

INVITATION FOR NEGOTIATED PROCUREMENT (REFERENCE NUMBER: 2021-EPA-0025)


Consultancy Services for the Implementation of Philippine Competition Commission Information Security Management System *(Pursuant to Section 53.1 of the Revised Implementing Rules and Regulations of Republic Act 9184 on Two Failed Biddings)*

1. In view of the two (2) failed public biddings, the **Philippine Competition Commission (PCC)** invites prospective consultants to participate in the negotiation for the **Consultancy Services for the Implementation of Philippine Competition Commission Information Security Management System**;
2. The PCC intends to apply the sum of **One Million Pesos (PhP 1,000,000.00)** being the Approved Budget for the Contract (ABC) to payments under the contract for the aforesaid provision with the Terms of Reference hereof;
3. The PCC now invites interested parties to negotiate the procurement of aforesaid project on **15 January 2021 at 1:30 P.M.** through teleconferencing using Microsoft Teams;
4. Negotiation 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, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to R.A. 5183.
5. Following completion of the negotiations, prospective service providers shall submit the best proposal based on the technical and financial requirements, including the pre-requisite documentary requirements enumerated in Annex "A" hereof, to PCC Bids and Awards Committee (PBAC) at the address below on or before **12:00 N.N. of 22 January 2021**.
6. The PCC reserves the right to accept or reject any proposal, to annul the negotiation process, and to reject all proposals at any time prior to contract award in accordance with Section 41 of R.A. 9184 and its I.R.R., without thereby incurring any liability to the affected negotiation participant or participants.

7. For further information, please refer to:

The Secretariat
Bids and Awards Committee
Philippine Competition Commission
25/F Vertis North Corporate Center I
North Avenue, Quezon City 1105
Telephone No.: (02) 8771-9722 local 203/204
e-mail: procurement@phcc.gov.ph or bac@phcc.gov.ph


ATTY. JOSEPH MELVIN B. BASAS
Chairperson

 PCC Bids and Awards Committee

Checklist of Documentary Requirements

I – Eligibility Requirements

A. Eligibility Documents (Consultant may submit PhilGEPS Platinum Registration Certificate, as deferred thru GPPB Circular 07-2017 or Class “A” Eligibility documents), to wit:

1. Legal Documents
 - a. Business Registration, whichever is applicable.
 - a.1 Sole Proprietorship - DTI Registration Certificate.
 - a.2 Partnership - SEC Certificate of Registration or Certificate of Filing of Amended Articles of Partnership.
 - a.3 Corporation - SEC Certificate of Registration or SEC Certificate of Filing of Amended Articles of Incorporation
 - a.4 Cooperative - Cooperatives Development Authority Registration
 - b. Valid Mayor’s Permit
 - c. Current and Valid Tax Clearance Certificate
2. Technical Documents
 - a. Statement of Consultant’s Nationality
 - b. Curriculum Vitae for the Proposed Professional Staff
 - c. Statement of Completed Contracts
 - d. Statement of Ongoing and Awarded but Not Yet Started Contracts
 - e. Certificate of Good Standing and Satisfactory Completion
3. Financial Documents
 - a. Latest Audited Financial Statement stamped received by BIR or its authorized institutions
4. Joint Venture Agreement, if applicable (*Class “B” Document*)

B. Eligibility Documents Submission Form

C. Technical Documents

1. Conformity with the Terms of Reference

II – Technical and Financial Requirements

A. Technical Documents

- a. Omnibus Sworn Statement
- b. Bid Security

B. Technical Proposal Forms (TPF)

- TPF 1. Technical Proposal Submission Form
- TPF 2. Consultant’s Reference

- 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
- TPF 4. Description of the Methodology and Work Plan for Performing the Project
- TPF 5. Team Composition and Task
- TPF 6. Format of Curriculum Vitae for Proposed Professional Staff
- TPF 7. Time Schedule for Professional Personnel
- TPF 8. Activity (Work) Schedule
 - a. Bid Security

- C. Financial Proposal Forms (FPF)
 - FPF 1. Financial Proposal Submission Form
 - FPF 2. Summary of Costs
 - FPF 3. Breakdown of Price per Activity
 - FPF 4. Breakdown of Remuneration per Activity
 - FPF 5. Reimbursables per Activity
 - FPF 6. Miscellaneous Expenses

III – Post-Qualification

- A. The Latest Income/Business Tax Returns
- B.1 PhilGEPS Platinum Registration Certificate, if Class “A” – Eligibility Documents are submitted during the opening of bids.
- B.2 Class “A” – Eligibility Documents, if PhilGEPS Platinum Registration Certificate is submitted during opening of bids.
- C. Other appropriate documents as maybe required by the Technical Working Group.

