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Award Notice Abstract (Ref No.: 3278379)

Status: Updated

Reference Number: 8035585 Control Number: RFQ No. 2021 - 09 - 0115 Bid Notice Title: Procurement of Services of an Online Training Provider for the Conduct of Tourism Enterprise Capability Building (2nd posting) Approved Budget: Php800,000.00 Procurement Mode: Negotiated Procurement - Small Value Procurement (Sec. 53.9) Classification: Goods Category: Education and Training Services Applicable Procurement Rules: Implementing Rules and Regulations Funding Source: Government of the Philippines (GOP) Funding Instrument: General Appropriations Act Area of Delivery: Delivery Period: 0 Day/s Contact Person: John Paulo Francisco	DEPARTMENT OF TOURISM 351 Sen. Gil Puyat Avenue Makati City Metro Manila, NCR, Philippines Education and Training Services Awardee : 1A OCCUPATIONAL SAFETY AND HEALTH TRAINING CORPORATION Address : 304 Intramuros Corporate Plaza Recoletos Street Intramuros Manila Manila Metro Manila, NCR, Philippines Contact Person : Maria Victoria Lucia Pimentel Alcoriza Designation : Finance and Admin <table border="1"> <thead> <tr> <th colspan="3">Line Item</th></tr> <tr> <th>#</th><th>Product/Service/Project Name</th><th>Budget</th></tr> </thead> <tbody> <tr> <td>1</td><td>Education and Training Services, Procurement of Services of an Online Training Provider for the Conduct of Tourism Enterprise Capability Building, 86000000, 1, Lot</td><td>Php800,000.00</td></tr> </tbody> </table> Reason for Award : Lowest Calculated and Responsive Bid (LCRB)	Line Item			#	Product/Service/Project Name	Budget	1	Education and Training Services, Procurement of Services of an Online Training Provider for the Conduct of Tourism Enterprise Capability Building, 86000000, 1, Lot	Php800,000.00	Award Type: Award Notice Contract Amount: Php750,000.00 Award Date: 05-Oct-2021 Publish Date: 13-Oct-2021 Date Last Updated: 17-Feb-2022 Contract Number: 21 - 00174 Proceed Date: 08-Nov-2021 Contract Effectivity Date: 09-Nov-2021 Contract End Date: 07-Dec-2021 Created By: John Paulo Samonte Francisco Date Created: 13-Oct-2021 Approver: View Documents: 4
Line Item											
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1	Education and Training Services, Procurement of Services of an Online Training Provider for the Conduct of Tourism Enterprise Capability Building, 86000000, 1, Lot	Php800,000.00									

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Created By:

John Paulo Francisco



**BAC Resolution Declaring Lowest Calculated and Responsive Bid (LCRB)
and Recommending Award for the Procurement of Services of Online
Training Provider for the Conduct of Basic Occupational Safety and
Health (BOSH) for Safety Officers Webinar Training (2nd Posting)
(RFQ No. 2021 - 09 - 0115)**

Resolution No. 2021 - 165

WHEREAS, the Department of Tourism (DOT), through the Procurement Management Division (PMD), posted the Request for Quotation (RFQ) for the Procurement of Services of Online Training Provider for the Conduct of Basic Occupational Safety and Health for Safety Officers I and Safety Officers II Webinar Training, in the PhilGEPS website and DOT website continuously for at least four (4) calendar days, starting on 21 September 2021, and the deadline for the submission of quotations was set on 24 September 2021. The Approved Budget for the Contract (ABC) is Eight Hundred Thousand Pesos (PhP800, 000.00). A copy of the PhilGEPS posting is hereto attached, marked as **Annex "A"**, and made an integral part hereof;

WHEREAS, three (3) known service providers were invited to join by sending Request for Quotation (RFQ) via e-mail and to submit their quotation via e-mail using the same method, in compliance with the procedure on Negotiated Procurement - Small Value Procurement pursuant to Section 53.9 of the Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (R.A. 9184);

WHEREAS, in response to the said posting and invitation, only one (1) bidder submitted its quotation within the set deadline for the submission of quotations on 24 September 2021;

WHEREAS, upon evaluation, below is the findings;

Name of Bidder	Bid Amount (As Read)	Findings
People360 Consulting Corporation	PhP800, 000.00	Incomplete Specifications

WHEREAS, Section 35.1 (b) of the Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 provides that the Bids and Awards Committee (BAC) shall declare failure of bidding when all prospective bidders are declared ineligible;

