



Republic of the Philippines
NATIONAL PRIVACY COMMISSION
BIDS AND AWARDS COMMITTEE

REQUEST FOR QUOTATION

ISO CERTIFICATION (ISO CERTIFYING BODY)

30 September 2021

NOTICE TO ALL PROVIDERS/SUPPLIERS:

The National Privacy Commission intends to engage services for its **ISO Certification (ISO Certifying Body) (2020 Continuing APP 2020-0198)**.

As such, providers or suppliers of known qualifications are hereby invited to submit their quotations/price proposals signed by your authorized representative not later than **5:00 P.M., 05 October 2021**.

The service providers/suppliers must also submit the following requirements:

1. Certified true copy of the Mayor's Permit issued by the city or municipality where the principal place of business of the prospective bidder is located;
2. PhilGEPS Registration Number;
3. Notarized Omnibus Sworn Statement with applicable attachments¹;
4. Professional license or curriculum vitae of the required team members;
5. Proof of Qualifications and Competencies:
 - a. DTI-PAB Accreditation with PNS ISO/IEC 17021-1:2015 to provide QMS certification to ISO 9001:2015 for L75: Public Administration
 - b. Locally SEC-registered office accredited to both DTI-PAB and an international accreditation body
 - c. Proof of minimum 5 years experience in conducting ISO QMS audits/certification; and
 - d. Proof of minimum 5 years experience in ISO QMS government certification projects conducted; and
6. Manifestation of compliance to the attached technical specification signed by your authorized representative.

Please submit your quotation together with the required documents via e-mail to bacsecretariat@privacy.gov.ph or via mail or courier in a sealed envelope to:

¹ **NOTE:** Make sure to use the latest Omnibus Sworn Statement template downloadable from GPPB website (<https://www.gppb.gov.ph/downloadables.php>). Make sure that the "Jurat" of the sworn statement contains the details of the valid government issued ID of the affiant. Lastly, please make sure to submit its necessary attachments:

1. **If a sole proprietorship:** duly notarized Special Power of Attorney (if authorized representative)
2. **If a partnership, corporation, cooperative, or joint venture:** duly notarized Secretary's Certificate, Board/ Partnership Resolution, or Special Power of Attorney (whichever is applicable)

NOTE: Both the Omnibus Sworn Statement (OSS) and its attachment must specifically state the name of this procurement. Attached herein is the latest OSS template.

Ref No.: RFQ-2020-0198

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

5th Floor, Ang Kiukok Hall,
PICC Delegation Building, PICC Complex,
Roxas Boulevard Manila 1307
Attention to: ATTY. KRISHNA AIRA TANA-CAGUIA
BAC Secretariat Head

 Digitally signed
by Tana-Caguia
Krishna Aira
Angeles

ATTY. KRISHNA AIRA TANA-CAGUIA
BAC Secretariat Head
bacsecretariat@privacy.gov.ph

TECHNICAL SPECIFICATION

ISO CERTIFICATION (ISO CERTIFYING BODY)

Item	Unit	QTY	Description/Specifications	Approved Budget of the Contract (Php 500,000.00)		Compliance (Manifest your compliance by <u>writing "COMPLY" in EVERY item</u>)
				Unit Price	Total	
1	lot	1	<ul style="list-style-type: none"> • Please refer to the attached Terms of Reference (TOR) for: <ol style="list-style-type: none"> 1. Scope of Work 2. Client's Responsibility 3. Certifying Body's Responsibility 4. Certifying Body's Qualification Requirements 5. Deliverables and Terms of Payment 			_____ _____ _____ _____ _____
TOTAL						

Instruction to bidders:

