



Republic of the Philippines
NATIONAL PRIVACY COMMISSION
BIDS AND AWARDS COMMITTEE

SUPPLEMENTAL/BID BULLETIN NO. 067-2021

DATE : 3 August 2021

SUBJECT : Procurement of Security Services for the National Privacy Commission (NPC)

After considering the clarifications and recommendations made during the Pre-Bid Conference dated 29 July 2021 for the abovementioned procurement activity, and to guide the bidders with regard to timeline of the procurement in light of the various quarantine measures being implemented against the COVID-19 pandemic, hampering working conditions both in the public and private sectors, 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
Is there a sample cost breakdown that the bidders can refer to?	Yes, please see attached cost breakdown as Annex A .
How many copies of the bidding documents should be submitted?	The NPC will be requiring two (2) copies, one original and one copy.
Clarification on the standard administrative fee of not less than 20% of the total contract cost imposed by DOLE Department Order 150-16 (DOLE DO 150-16)	The Government Procurement Policy Board's (GPPB) clarification through its Non-Policy Matter Opinion No. 120 dated 06 December 2016 (NPM No. 120-2016) regarding the validity of the 20% standard administrative fee provided under DOLE DO 150-16, states: "Similar to the 10% administrative fee imposed under Section 9(b)(ii) of DOLE DO No. 18-A, the 20% administrative fee provided for under Section 4 of

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	<p>DOLE DO No. 150-16 is also a percentage rate that has for its effect the fixing of a floor price on Service Agreements. In this regard and following the position of the Government Procurement Policy Board (GPPB) as stated and explained in the following GPPB issuances, namely: GPPB Resolution (Res.) No.14-2012 dated 1 June 2012; GPPB Res. No. 14-2015 and GPPB Circular No. 04-2015, both dated 30 April 2015; and Policy Matter Opinion Nos. 03-2012 dated 30 November 2012 and 02-2013 dated 11 April 2014, as well as the case of Philippine Sports Commission, et. al. vs. Dear John Services, Inc. (G.R. No. 183260 dated 4 July 2012), we are of the opinion that Section 4 of DOLE DO No. 150-16, insofar as it imposes a minimum administrative fee of 20% of the total contract cost for Service Agreement for security services, likewise runs counter to the provision of Section 31 of Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.”</p> <p>Thus, the NPC does not require for a minimum (percentage) for the administrative fee as a component of the total contract cost. Prospective bidders, however, are reminded to strictly comply with all relevant labor rules and regulations.</p> <p>As such, pursuant to Section 31 of the R.A. 9184 and in view of the pertinent issuances of the GPPB on the matter, the Approved Budget for the Contract (ABC) of the procurement activity shall be the upper limit or ceiling for bid price and that there shall be no lower limit to the amount of the award.</p> <p>Foregoing considered, the bids submitted must include in the computation of benefits all legal and regulatory requirements.</p>
<p>In the statements of ongoing government and private contracts and the Single Largest Completed Contract (SLCC), does the bidder</p>	<p>The statement of ongoing government and private contracts shall include the name and location of the contract, the date of the contract, for Goods - kinds</p>

<p>need to attach a copy of their existing contracts and/or Notice of Award?</p>	<p>of Goods and dates of delivery, amount/value of the contract and contract duration. In this case, a matrix will suffice.</p> <p>On the other hand, the statement of SLCC should include and attached Owner's Certificate of Acceptance or for CPES rating, a final rating of at least "Satisfactory". For contracts with the private sector, an equivalent document shall be submitted.</p>
<p>How long will the duty of the guards be?</p>	<p>Guards assigned to the NPC offices shall render a shift of 8 hours duration with the following shifts and manning schedule:</p> <ul style="list-style-type: none"> • East Wing- 3 guards with 8-hour shift each • West wing- 3 guards with 8-hour shift each • Parking- 2 guards with 8-hour shift each
<p>What documents should be submitted as Legal documents?</p>	<p>The bidder should submit the PhilGEPS Registration Certificate (Platinum Membership) including its annexes</p> <p>OR</p> <p>they may opt to submit their Registration Certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document;</p> <p>AND</p> <p>Mayor's or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;</p>

