photocopying Machines for FY 2022.

J. PROSPERO E. DE VERA III

Chairman

Commission en Banc Meeting

08 March 2022

RONALD L. ADAMAT

Commissioner

LILIAN A. DE LAS LLAGAS

Commissioner

PERFECTO A. ALIBIN

Commissioner


ALDRIN A. DARILAG

Commissioner

EXCERPTS FROM THE MINUTES OF THE COMMISSION EN BANC MEETING
HELD ON 08 MARCH 2022 VIA ZOOM VIDEO CONFERENCING

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J. PROSPERO E. DE VERA III 
Chairman
Commission en Banc Meeting
08 March 2022

RONALD L. ADAMAT
Commissioner

LILIAN A. DE LAS LLAGAS
Commissioner

PERFECTO A. ALIBIN
Commissioner

ALDRIN A. DARILAG
Commissioner



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION
BIDS AND AWARDS COMMITTEE

Notice of Award

NO. 2022-03-023

March 17, 2022

MR. PAUL RYAN D. CARINGAL



General Manager for North & East Manila Operations
OTUS COPY SYSTEMS, INC.
10/F MG Tower, 75 Shaw Boulevard
Mandaluyong City

Dear **Mr. Caringal** :

We are pleased to inform you that your bid for the **Procurement of Rental of Photocopying Machines for FY 2022** in the total amount of **One Million Two Hundred Forty Nine Thousand Two Hundred Pesos (P1,249,200.00)** is hereby accepted.


You are therefore required to provide within ten (10) calendar days the performance security in the form and in the amount as required under Section 39.2 of the 2016 Revised Implementing Rules and Regulation (IRR) of Republic Act 9184, otherwise your failure shall constitute sufficient ground for cancellation of the award.

Very truly yours,


J. PROSPERO E. DE VERA III, DPA
Chairman 

Received by: 

Date: 3/22/22


NOA No. 2022-03-023 OTUS COPY SYSTEMS, INC.
BAC Reso No. 2022-025 dated March 2, 2022
PR No. 2021-1116-0494
Prepared by YMadlangsakay



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION
BIDS AND AWARDS COMMITTEE

Notice of Award

NO. 2022-03-023

March 17, 2022

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Notice of Award

NO. 2022-03-023

March 17, 2022

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J. PROSPERO E. DE VERA III, DPA
Chairman

Received by: 

Date: 3/22/22


NOA No. 2022-03-023 OTUS COPY SYSTEMS, INC.
BAC Reso No. 2022-025 dated March 2, 2022
PR No. 2021-1116-0494
Prepared by YMadlangsakay



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION

BIDS AND AWARDS COMMITTEE
Notice to Proceed
2022-04-006

April 21, 2022

MR. PAUL RYAN D. CARINGAL
General Manager for North & East Manila Operations
OTUS COPY SYSTEMS, INC.
10/F MG Tower, 75 Shaw Boulevard
Mandaluyong City

Dear **Mr. Caringal**:

The attached contract having been approved, notice is hereby given to **OTUS COPY SYSTEMS, INC.**, that the work may proceed for the **Procurement of Rental of Photocopying Machines for FY 2022** effective seven (7) days after the receipt of this notice.

Thus, you shall be responsible for performing the services under the terms and conditions of the Contract and in accordance with the approved Implementation Schedule.

Please acknowledge receipt and acceptance of this notice by signing both copies in the space provided below. Keep one copy and return the other to the Commission on Higher Education (CHED).

