



Republic of the Philippines
NATIONAL PRIVACY COMMISSION
BIDS AND AWARDS COMMITTEE

SUPPLEMENTAL/BID BULLETIN NO. 138-2021

DATE : **29 November 2021**

SUBJECT: **Procurement of Professional Services - NPC Registration System (NPCRS)**

After considering the clarifications and recommendations made during the Pre-Bid Conference dated 23 November 2021 for this procurement, the National Privacy Commission - Bids and Awards Committee (NPC-BAC) hereby issues this Supplemental/Bid Bulletin clarifying provisions in the Bidding Documents, to wit:

| CLARIFICATION/ QUESTION | ADDENDUM/AMENDMENT/ ANSWER |
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| Section IV, Item No. 2 of the Terms of Reference (TOR) as to Scope of Services mentions the migration of existing NPCRS database to the new database. What is the current database used? | There is an existing MySQL database but that is already outdated. The one that is currently used and is constantly being updated is the database in Microsoft Excel. |
| Section IV, Item No. 5 states that the consultant shall shoulder the provision of at least one (1) year subscription of the SMTP Relay service. May we know how many messages are sent per month? | The existing historical data is for the year 2018, where there are less than 5,000 messages sent per month. |
| For the bid submission, will we follow the same process done during the eligibility check and shortlisting? | Yes. We will follow the same procedure, i.e., same method of preparation of documents using encrypted zip folders and files, and same mode of |

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| | <p>submission, through online via e-mail, pursuant to the Guidelines on the Electronic Submission and Receipt of Bids.</p> <p>Please note, however, that for the bid submission on December 7, 2021, we will be expecting (1) two encrypted zip folders for the technical proposal envelope and financial proposal envelope (with all documents contained in each envelope encrypted with passwords as well), (2) scanned copy of proof of payment of bidding documents in pdf, (3) proof of virus scan, and (4) Excel file of the hash values for the two zip folders.</p> |
| <p>As to TPF 6 on the notarized curriculum vitae of personnel, since online submission is allowed, will a printed digitized signature of personnel be allowed or should it be wet signature for the hard copies of curriculum vitae?</p> | <p>Since the requirement is that it be notarized, wet signatures would be necessary, even for the copies to be submitted online.</p> |
| <p>Do we have to resubmit the eligibility documents we sent during the eligibility check and shortlisting?</p> | <p>No, since the documents we required during the eligibility check and shortlisting, they no longer form part of the documents required to be submitted for the bid submission. However, we would require the submission of the physical copies of the eligibility documents submitted during the eligibility check and shortlisting.</p> <p>For the bid opening, these are the documents to be submitted:</p> <p>A. Technical Documents:</p> <ol style="list-style-type: none"> 1. TPF I: Technical Proposal Submission Form 2. Bid Security or Bid Securing Declaration 3. TPF 2: Consultant’s References 4. TPF 3: Comments and Suggestions of Consultant on the Terms of Reference and on data, services, and facilities to be provided by the Procuring Entity 5. TPF 4: Description of the methodology and work plan for performing the project 6. TPF 5: Team composition and task |

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| | <ol style="list-style-type: none"> 7. TPF 6: Format of curriculum vitae (CV) for proposed professional staff (notarized) 8. TPF 7: Time schedule for professional personnel 9. TPF 8: Activity or work schedule 10. Omnibus Sworn Statement <p>B. Financial Documents:</p> <ol style="list-style-type: none"> 1. FPF 1: Financial Proposal Submission Form 2. FPF 2: Summary of Costs 3. FPF 3: Breakdown of price per activity 4. FPF 4: Breakdown of remuneration per activity 5. FPF 5: Reimbursables per activity 6. FPF 6: Miscellaneous expenses <p>Templates for these forms are included in the Bidding Documents.</p> <p>For further details, on the required submission, please refer to: <i>Government Procurement Policy Board Resolution No. 16- 2020 approving Circular 04-2020 (Guidelines in the Preparation of the Simplified Philippine Bidding Documents for Goods and Infrastructure Projects and the Submission of the Required Forms to be included in the Procurement of Goods, Infrastructure Projects, and Consulting Services)</i> issued on 16 September 2020.</p> |
| <p>Just to confirm, would the expectation be that for this submission, every page will need to have a signature and not just an initial?</p> | <p>Yes, complete signatures are required.</p> |
| <p>Item 1.4 of the Bid Data Sheet (Page 49) shows the deliverable and indicative delivery dates. Will this also be the schedule for billing and collection? Also, what will the basis be for the percentage of completion (35%, 70%), i.e. what yardstick will be used, because if we base it on</p> | <p>Yes, it would also be the schedule for billing and collection. The basis for the percentages would be the progress as to the functionalities already integrated into the system. The same methodology is used with the Data Breach Notification and Management System (DBNMS).</p> |

