

PHILIPPINE BIDDING DOCUMENTS



MARKET RESEARCH FOR PHILIPPINE ESL NICHE MARKET

DOT-REI No. 2018-001

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Section I. Request for Expression of Interest



Market Research for Philippine ESL Niche Market

1. The *Department of Tourism (DOT)*, through the *General Appropriations Act 2018* intends to apply the sum of **Three Million Philippine Pesos (PhP3,000,000.00)** being the *Approved Budget for the Contract (ABC)* to payments under the contract for **DOT-REI No. 2018-001**. *Bids received in excess of the ABC shall be automatically rejected at the opening of the financial proposals.*
2. The *DOT* now calls for the submission of eligibility documents for **a market research which enables users to gather specific data about the English language travel source markets**. Interested consultants must submit their eligibility documents on or before **January 31, 2018 until 9:00 a.m. only at 4th Floor, DOT Bldg., No. 351 Sen. Gil Puyat Ave., Makati City**. Applications for eligibility will be evaluated based on a non-discretionary “pass/fail” criterion.
3. The BAC shall draw up the short list of consultants from those who have submitted **eligibility documents** and have been determined as eligible in accordance with the provisions of Republic Act 9184 (RA 9184), otherwise known as the “Government Procurement Reform Act”, and its Implementing Rules and Regulations (IRR). The short list shall consist of **five (5)** prospective bidders who will be entitled to submit bids. The criteria and rating system for short listing are:

Applicable experience of the consultant and members in case of joint ventures, considering both the overall experiences of the firm or, in the case of new firms, the individual experiences of the principal and key staff, including the times when employed by other consultants – 50%

Qualification of personnel who may be assigned to the job vis-avis extent and complexity of the undertaking – 30%

Current workload relative to capacity – 20%

Passing Rate – 80%

4. Bidding will be conducted through open competitive bidding procedures using non-discretionary “pass/fail” criterion as specified in the IRR of RA 9184.

Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines.

5. The **DOT** shall evaluate bids using the ***Quality Based Evaluation (QBE)*** procedure. The criteria and rating system for the evaluation of bids shall be provided in the Instructions to Bidders.
6. The project duration shall be (***please refer to Terms of Reference***).
7. The **DOT** reserves the right to reject any and all bids, annul the bidding process, or not award the contract at any time prior to contract award, without thereby incurring any liability to the affected bidder or bidders.
8. For further information, please refer to:

ATTY. JENNIFER A. OLBA
Head, DOT-BAC Secretariat
4th Floor, DOT Bldg., No. 351 Sen. Gil Puyat Ave., Makati City
Telephone Nos.: 459-5200 to 30 Loc. 418
Email Address: jaolba@tourism.gov.ph
Facsimile No.: 459 5200 to 30 Loc. 419
Website Address: www.tourism.gov.ph

January 19, 2018

USEC. KATHERINE S. DE CASTRO

DOT-BAC Chairperson

Section II. Eligibility Documents

1. Eligibility Criteria

1.1. **The following persons/entities shall be allowed to participate in the bidding for Consulting Services:**

- (a) **Duly licensed Filipino citizens/sole proprietorships;**
- (b) **Partnerships duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the interest belongs to citizens of the Philippines;**
- (c) **Corporations duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the outstanding capital stock belongs to citizens of the Philippines;**
- (d) **Cooperatives duly organized under the laws of the Philippines, and of which at least sixty percent (60%) interest belongs to citizens of the Philippines; or**
- (e) **Persons/entities forming themselves into a joint venture, *i.e.*, a group of two (2) or more persons/entities that intend to be jointly and severally responsible or liable for a particular contract: Provided, however, That Filipino ownership or interest thereof shall be at least sixty percent (60%). For this purpose, Filipino ownership or interest shall be based on the contributions of each of the members of the joint venture as specified in their JVA.**

1.2. **When the types and fields of Consulting Services involve the practice of professions regulated by law, those who will actually perform the services shall be Filipino citizens and registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions specified in the EDS.**