Very truly yours,


J. PROSPERO E. DE VERA III, DPA
Chairman
Commission on Higher Education 

Conforme:

I acknowledge receipt of this Notice on: APRIL 22, 2022

Name of the Representative of the Bidder: MARCELO M. DELFIN III

Authorized Signature: 





Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION

BIDS AND AWARDS COMMITTEE

Notice to Proceed

2022-04-006

April 21, 2022

MR. PAUL RYAN D. CARINGAL

General Manager for North & East Manila Operations
OTUS COPY SYSTEMS, INC.
10/F MG Tower, 75 Shaw Boulevard
Mandaluyong City



Dear Mr. Caringal:

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Very truly yours,


J. PROSPERO E. DE VERA III, DPA
Chairman
Commission on Higher Education 

Conforme:

I acknowledge receipt of this Notice on: APRIL 22, 2022

Name of the Representative of the Bidder: MARCELO T. DELFIN III

Authorized Signature: 



CONTRACT AGREEMENT

APR 20 2022

KNOWN ALL MEN BY THESE PRESENTS:

This Contract entered and executed this ___ day of _____ 2022 in Mandaluyong City, Philippines by and between;

The **COMMISSION ON HIGHER EDUCATION**, with office address at the Higher Education Development Center Building, C.P. Garcia Ave., U.P Diliman, Quezon City, herein represented by its Chairman, **J. PROSPERO E. DE VERA III, DPA** and herein after referred to as the "**CHED**".

AND

The **OTUS COPY SYSTEM, INC.**, with postal address at 10th floor MG Tower, 75 Shaw Blvd., Brgy. Daang Bakal, Mandaluyong City, herein represented by its Area Manager – Sales, **MR. MARCELO M. DELFIN III**, and hereinafter referred to as the "**SUPPLIER**";

WITNESSETH, That:

WHEREAS, the CHED, through the Bids and Awards Committee (BAC) conducted a public bidding on the **Procurement of Rental of Photocopying Machines for FY 2022** in Republic Act No. 1984 and its 2016 revised Implementing Rules and Regulations of Republic Act No. 9184, for which certain terms and conditions were laid out in the bidding documents;

WHEREAS, the CHED Bids and Awards Committee (BAC) undertook the following bidding processes for the Procurement of Rental of Photocopying Machines for FY 2022 such as: (a) advertisement on November 24, 2021; (b) pre-bid conference on December 2, 2021; and (c) opening and evaluation on December 15, 2021;

WHEREAS, per BAC Resolution No. 2022-017 dated February 17, 2022, the BAC resolved to post disqualify McLink Copy Services Philippines, Inc. and further resolved to conduct post qualification to **OTUS Copy Systems, Inc.**, the second Lowest Calculated Bid (LCB) with a submitted bid price amounting to One Million Two Hundred Forty Nine Thousand Two Hundred Pesos (P1,249,200.00);

WHEREAS, on March 2, 2022 regular BAC meeting, the BAC with the assistance of the TWG OGS together with the BAC Secretariat and the end-user, upon post qualification evaluation through virtual ocular inspection and validation of documents conducted on February 24 & 28, 2022, respectively, and compliance on the technical requirements determined by the end-user on March 1, 2022, found OTUS Copy Systems, Inc. responsive with the eligibility and technical specification requirements of the bid;

WHEREAS, the BAC upon motion, duly seconded resolved to declare OTUS Copy Systems, Inc. as the Lowest Calculated and Responsive Bid (LCRB) for the Procurement of Rental of Photocopying Machines for FY 2022;

WHEREAS, that the Bids and Awards Committee recommends for approval by the Commission en Banc (CEB) the award of the contract to OTUS Copy Systems, Inc. in the total amount of One Million Two Hundred Forty Nine Thousand Two Hundred Pesos (P1,249,200.00) for the Procurement of Rental of Photocopying Machines for FY 2022.

WHEREAS, for January to April 2022 the CHED continues to avail the services of the existing provider while the procurement process is still on going, thus, the period and amount of the contract with OTUS Copy Systems, Inc. was adjusted from twelve (12) months in the amount of One Million Two Hundred Forty Nine Thousand Two Hundred Pesos (P1,249,200.00) to **eight (8) months (May 1, 2022 to December 31, 2022)** in the amount of **Eight Hundred Thirty Two Thousand Eight Hundred Pesos (P832,800.00)**;

NOW THEREFORE, for and in consideration of the foregoing premises, the parties do hereby agree as follows;