Terms of Reference

Consultancy Services for the Implementation of Philippine Competition Commission (PCC) Information Security Management System (ISMS) Certifiable to ISO 27001:2013 Standard

I. RATIONALE:

The Philippine Competition Commission (PCC) requires the services of a consultancy firm that has the technical expertise and experience in assisting organizations in the development and implementation of Information Security Management System (ISMS).

The consultancy firm shall provide its expertise in implementing ISMS through consulting and training services to ensure awareness, appreciation and understanding of the standard from Top Management down to Process Owners. The consulting services shall include documentation review and development, facilitative implementation and monitoring, corrective action planning, pre-certification assessment, and certification audit assistance.

II. PROJECT OBJECTIVES

1. Implement the standard-based management system for information security following ISO 27001:2013/ ISMS framework;
2. Implement a PCC-wide information security awareness program;
3. Establish a method of managing risks related to the protection of confidential and personal information; and
4. Establish internal controls that are applicable for offices/units for the protection of information.

III. SCOPE OF WORK

The engagement shall cover the Information and Communications Technology Division's (ICTD) processes of providing support services to PCC offices. The consultant shall:

- a) Design and develop an effective and easy-to-use ISMS implementation plan that can be successfully executed;
- b) Review established documents and records required by ISO 27001:2013;
- c) Conduct workshops, trainings, and meetings to facilitate completion of mandatory and other applicable documents based on the ISMS standard;
- d) Facilitate the implementation, monitoring and auditing requirements of the established ISMS;
- e) Conduct readiness and pre-certification assessment; and
- f) Provide certification audit assistance.

IV. INFORMATION SECURITY AND NON – DISCLOSURE AGREEMENT

To ensure protection of PCC information and supporting assets, the consultancy firm and members of its project team are expected to observe and abide by the established PCC Information Security Management System (PCC ISMS), and shall agree to sign a non-disclosure agreement.

All materials, data and information used and/or generated throughout the contract duration shall remain the property of PCC. The consultancy firm and any of its representatives shall not use nor disseminate these PCC-related materials, data and information for any other purposes without the written consent and approval the PCC.

V. APPROVED BUDGET FOR THE CONTRACT (ABC)

The ABC for the project is One Million Pesos Only (Php. 1,000,000.00) inclusive of all applicable government taxes and service charges. The contract price shall include all the costs and profits arising from the or in relation to the services rendered in connection with the engagement and until the end of the contract.

Bids received in excess of the ABC shall be automatically rejected at bid opening.

VI. QUALIFICATION OF THE CONTRACTOR AND ITS PERSONNEL

The Consultancy Firm must be an accredited or Recognized Cybersecurity Assessment Provider for the services in Information Security Management System (ISMS) by the Department of Information and Communications Technology (DICT) – Cybersecurity Bureau.

The Consultancy Firm must have at least three (3) Team Members with the expertise, experience and capacity to implement the project based on the criteria, as follows:

Criteria	Minimum Qualifications	Basis	Points						
Applicable relevant experience of the Consultancy Firm	Should submit copies of client’s satisfactory certificates and/or certificates of completion and acceptance. Similar field refer to the design, development, implementation, documentation review, planning, pre-certification assessment/ guidance, and conduct of training related to ISO 27001/ISMS.	Certificate of Satisfactory Service and/or Certificates of Completion and Acceptance	10						
		<table border="1"> <tr> <td>No. of Certificate</td> <td>PTS.</td> </tr> <tr> <td>5 or more</td> <td>10</td> </tr> <tr> <td>3-4</td> <td>5</td> </tr> </table>		No. of Certificate	PTS.	5 or more	10	3-4	5
		No. of Certificate		PTS.					
5 or more	10								
3-4	5								