1.3. **If the Request for Expression of Interest allows participation of foreign consultants, prospective foreign bidders may be eligible subject to the qualifications stated in the EDS.**

1.4. **Government corporate entities may be eligible to participate only if they can establish that they (a) are legally and financially autonomous, (b) operate under commercial law, and (c) are not dependent agencies of the GOP or the Procuring Entity.**

2. Eligibility Requirements

2.1. **The following eligibility requirements shall be submitted on or before the date of the eligibility check specified in the Request for Expression of**

Interest and Clause 5 for purposes of determining eligibility of prospective bidders:

(a) Class “A” Documents –

Legal Documents

(i) 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 any proof of such registration as stated in the EDS;

(ii) Mayor’s/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;

For individual consultants not registered under a sole proprietorship, a BIR Certification of Registration shall be submitted, in lieu of DTI registration and Mayor’s/Business permit;

(iii) Tax clearance per E.O. 398, series of 2005, as finally reviewed and approved by the BIR;

Technical Documents

(iv) Statement of the prospective bidder of all its ongoing and completed government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, within the relevant period provided in the EDS. The statement shall include, for each contract, the following:

(iv.1) the name and location of the contract;

(iv.2) date of award of the contract;

(iv.3) type and brief description of consulting services;

(iv.4) consultant’s role (whether main consultant, subcontractor, or partner in a JV)

(iv.5) amount of contract;

(iv.6) contract duration; and

(iv.7) certificate of satisfactory completion or equivalent document specified in the EDS issued by the client, in the case of a completed contract;

- (v) **Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions in accordance with Clause 1.2.**

Financial Document

- (vi) **The consultant's audited financial statements, showing, among others, the consultant's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission.**

(b) **Class "B" Document –**

Valid joint venture agreement (JVA), in case a joint venture is already in existence. In the absence of a JVA, duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful, shall be included in the bid. Failure to enter into a joint venture in the event of a contract award shall be ground for the forfeiture of the bid security. Each partner of the joint venture shall submit the PhilGEPS Certificate of Registration in accordance with Section 8.5.2 of RA9184 and its IRR. The submission of technical and financial documents by any of the joint venture partners constitutes compliance.

- 2.2. **In the case of foreign consultants, the foregoing eligibility requirements under Class "A" Documents may be substituted by the appropriate equivalent documents, if any, issued by the foreign consultant's country.**
- 2.3. **The eligibility requirements or statements and all other documents to be submitted to the BAC must be in English. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in foreign language other than English, it must be accompanied by a translation of the documents in English. The documents shall be translated by the relevant foreign government agency, the foreign government authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines.**
- 2.4. **Prospective bidders may obtain a full range of expertise by associating with individual consultant(s) and/or other consultants or entities through a JV or subcontracting arrangements, as appropriate. However, subcontractors may only participate in the bid of one short listed consultant. Foreign Consultants shall seek the participation of Filipino**

Consultants by entering into a JV with, or subcontracting part of the project to, Filipino Consultants.

- 2.5. If a prospective bidder has previously secured a certification from the Procuring Entity to the effect that it has previously submitted the above-enumerated Class “A” Documents, the said certification may be submitted in lieu of the requirements enumerated in Clause 2.1 above.**

3. Format and Signing of Eligibility Documents

- 3.1. Prospective bidders shall submit their eligibility documents through their duly authorized representative on or before the deadline specified in Clause 5.**
- 3.2. Prospective bidders shall prepare an original and copies of the eligibility documents. In the event of any discrepancy between the original and the copies, the original shall prevail.**
- 3.3. The eligibility documents, except for unamended printed literature, shall be signed, and each and every page thereof shall be initialed, by the duly authorized representative/s of the prospective bidder.**
- 3.4. Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialed by the duly authorized representative/s of the prospective bidder.**