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| the functions, some functions are more complicated than the rest? | |
| In relation to the above item, is it correct that for the 35% and 70% milestones, you would be requiring VAPT, performance testing and documentation, or only as applicable? | Yes, for each milestone, quality, security (VAPT), and performance testing must be conducted and documentation must be submitted. |
| Section IV (General Conditions of Contract), Item 54 on Final Payment (Page 79) mentions an additional 90 days after receipt of the final report and final statement. Does Item 1.4 of the Bid Data Sheet (Page 49), supersede this? | Yes, the provision stated on Item 54.1 is a general condition of contract which is superseded by special conditions of the contract as provided under the Terms of Reference (TOR) and 1.4 of the Bid Data Sheet (which is also based on the TOR). |
| As to Item 25.3 of the Bid Data Sheet (Page 52), how will we be assessed on the quality of performance and relationship with previous and current clients? | This will be based on the previously submitted Statement of Ongoing and Completed Government and Private Contracts and its attached Certificate of Satisfactory Completion in case of completed contracts and the Consultant's References (TPF 2). |
| Item 35.1 of Section V requires the consultant to submit the drawings, specifications, designs, reports, other documents and software. When are you expecting the bidder to submit these? To clarify, are these required to be submitted during bid submission? | No, these are not required to be submitted during bid submission. inception report, including documents such as specifications, designs will be submitted after one (1) month [from commencement of the project] while the submission of other documents will be discussed during the actual engagement of services. |
| Just to confirm, as stated under Item No. 2 of Section IV (page 89), the expectation is that the winning bidder will do the actual migration? | Yes, the consultant will do the actual migration. |
| Are the end-users amenable to having virtual trainings? | Yes, virtual trainings are acceptable. |
| What do you mean by "additional application system definition/ development requirements" in Item No. 10 of Section IV (page 92)? Will this mean that after the system has been delivered | No, this does not mean additional programming during the warranty period. This only refers to additional application system definition or development requirements based on the actual system turned over to the end-users. |

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| and accepted, during the period of warranty, the consultant can still be required to submit additional programming at no additional charge? | |
| Item 11 of Section IV (page 92) states that in case of force majeure, the consultant shall ensure that the system will not be compromised. Is this applicable only while the system is in the cloud or is it also necessary when the system is already deployed on premise? | This is applicable whether the system is deployed in the Cloud or on premise. |
| Severity 1 on the Service Level Agreement (Section X, page 103) states that immediate onsite support is needed. If the system is deployed on the cloud, would you still need onsite support, or is this on premise? | Onsite support would only be needed when the system is already deployed on premise. |
| Section XX on warranties of the service provider (page 108) states that “the service provider shall be liable for loss, damage or injury due directly or indirectly through the fault or negligence of its personnel.” How should the word “indirectly” be interpreted in this provision? | The words “directly or indirectly” must be interpreted applying the general rule of the Civil Law on damages. |

The foregoing shall form an integral part of the **Bidding Documents for Professional Services – NPC Registration System (NPCRS)** for the National Privacy Commission. Any provision inconsistent herewith is hereby amended and superseded accordingly.

For the information and guidance of all concerned.

ATTY. MARIA THERESITA E. PATULA
Director IV, Legal and Enforcement Office
BAC Chairperson

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