- I. All prices shall be VAT inclusive.
- II. All quotations shall be written with the company's letterhead.
- III. Compliance must be stated by **writing "COMPLY" in EVERY requirement** mentioned above, failure to do so shall be a ground for disqualification.
- IV. Submit the certified true copy and the original, as applicable, of the eligibility requirements together with the signed Quotation and present the original Mayor's or Business Permit upon the scheduled signing of Notice of Award for inspection and verification.
- V. Acknowledgement of the Notice of Award shall be within five business (5) days from its issuance.
- VI. Payment shall be through send bill arrangement upon issuance of the Certification of Completion and Acceptance unless different term is provided in the Terms of Reference.
- VII. Delivery shall be made to NPC Office at 5F Delegation Building, PICC Complex, Pasay City.
- VIII. Delivery shall be made within fifteen (15) working days from receipt of the Purchase Order, Work Order, NTP or from date of contract unless a different delivery term is provided in the Terms of Reference.

CONFORME: _____
(Name of Supplier/Provider/Date)

BY: _____
(Name/Position/Signature of Representative/Date)

Ref No.: RFQ-2020-0198

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



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

TERMS OF REFERENCE

ENGAGEMENT OF SERVICE FOR ISO CERTIFICATION (CERTIFYING BODY)

I. BACKGROUND

The National Privacy Commission (“NPC” or the “Commission”) is an independent body mandated to administer and implement the Data Privacy Act of 2012 (DPA), and to monitor and ensure compliance of the country with international standards set for data protection.

Being a relatively new government agency, which started operations in 2016, the NPC strives to embody the ideals of good governance in its day-to-day operations, ensuring transparency, accountability, and efficient processes for the performance of its public functions and the provision of public services. This involves streamlining of processes and minimizing requirements.

Executive Order No. 605 series of 2007, “Institutionalizing the Structure, Mechanisms and Standards to Implement the Government Quality Management Program, amending for the Purpose Administrative Order No. 161, s. 2006” mandates that all government institutions to have a Quality Management System. The said EO was strengthened by the directive of President Rodrigo R. Duterte that all government agencies must secure the trust and confidence of all its stakeholders, especially the Filipino citizens.

QMS refers to the organizational structure, responsibilities, procedures, processes and resources needed to implement quality management. This standard specifies requirements for a quality management system when an organization: needs to demonstrate its ability to consistently provide products and services that meet customer and applicable statutory and regulatory requirements; and aims to enhance customer satisfaction through the effective application of the system, including processes for improvement of the system and the assurance of conformity to customer and applicable statutory and regulatory requirements. All the requirements of ISO 9001:2015 are generic and are intended to be applicable to any organization, regardless of its type or size, or the products and services it provides.

The NPC will procure and engage a Third-Party Certification Body to assess and certify the Quality Management System and procedures developed and established by the NPC. The main purpose and objective of this procurement is be certified by the accredited ISO certifying body in the Philippines.

II. OBJECTIVES

The overall objective of the engagement is to provide independent confirmation that NPC QMS for ISO 9001:2015 requirements, and if found compliant, issue the corresponding Certification.

Meeting the following specific objectives is expected to contribute to the attainment of the primary objectives of the NPC ISO 9001:2015 QMS, which are to (1) conduct initial audits (Stage 1 and 2) of NPC QMS based on ISO 9001:2015 Standard; and (2) conduct surveillance audits within a three-year period after NPC ISO 9001:2015 QMS gains certification. (Note: It should be taken note of that surveillance audits are subject to new procurement for each of next two (2) years).

IV. SCOPE OF WORK

The Certification Audits shall cover the NPC QMS the said Third Party Certification Audit shall involve the following activities:

1. Conduct ISO 9001:2015 Certification Audits of NPC QMS, as follows:
 - a. Stage 1 Audit – ISO 9001:2015 QMS adequacy and readiness review; and
 - b. Stage 2 Audit – ISO 9001:2015 QMS implementation audit.
2. Issue ISO 9001:2015 Certificate to NPC QMS upon satisfactory compliance to the Standard and Certification requirements.