4. Sealing and Marking of Eligibility Documents

- 4.1. Unless otherwise indicated in the EDS, prospective bidders shall enclose their original eligibility documents described in Clause 2.1, in a sealed envelope marked “ORIGINAL – ELIGIBILITY DOCUMENTS”. Each copy of shall be similarly sealed duly marking the envelopes as “COPY NO. ___ - ELIGIBILITY DOCUMENTS”. These envelopes containing the original and the copies shall then be enclosed in one single envelope.**
- 4.2. The original and the number of copies of the eligibility documents as indicated in the EDS shall be typed or written in indelible ink and shall be signed by the prospective bidder or its duly authorized representative/s.**
- 4.3. All envelopes shall:**
- (a) contain the name of the contract to be bid in capital letters;**
 - (b) bear the name and address of the prospective bidder in capital letters;**
 - (c) be addressed to the Procuring Entity’s BAC specified in the EDS;**
 - (d) bear the specific identification of this Project indicated in the EDS; and**

- (e) bear a warning “DO NOT OPEN BEFORE...” the date and time for the opening of eligibility documents, in accordance with Clause 5.

4.4. If the eligibility documents are not sealed and marked as required, the Procuring Entity will assume no responsibility for its misplacement or premature opening.

5. Deadline for Submission of Eligibility Documents

Eligibility documents must be received by the Procuring Entity’s BAC at the address and on or before the date and time indicated in the Request for Expression of Interest and the EDS.

6. Late Submission of Eligibility Documents

Any eligibility documents submitted after the deadline for submission and receipt prescribed in Clause 5 shall be declared “Late” and shall not be accepted by the Procuring Entity.

7. Modification and Withdrawal of Eligibility Documents

7.1. The prospective bidder may modify its eligibility documents after it has been submitted; provided that the modification is received by the Procuring Entity prior to the deadline specified in Clause 5. The prospective bidder shall not be allowed to retrieve its original eligibility documents, but shall be allowed to submit another set equally sealed, properly identified, linked to its original bid marked as “ELIGIBILITY MODIFICATION” and stamped “received” by the BAC. Modifications received after the applicable deadline shall not be considered and shall be returned to the prospective bidder unopened.

7.2. A prospective bidder may, through a letter of withdrawal, withdraw its eligibility documents after it has been submitted, for valid and justifiable reason; provided that the letter of withdrawal is received by the Procuring Entity prior to the deadline prescribed for submission and receipt of eligibility documents.

7.3. Eligibility documents requested to be withdrawn in accordance with this Clause shall be returned unopened to the prospective bidder concerned. A prospective bidder may also express its intention not to participate in the bidding through a letter which should reach and be stamped by the BAC before the deadline for submission and receipt of eligibility documents. A prospective bidder that withdraws its eligibility documents shall not be permitted to submit another set, directly or indirectly, for the same project.

8. Opening and Preliminary Examination of Eligibility Documents

8.1. The Procuring Entity’s BAC will open the envelopes containing the eligibility documents in the presence of the prospective bidders’

representatives who choose to attend, at the time, on the date, and at the place specified in the EDS. The prospective bidders' representatives who are present shall sign a register evidencing their attendance.