WHEREAS, after the first (1st) posting on 20 September 2021 which resulted in failure of bidding, the Department of Tourism (DOT), through the Procurement Management Division (PMD), reposted the Request for Quotation (RFQ) for the Procurement of Services of an Online Training Provider for the Conduct of Basic Occupational Safety and Health for Safety Officers I and Safety Officers II Webinar Training, in the PhilGEPS website and DOT website continuously for at least six (6) calendar days, starting on 29 September 2021, and the deadline for the submission of quotations was set on 04 October 2021. The Approved Budget for the Contract (ABC) is Eight Hundred Thousand Pesos (PhP800, 000.00). A copy of the PhilGEPS second (2nd) posting is hereto attached, marked as **Annex "B"**, and made an integral part hereof;

WHEREAS, five (5) known service providers were invited to join by sending Request for Quotation (RFQ) via e-mail and to submit their quotation via e-mail using the same method, in compliance with the procedure on Negotiated Procurement - Small Value Procurement pursuant to Section 53.9 of the Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (R.A. 9184);

WHEREAS, in response to the said posting and invitation, two (2) bidders submitted their quotations within the set deadline for the submission of quotations on 04 October 2021;

WHEREAS, upon evaluation, below are the findings;

Name of Bidder	Bid Amount (As Read)	Findings
1A Occupational Safety and Health Training Corporation	PhP750, 000.00 ✓	Eligible
Community Health Education Emergency Rescue Services Corp	PhP782, 340.00	Eligible

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Procurement Mgt. Div.

Maria Alpha O. Almazan

WHEREAS, the detailed evaluation of the quotations resulted in the following:

Name of Bidder	Bid Amount (As Calculated)	Ranking
1A Occupational Safety and Health Training Corporation	PhP750, 000.00	Lowest Calculated Bid (LCB)
Community Health Education Emergency Rescue Services Corp.	PhP782, 340.00	2 nd LCB

WHEREAS, upon due evaluation and careful examination of the quotation submitted by **1A OCCUPATIONAL SAFETY AND HEALTH TRAINING CORPORATION**, being the bidder with the *Lowest Calculated Bid (LCB)*, its quotation has been found to be complying and responsive to the technical specifications as stated in the Terms of Reference (TOR). A copy of the Abstract of Quotations and the submitted quotations are hereto attached, marked as **Annexes "C" and "D"**, respectively, and are made integral parts hereof;

NOW, THEREFORE, foregoing premises considered, WE, the Members of the DOT Bids and Awards Committee, hereby **Resolve**, as it is hereby **Resolved**:

- To adopt Negotiated Procurement – Small Value Procurement under Section 53.9 of the revised Implementing Rules and Regulations (IRR) of the Republic Act No. 9184 for the Procurement of Services of an Online Training Provider for the Conduct of Basic Occupational Safety and Health for Safety Officers I and Safety Officers II Webinar Training; and
- To declare **1A OCCUPATIONAL SAFETY AND HEALTH TRAINING CORPORATION** as the **Lowest Calculated and Responsive Bid (LCRB)** and to award the contract for the Procurement of Services of an Online Training Provider for the Conduct of Basic Occupational Safety and Health for Safety Officers I and Safety Officers II Webinar Training, in the total amount of **SEVEN HUNDRED FIFTY THOUSAND PESOS (PhP750, 000.00)**, inclusive of all applicable taxes;
- To recommend for approval by the Secretary of Tourism the foregoing findings.

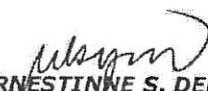
Resolved this 04th day of October 2021.

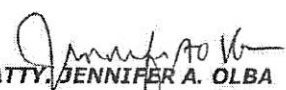
Recommending Approval:


OIC - USEC. REYNALDO L. CHING
BAC Chairperson


OIC - ASEC. MILAGROS Y. SAY
BAC Vice Chairperson


MR. RAYMUND GLEN A. AGUSTIN
Member


MS. ERNESTINNE S. DEMACLIID
BAC Member



ATTY. JENNIFER A. OLBA
BAC Member

By Authority of the Secretary
(Department Order No. 2021-077)

☒ **APPROVED** ☐ **DISAPPROVED:**


MARIA RICA C. BUENO

Assistant Secretary, Human Capital and Industry Development Programs

CERTIFIED TRUE COPY
Procurement No. 
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Maria Alpha O. Almazan

SERVICE CONTRACT

Basic Occupational Safety and Health for Safety Officers Webinar Training

KNOW ALL MEN BY THESE PRESENTS:

That this Agreement, made and entered into this NOV 03 2021, in the City of Makati, Philippines, by and between

The **DEPARTMENT OF TOURISM (DOT)**, a government agency with principal office address at the New DOT Building, 351 Sen. Gil Puyat Avenue, Makati City, Philippines 1200 represented by its Assistant Secretary for Human Capital Development and Industry Development Programs, **MS. MARIA RICA C. BUENO**, of legal age, Filipino, hereinafter referred to as the "**FIRST PARTY**";

and

1A Occupational Safety and Health Training Corporation is a private entity existing and duly registered under the laws of the Philippines, with office address at 304 Intramuros Corporate Plaza Recoletos Stret, Intramuros Manila and represented by its President, **KATHERINE P. ALCORIZA** and hereinafter referred to as the "**SECOND PARTY**";

Each a Party, collectively, the "**PARTIES**."