V. CLIENT'S RESPONSIBILITY

On behalf of NPC, the Quality Management Representative (QMR) or his duly designated representative, shall evaluate the quality of work delivered by the Certifying Body based on this TOR to ensure the quality and relevance of work being conducted, and based on this, shall issue a written project acceptance/approval, retention, or discontinuance.

The following comprise the general expectations from NPC, as client:

1. Prior to any execution of activities related to this Terms of Reference, the NPC Quality Management System (QMS) Team shall convene a meeting between the representatives of the Certifying Body and the Quality Management System (QMS) Team point persons to be assigned to handle this project. A close anchoring and monitoring of all the activities as indicated herein shall be undertaken by the QMR;
2. The QMR and the QMS Secretariat shall be responsible for providing technical assistance for the project. They shall closely coordinate with the representatives of the Certifying Body in the conduct of the audit and other related certification activities, including monitoring of the progress of the various tasks;
3. The QMR, the QMS Teams, and the QMS Secretariat shall cooperate in the conduct of audit activities, ensuring that the process owners and concerned officials and staff are available on the scheduled dates of audits. For any request for change or cancellation of schedule, however, at least a one (1) week notice shall be given and the said change/adjustment shall be made based on mutual agreement by both parties; and

VI. CERTIFYING BODY'S RESPONSIBILITY

The Certifying Body shall provide information that indicates experience, educational/ training qualifications and capacity to undertake the work outlined herein, within the specified timelines. As part of this, the Certifying Body is expected to provide an indication of public QMS-related engagements, as well as QMS certification audit engagements that are currently committed, ongoing or completed. This will be considered in the assessment of the Certifying Body's QMS-related qualification.

The Certifying Body undertakes to perform the Audit with the highest standards of professional and ethical competence and integrity.

The following are the general expectations from the Certifying Body:

1. Commitment to treat with utmost confidentiality, all information and materials gathered and used relating to this engagement or the Client's business or operations;
2. Preparation of the Certification Audit Plan, as the case may be, with schedule of activities for the entire duration of the engagement. The representatives from the Certifying Body shall coordinate with the QMR, through the QMS Secretariat, regarding any changes on the dates of audit schedules or any delay in the activities related to ISO certification;

3. Adherence to certification audit schedule/appointment and any changes or adjustments of schedules as may be agreed upon. For any request for change or cancellation of schedule, however, at least a one (1) week notice shall be given and the said change/adjustment shall be made based on mutual agreement by both parties;
4. Provision of information on any conflicts of interest and proposed approach to the resolution thereof;
5. The duly authorized representative of the Certifying Body shall submit an audit report after conducting the certification audit, as the case may be, on mutually agreed schedules; and
6. The Certifying Body shall continue to perform the necessary tasks at no additional cost to NPC, except the amount provided in this TOR, until the issuance of the ISO 9001:2015 Certificate to NPC QMS.

VII. CERTIFYING BODY'S QUALIFICATION REQUIREMENTS

The Certifying Body shall show proof or sample work to support the following qualification requirements:

A. Qualification and Competencies

1. The Certifying Body must be duly accredited by the Department of Trade and Industry- Philippine Accreditation Bureau (DTI-PAB) with PNS ISO/IEC 17021-1:2015 to provide QMS certification to ISO 9001:2015 for L75: Public Administration. Furthermore, the Certifying Body shall have a locally SEC-registered office accredited to both the DTI-PAB and an international accreditation body;
2. The Certifying Body must have the following:
 - a. Minimum of five (5) years of experience in conducting ISO QMS audits/certification; and
 - b. Minimum of three (3) ISO QMS government certification projects conducted.
3. The Certifying Body shall field a team (1 lead auditor and at least 4 auditors) with the following qualifications:

Criteria for Technical Evaluation	Qualifications
<u>Lead Auditor</u>	<ul style="list-style-type: none"> • Degree relevant to the job. • At least five (5) similar projects (that is, ISO QMS Certification for government institutions); and at least 5 relevant projects (that is, ISO QMS Certification for private companies).
<u>Audit Team Members</u>	<ul style="list-style-type: none"> • Degree in relevant to the job. • At least three (3) similar projects (that is, ISO QMS Certification for government institutions); and at least 3 relevant projects (that is, ISO QMS Certification for private companies).

