



Republic of the Philippines
NATIONAL PRIVACY COMMISSION
BIDS AND AWARDS COMMITTEE

REQUEST FOR QUOTATION

SMTP RELAY-BULK EMAIL SERVICE

15 November 2021

NOTICE TO ALL PROVIDERS/SUPPLIERS:

The National Privacy Commission intends to procure **SMTP RELAY-BULK EMAIL SERVICE (APP 2020-0202)**. 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., 19 November 2021**.

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

1. 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; and
4. 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:

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

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BAC Secretariat Head

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-2020-0202

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

**TECHNICAL SPECIFICATION
SMTP RELAY-BULK EMAIL SERVICE**

Item	Unit	QTY	Description/Specifications	Approved Budget of the Contract (Php 200,000.00)		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. Technical Requirements/Specifications 2. Payment and Delivery 3. Instructions to Vendors/Vendor's Qualifications 			- _____ - _____ - _____
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. Present the original Mayor's Permit and submit Certified True Copy of the eligibility documents and signed Quotation 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-2020-0202

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



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TERMS OF REFERENCE

PROCUREMENT OF SMTP RELAY - BULK EMAIL SERVICE

I. BACKGROUND

The Compliance and Monitoring Division (CMD) is mandated to monitor and ensure compliance of personal information controllers and processors with its obligations under the Data Privacy Act of 2012 and its Implementing Rules and Regulations. In compliance to this mandate, CMD is developing the Data Breach Notification Management Systems (DBNMS) and an online registration system (E-Rehistro) that will allow efficient delivery of services.

Rule III Section 18 of NPC Circular 16-01, providing for the guidelines in the Security of Personal Data in Government Agencies requires agency personnel who access personal data online to authenticate their identity via a secure encrypted link and must use multi-factor authentication. One of the multi-factor authentication to be implemented is the sending of a temporary code to an intended recipient's email address. This temporary code will be asked by the system to proceed with changing a new password. With this process, it is anticipated that CMD will be receiving high-volume of transactions. Currently, our Office 365 SMTP service imposes a limit of 30 messages sent per minute and has no means of handling IP reputation, blacklists, and feedback loops. Thus, whenever our email reaches its limit, emails will then be directed in the spam folder and are often blocked. With this current set-back, it is possible that most emails will be diverted in the spam folder and keeping track of incoming emails will be more challenging.

To better deliver transactional emails such as temporary passwords, password resets and delivery confirmations to the intended email addresses, an SMTP relay service can help NPC deliver transactional emails without being mislabeled as spam and aids in overcoming e-mail sending limits. Using an SMTP relay service to send email relieves the burden of dealing with email delivery issues, IP blacklisting as well as minimizing reputational problems whenever email messages silently go to either the spam or junk folder.

To resolve this, the CMD proposes to outsource the services to an SMTP Relay Service Provider. Through this initiative, CMD aims to make use of technology to cost-efficiently perform its compliance and monitoring functions, thereby contributing to the desired organizational outcomes of the NPC.



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II. OBJECTIVES

The SMTP Relay Service aims to:

- Add an extra layer of protection to authenticate account login credentials and securely process DBNMS transactions.
- Ensure all relevant DBNMS transactional emails (password resets, temporary code delivery, sending of reports) are sent reliably to the recipients' inboxes.
- Capable of sending bulk emails.

III. TECHNICAL REQUIREMENTS/SPECIFICATIONS

The SMTP Relay Service must be integrated seamlessly to the web application/framework of the Data Breach Notification Management System being developed and should meet the following feature requirements:

A. TECHNICAL REQUIREMENTS:

1. Must be interoperable with the current web development technologies,
2. Must provide SMTP Relay server settings such as Server address, port number, username and password for API To ken.
3. Must have global redundant SMTP server infrastructure.
4. Must have detailed logs and metrics on emails sent through SMTP server and review specific email events like delivery failures, clicks, and unsubscribes.
5. Must use TLS/STARTTLS SMTP extension to establish an encrypted connection to the SMTP Server.
6. Must have at least one reputable (1) dedicated IP address to ensure high deliverability rates.
7. Compatible with current email service used by NPC
8. Capability to securely send emails

B. FUNCTIONAL REQUIREMENTS:

1. Must have a dashboard to monitor activities relevant to real-time email tracking and advanced analytics.
2. Must be able to send at least 50,000 emails per month.
3. Must have a 99.99% guaranteed uptime SLA.
4. Must have at least 1 day message retention.