WITNESSETH:

WHEREAS, the **FIRST PARTY** is the primary planning, programming, coordinating, implementing and regulatory government agency in the development and promotion of the tourism industry, both domestic and international;

WHEREAS, the **FIRST PARTY**, through the *Office of Industry Manpower Development (OIMD)*, is also mandated to develop training modules and conduct multi-skills training seminars, including continuing education programs for the industry manpower, in coordination with appropriate government agencies and tourism enterprises and associations, thereby upgrading their quality, competence and excellence in the delivery of tourism services;

WHEREAS, pursuant to its mandates, the **FIRST PARTY**, will conduct a *Tourism Enterprise Capability Building on Basic Occupational Safety and Health (BOSH) (the "Training")* which aims to train tourism stakeholders from various Tourism-Related Establishments (TRES) and Community-Based Tourism Organizations (CBTOs) with the basic knowledge and skills on identifying safety and health hazards in their workplace; determining appropriate control measures, and ensure that TRES and CBTOs will have designated Safety Officers in their organization;

WHEREAS, the **FIRST PARTY** is in need of the services of a Department of Labor and Employment-accredited Occupational Safety and Health (OSH) Training Provider to undertake the Training on **9 to 10, 11 to 12, 15 to 19, 22 to 26 November and 1 to 2, 6 to 7 December 2021**;

WHEREAS, the requirement was processed in compliance with the procedure on **Negotiated Procurement-Small Value Procurement**, pursuant to Section 53.9 of the Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (Government Procurement Reform Act);

WHEREAS, the **SECOND PARTY**, registered under the Philippine Government Electronic Procurement System (PhilGEPS) and possesses the necessary equipment, personnel, and expertise in providing the required services, has offered to undertake the project;

WHEREAS, the Bids and Awards Committee (BAC) of the **FIRST PARTY**, through **BAC Resolution No. 2021-165** has declared the **SECOND PARTY** to be the bidder with the *Lowest Calculated and Responsive Bid (LCRB)* as its quotation is found to be compliant and responsive to the technical specifications indicated in the Terms of Reference (TOR);

NOW, THEREFORE, based on the foregoing, the **PARTIES** hereby agree as follows:

1. SERVICES. The **SECOND PARTY** hereby agrees to:

- a. Provide the following six (6) trainings:
 - Four (4) 10-hour Basic Occupational Safety and Health for SO 1 Training;
 - Two (2) 40-hour Basic Occupational Safety and Health for SO 2 Training;
- b. Engage BOSH experts as resource speakers;
- c. Issue BOSH Completion Certificates to participants who passed the course;
- d. Provide training/session materials.

- e. Coordination among the end-users and participants before, during, and after the training to ensure the attendance and participation;
- f. Activities such as but not limited to actual demonstrations, energizers, ice breakers, workshops, etc. to warm up and keep the focus on the duration of the training/program
- g. Platform set-up to ensure that training will run smoothly
- h. Develop and administer pre-registration and feedback/post-evaluation in consultation with the end-user;
- i. Provide host and moderator during the webinars
- j. Issuance of BOSH Completion Certificates to participants who passed the course
- k. Provide training/session materials without further charges or fees
- l. Provide documentation and post-activity report

Details of the above including the other duties and responsibilities of the **SECOND PARTY** are indicated in the attached **Terms of Reference**, which forms an integral part of this contract.