VIII. APPROVED BUDGET

The services of the Certifying Body will be engaged for until 31 December 2021. The project is expected to commence upon receipt of the Notice to Proceed. The approved budget is Five Hundred Thousand Pesos (PHP 500,000.00) inclusive of all taxes and other charges imposed under applicable laws.

IX. MODE OF PROCUREMENT

The Mode of Procurement shall be Small Value Procurement

X. DELIVERABLES AND TERMS OF PAYMENT

1. The following services and outputs will be expected from the Certifying Body to be submitted/delivered to NPC with the timelines specified below and based on the agreed general Work Plan:

Activity	Output	Timeline*
A. Preparation of certification audit plan	Stage 1 Audit Plan Stage 2 Audit Plan	Within 10 days upon CB's receipt of the Notice to Proceed (NTP)
B. Conduct certification Audits	Stage 1 Audit conducted Stage 2 Audit conducted	Within Month 1 upon receipt of NTP
C. Preparation of audit reports	Stage 1 Audit report Stage 2 Audit report	Within Month 1 upon receipt of NTP
D. Evaluation of correction/ corrective and preventive actions	Acceptance Report of Correction/ Corrective and Preventive Actions	Within Month 2 upon receipt of NTP**

E. Issuance of ISO 9001:2015 certificate***	ISO 9001:2015 Certificate	Within Month 3 upon receipt of NTP
---	---------------------------	------------------------------------

approval.
Notes: *Changes in the project schedule shall be allowed subject to NPC's

***Subject to actual submission of correction/corrective and preventive action report.*

****Subject to satisfactory results of assessment audit.*

2. Payment shall be made in two (2) installments upon completion of each of the following milestones and submission of the required deliverables:

Activity/Deliverable	Payment
A. After the submission of Stage 2 Audit Report	50%
B. After Certification Audit and Issuance of ISO 9001:2015 Certificate Valid for Three (3) Years	50%

Each payment shall be supported by a Certificate of Satisfactory Service based on the work rendered comprising the actual outputs as certified by the Certifying Body and duly accepted by the QMR or his authorized representative.

Prepared by:

Sgd.

PAULO JOHN M. VILLAR
Head, QMS Secretariat

Approved by:

ATTY. MARIA THERESITA E. PATULA
Director IV, Legal and Enforcement Office
Quality Management Representative

30 September 2021

Omnibus Sworn Statement (Revised)
[shall be submitted with the Bid]

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. *[Select one, delete the other:]*

[If a sole proprietorship:] I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

[If a partnership, corporation, cooperative, or joint venture:] I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. *[Select one, delete the other:]*

[If a sole proprietorship:] As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

[If a partnership, corporation, cooperative, or joint venture:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, **by itself or by relation, membership, association, affiliation, or controlling**

interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;
6. *[Select one, delete the rest:]*

[If a sole proprietorship:] The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a partnership or cooperative:] None of the officers and members of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a corporation or joint venture:] None of the officers, directors, and controlling stockholders of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. [Name of Bidder] complies with existing labor laws and standards; and
8. [Name of Bidder] is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
 - a. Carefully examining all of the Bidding Documents;
 - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
 - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the [Name of the Project].

9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.

10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.**

IN WITNESS WHEREOF, I have hereunto set my hand this __ day of __, 20__ at _____, Philippines.

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]

Affiant

SUBSCRIBE AND SWORN TO before me this ____ day of _____ 20__ at _____, affiant having exhibited to me his/her _____ issued on/valid until _____.

Doc. No.: _____

Page No. _____

Book No.: _____

Series of 20_____