1. In this agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to;
2. This **AGREEMENT** shall take effect from May 01, 2022 until December 31, 2022 upon completion of the contract duly notarized and shall continue for a period of eight (8) months from the date of effectivity, which may be extended at the option of both parties in accordance with the GPPB Resolution No 03-2006 or the amended "Guidelines on Contract Extension for General Services", unless sooner terminated by either party through a written notice, which must be made thirty (30) days before the expiry date of this **AGREEMENT**, in the absence of said notice, this **AGREEMENT** shall remain in full force and effect;
3. The following documents shall be deemed to form and be read and construed as part of this Agreement:
 - a) The **Bid Form and the Price Schedule** submitted by the Bidder;
 - b) The **Schedule of Requirements**;
 - c) The **Technical Specifications**;
 - d) The **General Conditions of Contract**;
 - e) The **Special Conditions of Contract**;
 - f) The **Entity's Notification of Award**; and
 - g) The **Performance Security Bond** posted by the Supplier.
4. In consideration of the payments to be made by the CHED to the **SUPPLIER** as hereinafter mentioned, the **SUPPLIER** hereby covenants with the CHED to provide the goods and services and to provide one (1) on-call technician to repair defective machines where response time shall be within twenty four (24) hours from verbal or written notification and has twenty four (24) hours to repair the defective machines. In the case the defective machines is not repaired within twenty four (24) hours, the

SUPPLIER has another twenty four (24) hours to replace the defective machine with a new unit.

5. The **CHED** hereby covenants to pay the **SUPPLIER** in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price 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.
6. Other conditions of this Agreement are as follows;
 - a. As to the manufacturer's standard year requirement, the **SUPPLIER** shall only deliver units that should be within three (3) years old as of 2019;
 - b. Orientation for end users shall be provided by the **SUPPLIER**;
 - c. The **SUPPLIER** shall deliver single brand only and shall replace the defective unit with the same brand;
 - d. This **CONTRACT AGREEMENT** shall be effective from May 1, 2022 until December 31, 2022;

IN WITNESS WHEREOF, the parties have hereunto signed this contract on the date and place above-stated.

**COMMISSION ON HIGHER
EDUCATION**

OTUS COPY SYSTEM, INC.

By:

J. PROSPERO E. DE VERA III, DPA
Chairman

By:

MR. MARCELO M. DELFIN III
Area Manager - Sales

Signed in the Presence of:

ATTY. CINDERELLA FILIPINA S. BENITEZ-JARO
Executive Director IV

MS. CLAIRE B. JOSEPH
Project Support Officer

Certified Funds Available:

MIRIAM V. MIRANDA
Chief Accountant, AFMS

02-0110101-2022-04-00931
4/7/22 ₱ 832,800.00

ACKNOWLEDGEMENT

**REPUBLIC OF THE PHILIPPINES
MANDALUYONG CITY] S.S.**

BEFORE ME, a Notary Public, for and in Mandaluyong City, Philippines

NAME	GOVERNMENT VALID ID	PLACE AND DATE ISSUED
J. PROSPERO E. DE VERA III	CHED ID # CO-0394	CHED
MR. MARCELO M. DELFIN III		

Known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their free and voluntarily act and deed and that of the institutions represented including their instrumental witnesses.

This document refers to the foregoing Contract for Rental of Photocopying Machines for CHED Central Office for FY 2022 consisting of four (4) pages including the page in which the Acknowledgement is written, with each and every page signed by the parties and their instrumental witnesses and sealed with my notarial seal.

1 APR 20 2022

WITNESS MY HAND AND NOTARIAL SEAL, this ___ day of _____
2022 in Mandaluyong City, Philippines.

Doc. No. 422
Page No. 43
Book No. 294
Series of 2022

ATTY. ROGELIO J. BOLIVAR
NOTARY PUBLIC IN QUEZON CITY
AM Adm. Matter No. 204 June 21, 2021 to Dec. 31, 2022
IBP O.R. No. 132134 MD 2022 & IBP O.R. No. 133076 MD 2022
PYS O.R. No. 2463255 D 1/3/22 / Roll No. 33832/TIN# 129-871-009
MCLE No. VI-0010583 valid from 12/15/19 until 04/14/22 Quezon City
Address: 41-B 11th Ave, Quezon City, Q.C.