- 8.2. Letters of withdrawal shall be read out and recorded during the opening of eligibility documents and the envelope containing the corresponding withdrawn eligibility documents shall be returned unopened to the withdrawing prospective bidder. If the withdrawing prospective bidder's representative is present during the opening, the original eligibility documents and all copies thereof shall be returned to the representative during the opening of eligibility documents. If no representative is present, the eligibility documents shall be returned unopened by registered mail.
- 8.3. A prospective bidder determined as "ineligible" has seven (7) calendar days upon written notice or, if present at the time of the opening of eligibility documents, upon verbal notification, within which to file a request for reconsideration with the BAC: Provided, however, that the request for reconsideration shall not be granted if it is established that the finding of failure is due to the fault of the prospective bidder concerned: Provided, further, that the BAC shall decide on the request for reconsideration within seven (7) calendar days from receipt thereof. If a failed prospective bidder signifies his intent to file a request for reconsideration, in the case of a prospective bidder who is declared ineligible, the BAC shall hold the eligibility documents until such time that the request for reconsideration or protest has been resolved.
- 8.4. The eligibility documents envelopes and modifications, if any, shall be opened one at a time, and the following read out and recorded:
 - (a) the name of the prospective bidder;
 - (b) whether there is a modification or substitution; and
 - (c) the presence or absence of each document comprising the eligibility documents vis-à-vis a checklist of the required documents.
- 8.5. The eligibility of each prospective bidder shall be determined by examining each bidder's eligibility requirements or statements against a checklist of requirements, using non-discretionary "pass/fail" criterion, as stated in the Request for Expression of Interest, and shall be determined as either "eligible" or "ineligible." If a prospective bidder submits the specific eligibility document required, he shall be rated "passed" for that particular requirement. In this regard, failure to submit a requirement, or an incomplete or patently insufficient submission, shall be considered "failed" for the particular eligibility requirement concerned. If a prospective bidder is rated "passed" for all the eligibility requirements, he shall be considered eligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "eligible." If a prospective bidder is rated "failed" in any of

the eligibility requirements, he shall be considered ineligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as “ineligible.” In either case, the BAC chairperson or his duly designated authority shall countersign the markings.

9. Short Listing of Consultants

- 9.1. Only prospective bidders whose submitted contracts are similar in nature and complexity to the contract to be bid as provided in the EDS shall be considered for short listing.**
- 9.2. The BAC of the Procuring Entity shall draw up the short list of prospective bidders from those declared eligible using the detailed set of criteria and rating system to be used specified in the EDS.**
- 9.3. Short listed consultants shall be invited to participate in the bidding for this project through a Letter of Invitation to Bid issued by the BAC of the Procuring Entity.**
- 9.4. Only bids from short listed bidders shall be opened and considered for award of contract. These short listed bidders, whether single entities or JVs, should confirm in their bids that the information contained in the submitted eligibility documents remains correct as of the date of bid submission.**

Section III. Eligibility Data Sheet

Eligibility Documents	
1.2	<i>Advertising and Communication Agency</i>
1.3	No further instructions.
(i)	No additional requirements.
(iv)	The statement of all ongoing and completed government and private contracts shall include all such contracts within <i>five (5) years</i> prior to the deadline for the submission and receipt of eligibility documents.
(iv.7)	No further instructions.
4.2	Each prospective bidder shall submit one (1) original and <i>six (6)</i> copies of its eligibility documents.
4.3(c)	<i>USEC. KATHERINE S. DE CASTRO, DOT-BAC Chairperson c/o Mr. Florencio S. Capati, Jr., DOT-BAC Secretariat, 4th Floor, DOT Bldg., No. 351 Sen. Gil Puyat Ave., Makati City.</i>
4.3(d)	<i>DOT-REI No. 2018-001 – Market Research for Philippine ESL Niche Market</i>
5	The address for submission of eligibility documents is at the <i>4th Floor, DOT Bldg., No. 351 Sen. Gil Puyat Ave., Makati City.</i> The deadline for submission of eligibility documents is <i>on or before 9:00 a.m. only of January 31, 2018.</i>
8.1	The place of opening of eligibility documents is at the <i>3rd Floor Conference Room, DOT Bldg., No. 351 Sen. Gil Puyat Ave., Makati City.</i> The date and time of opening of eligibility documents is on <i>January 31, 2018 at 10:00 a.m.</i>
9.1	Similar contracts shall refer to <i>Communication and Advertising</i>
9.2	<i>Applicable experience of the consultant and members in case of joint ventures, considering both the overall experiences of the firm or, in the case of new firms, the individual experiences of the principal and key staff, including the times when employed by other consultants – 50%</i> <i>Qualification of personnel who may be assigned to the job vis-avis extent</i>

	<i>and complexity of the undertaking – 30%</i> <i>Current workload relative to capacity – 20%</i> <u>Passing Rate – 80%</u>
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