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5. Must have at least 5 days of log retention.
6. Must have a 24/7 ticket support.

C. CONFIDENTIALITY OF DATA

The service provider shall document detailed procedures and techniques in identifying systems security risks and breaches and how such shall be handled. The service provider shall be required to sign a non-disclosure agreement immediately at the start of the service. All systems to which the project staff of the service provider shall be granted access to, its components, parts, specifications, data, ideas, technology, and technical and non-technical materials (collectively referred to here as "Proprietary Information") are confidential and proprietary to National Privacy Commission. The service provider agrees to hold the Proprietary Information in strict confidence and further agrees not to reproduce, transcribe, or disclose the Proprietary Information to third parties without the prior written approval of the National Privacy Commission.

D. SERVICE LEVEL AGREEMENT

Technical support must be provided either via telephone or email to resolve technical and other related problems based on a Service Level Agreement (SLA) with provisions for liquidated damages for non-compliance. Resolution must be delivered based on the following levels of severity:

- a. Severity 1 Critical: Major system or component failure with critical impact on business process. Service has stopped. The problem must be resolved through immediate onsite support (within 4 hours).
- b. Severity 2 High: Minor system or component failure with high impact on business process. The service is running but performance has degraded. The problem must be resolved immediately (within 1 working day).
- c. Severity 3 Moderate: Operational use exhibits signs of non-compliance with agreed functionality. The service is running but certain functions do not work as indicated. The problem must be resolved at the soonest time possible (within 5 working days).
- d. Severity 4 Low: Service is running. Efficiencies would be achieved through desired improvements in the system components.

The National Privacy Commission shall have the right to blacklist the service provider, execute redress and demand damages after three (3) instances of non-compliance at any given time during the contract period, of the above-mentioned SLA.



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One-tenth of one percent of the total contract cost shall be imposed for every hour or a fraction thereof of service unavailability in excess of the required hours to resolve.

The service provider shall appoint a person possessing the necessary knowledge and technical expertise to serve as the single point of contact and shall be available at the time and manner indicated in the previous section to respond to queries or requests for technical support. The service provider shall also create an escalation procedure to be followed in scenarios where issues are not resolved within SLA.

IV. PAYMENT AND DELIVERY

Payment shall be made upon issuance of certification that the Goods have been rendered or delivered in accordance with the signed contract and instructions set in the evaluation of goods delivered, which have been duly inspected and accepted by the end user and Inspection committee.

Complete delivery shall be made on or before 15 December 2021

V. NATURE OF PROCUREMENT

This shall follow the procurement guidelines under "Goods/Services".

VI. FUND SOURCE AND APPROVED BUDGET FOR THE CONTRACT (ABC)

Source of fund is the Continuing Annual Procurement Plan FY 2020 under APP Item No. 2020-0202 and the Approved Budget for the Contract (ABC) is Two Hundred Thousand Pesos (Php 200,000.00) inclusive of all taxes and charges.

VII. INSTRUCTIONS TO VENDORS/VENDOR'S QUALIFICATIONS

- Supplier must previously have a similar transaction with any government agency
- Supplier must be PHILGEPs registered, BIR registered, or provide Business/Mayor's permit, Omnibus Sworn Statement, and other related documents specified under the Request for Quotation
- Supplier must have a minimum of three (3) years in operation
- Must accept "send bill" payment terms

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_____