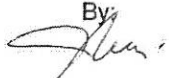
2. **COMPENSATION.** By way of compensation for its services, the **FIRST PARTY** shall pay the **SECOND PARTY** the total amount indicated in the Statement of Account, which shall be based on actual expenses incurred, but not to exceed **Seven Hundred Fifty Thousand Pesos (PhP750,000.00)** for the total actual cost of services rendered inclusive of VAT and other taxes.
3. **PAYMENT.** The above consideration will be paid by the **FIRST PARTY** after presentation of the required Statement of Account and other necessary documents, subject to the usual accounting and auditing rules and regulations by the **SECOND PARTY**. It is understood, however, that payment shall only be made after it has fully and satisfactorily rendered its undertaking under this agreement.
4. **EFFECTIVITY AND TERM.** This Agreement shall be effective from the date of execution up to **31 December 2021**.
5. **LIQUIDATED DAMAGES.** When the **SECOND PARTY** fails to satisfactorily render the services under this Agreement within the specified schedule, the **SECOND PARTY** shall be liable for damages for the delay and shall pay the procuring entity liquidated damages, not by way of penalty, in an amount equal to one-tenth (1/10) of one percent (1%) of the cost of the delayed services scheduled for delivery for every day of delay. The **FIRST PARTY** need not prove that it has incurred actual damages to be entitled to liquidate damages. Such amount shall be deducted from any money due, or which may become due to the **SECOND PARTY** or collected from any securities or warranties posted by the **SECOND PARTY**, whichever is convenient to the procuring entity concerned. In no case shall the total sum of liquidated damages exceed ten percent (10%) of the total contract price, in which event the **FIRST PARTY** concerned may rescind the contract and impose appropriate sanctions over and above the liquidated damages to be paid.
6. **FREE AND HARMLESS.** The **SECOND PARTY** shall hold the **FIRST PARTY** free and harmless from, and hereby binds and obligates itself to indemnify the **FIRST PARTY** for any and all liabilities, losses, damages, injuries, including death, claims, demands, suits, proceeding, judgments, awards, fines, penalties and all expenses, legal or otherwise of whatever kind or nature arising from and by reason of this Agreement, due to the fault, negligence, act, act omission, delays, conduct, breach of trust, or non-observance or violation of this Agreement, or any of its stipulation and warranties by the **SECOND PARTY** and/or any of its employees, agents, representatives, or sub-contractors.
7. **DISPUTE RESOLUTION.** If any dispute shall arise between the **FIRST PARTY** and the **SECOND PARTY** in connection with this Agreement, the Parties shall make every effort to resolve such dispute amicably. Should such dispute not be resolved, the same will be referred for arbitration in accordance with RA No. 876 or the *Arbitration Law* and RA No. 9285 or the *Alternative Dispute Resolution Act of 2004*.
8. **ELECTRONIC SIGNATURES.** The parties shall be entitled to sign and transmit this Agreement with an electronic signature whether by facsimile, e-mail, or other electronic means, which signature shall be binding on the Party whose name is contained therein. Any Party providing an electronic signature agrees to promptly execute and deliver to the other parties an original signed Agreement upon request.
9. **COMPLETENESS OF AGREEMENT.** This Agreement, along with the select provisions in the annexes made integral parts hereof, contains the complete understanding of the Parties and may not be modified or amended except through another Agreement in writing duly executed by the parties.

21-00174

IN WITNESS WHEREOF, the Parties have executed this Agreement through their authorized representatives on the date stated above.

DEPARTMENT OF TOURISM

By:



MS. MARIA RICA C. BUENO

Assistant Secretary for Human Capital
Development and Industry Development
Programs

1A OCCUPATIONAL SAFETY AND HEALTH
TRAINING CORPORATION

By:



KATHERINE P. ALCORIZA

President

Signed in the presence of:

DIR. ROWENA LU Y. MONTECILLO

Director


Office of Industry Manpower Development

MA. VICTORIA LUCIA P. ALCORIZA

General Manager

1A Occupational Safety and Health
Training Corporation

FUNDS AVAILABLE:


MR. ROMAN G. BERSAMIRA
Chief, Accounting Division, DOT

ACKNOWLEDGEMENT


Republic of the Philippines) S.S
City of Makati)

On this 8th day of November, 2021 personally appeared before me, a Notary Public in and for the City of Makati, the following persons:

Name	Government ID	Date Issued	Place Issued
Ms. Maria Rica C. Bueno	<u>Phil 50008928A</u>		
Ms. Katherine P. Alcoriza	Philhealth		Manila

all known to me to be the same person who executed the foregoing Agreement and acknowledgement that the same is an act of their free and voluntary will and deed and of the entity that they respectively represent.

IN WITNESS WHEREOF, I hereunto sign this document and affix my seal of office on this date and place aforementioned.


ATTY. AUDELLE H. ZAMORA
NOTARY PUBLIC
UNTIL DECEMBER, 2021

PENTHOUSE, LEGAL AFFAIRS SERVICE, DOT BLDG
PTR NO. 8144602 - 1/15/20 - MAKATI CITY
IBP LIFETIME MEMBER 04646 / MAKATI CITY
ROLL NO. 44115 MCLE VI-0034349

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