	<p>AND</p> <p>Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).</p>
How many working days per year shall be applied?	As discussed in DOLE's Handbook on Workers' Statutory Monetary Benefits, for those who are required to work everyday, including Sundays or rest days, special days and regular holidays, the total number of working days applied is 393.80 days/year since December 8 (Feast of Immaculate Conception of Mary) was declared as special non-working day per R.A. 10966.
What shall be the basis of computation for SSS and PhilHealth contribution? Will it be the old rate or the new rate?	The computation for both SSS and PhilHealth contributions shall be based on the new/latest rates.
Will the deadline for bid submission and opening of bids be reset considering that enhance community quarantine (ECQ) will be implemented this 6 August?	<p>With the impending implementation of ECQ over Metro Manila, the NPC-BAC resolved to move the deadline for manual bid submission to <u>24 August 2021 at 10:00 a.m.</u></p> <p>Bid opening shall be on the same day <u>24 August 2021 at 1:00 p.m.</u> Bidders may opt to be present on-site or through videoconferencing.</p> <p>Further, bidders are advised to monitor the NPC's website and PhilGEPs website for further announcements regarding any future updates on the bidding activities.</p>
Are there any other requirements the bidders need to submit aside from those listed in Section VIII (Checklist of Technical and Financial Documents) of the Bidding Documents?	Aside from those mentioned in the Bidding Documents, bidders are also reminded to comply with 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) issued on 16 September 2020.

	<p>As such, bidders are reminded to submit the revised Bid Securing Declaration and Omnibus Sworn Statement, among others, attached in the Bidding Documents and as can be found in:</p>
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<https://www.gppb.gov.ph/downloadables.php>

The foregoing shall form an integral part of the **Bidding Documents for the procurement of Security Services** for the National Privacy Commission. Any provision inconsistent herewith is hereby amended and superseded accordingly.

For the information and guidance of all concerned.

Patula Maria
Theresita Elnar

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

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ANNEX - A

SECURITY SERVICES COSTING		
A. PARTICULARS		
Number of Guards:	8	
Basic Minimum Wage:	537	
Work Days per year	393.5	
B. Amount Due to Guard		
	Day Shift	Night Shift
New Daily Wage (DW)	537	537
Ave. Pay Month (DW x No. of days per year/12)	17,609.13	17,609.13
Night Differential Pay (DW x 10%)	-	1,760.91
13th Month Pay (DW x 365/12/12)	1,361.15	1,361.15
Five (5) days Incentive Pay (DW + COLA x 5/12)	223.75	223.75
Uniform Allowance (R.A 5487)	100.00	100.00
	19,294.03	21,054.94
Amount Due to Government in favor of the Guard		
Retirement Benefits (r.A 7641)(DW x 22.5/12)	1,006.88	1,006.88
SSS Premium (as of January 2014)	1,178.70	1,178.70
PhilHealth Contribution	242.13	242.13
State Insurance Fund	30.00	30.00
Pag-IBIG Fund	100.00	100.00
	2,557.71	2,557.71
Total Amount to Guard & to Government	21,851.74	23,612.65
C. Schedule of Agency Fee		
Estimated Overhead Cost Charge to the Contract	2,000.00	2,000.00
Estimated Security Supplies and Materials Charge to the Contract	633.33	633.33
Estimated Administrative Fee Expenses charge to the contract	4,897.01	5,249.20
Estimated Profit Margin	4,897.01	5,249.20
	12,427.35	13,131.73
D. VAT 12% (C x 12%)		
	1,491.28	1,575.81
Minimum Contract Rate (B+C+D)	35,770.37	38,320.19
No. of Guards	6	2
Sub-Total per shift per Month	214,622.23	76,640.38
Sub-Total per shift per Year	2,575,466.78	919,684.50
TOTAL ESTIMATED CONTRACT COST FOR A PERIOD OF ONE YEAR	3,495,151.29	