		1-2	3			
Applicable years of relevant experience of the Consultancy Firm	Should be an established Consultancy Firm with experience in conducting planning, designing, development, implementation, auditing, assessment, training, and providing certification guidance for ISMS of at least 10 years of experience in relevant field.			Years of Experience		10
				Years	PTS.	
				10 or more	10	
				7-9	8	
				4-6	5	
				1-3	2	
		Less than 1	0			
Quality of personnel to be assigned to the project	Personnel	Education	Experience	Original signed extensive curriculum vitae. Years of Experience		20
	Project Lead / Manager/ Principal Consultant	Graduate of any 4-year course	Ten (10) years of relevant experience on information security management systems, IT service management, risk management, information security controls, business continuity, data privacy and related management systems.	Years	PTS.	
				10 or more	20	
				7-9	15	
				4-6	10	
				1-3	5	
				Less than 1	0	
			Number of relevant certification/s	Submitted Certification/s		15
				No. of Certificate	PTS.	
				5 or more	15	
				3-4	10	
			1-2	5		
			None	0		

	Team Member/ Trainer/ Workshop Facilitator/ Coordinator	Graduate of any 4-year course	Five (5) years of relevant experience on information security, IT service management, risk management, information security controls, data privacy, internal compliance audits, and other management systems.	Original signed extensive curriculum vitae. Years of Experience <table border="1"> <thead> <tr> <th>Years</th> <th>PTS.</th> </tr> </thead> <tbody> <tr> <td>5 or more</td> <td>10</td> </tr> <tr> <td>4</td> <td>7</td> </tr> <tr> <td>2-3</td> <td>5</td> </tr> <tr> <td>More than 1</td> <td>1</td> </tr> <tr> <td>Less than 1</td> <td>0</td> </tr> </tbody> </table>	Years	PTS.	5 or more	10	4	7	2-3	5	More than 1	1	Less than 1	0	10
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	Team Member/ Documenter (Documented Information Specialist)	Graduate of any 4-year course	Five (5) years of relevant experience on information security, risk management, information security controls, data privacy, auditing, and related management systems.	Original signed extensive curriculum vitae. Years of Experience <table border="1"> <thead> <tr> <th>Years</th> <th>PTS.</th> </tr> </thead> <tbody> <tr> <td>5 or more</td> <td>10</td> </tr> <tr> <td>4</td> <td>7</td> </tr> <tr> <td>2-3</td> <td>5</td> </tr> <tr> <td>More than 1</td> <td>1</td> </tr> <tr> <td>Less than 1</td> <td>0</td> </tr> </tbody> </table>	Years	PTS.	5 or more	10	4	7	2-3	5	More than 1	1	Less than 1	0	10
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No. of Certificate	PTS.												
2 or more	5												
1	2												
None	0												
Capacity to execute the project	On-going projects within the contract period			List of on-going projects									
				<table border="1"> <tr> <th>No. of Projects</th> <th>PTS.</th> </tr> <tr> <td><1</td> <td>10</td> </tr> <tr> <td>=1</td> <td>7</td> </tr> <tr> <td>>1</td> <td>5</td> </tr> </table>	No. of Projects	PTS.	<1	10	=1	7	>1	5	10
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<1	10												
=1	7												
>1	5												

Note: Submit only the curriculum vitae of consultants that shall have active participation in the implementation of the project.

Maximum of five (5) eligible bidders that will get at least the 85 points based on the criteria above shall be invited to offer technical and financial proposals.

VII. TIMELINES, DELIVERABLES AND SCHEDULE OF PAYMENT

The Consultancy Firm shall be engaged for the duration of eight (8) months immediately after contract signing. All payments shall be endorsed by the Chief of Information and Communication Technology Division and approved by the Director of the Administrative Office. Each milestone payment shall be released upon PCC's acceptance of the deliverables listed. Milestone payment shall be as follows:

Milestones	Deliverables	% of contracted amount
1. Awareness, Training and Planning	<ol style="list-style-type: none"> 1. Approved Project Plan (timeline, approach/ methodology, project team composition) 2. Gap Assessment Report 3. Training Plan 4. Conduct of ISMS Awareness Training 5. Conduct of Risk Assessment Workshop/ Exercises and Training 	15%

	6. Training Materials/ Documents	
2. Documentation Review and Systems Development	<ol style="list-style-type: none"> 1. Approved ISMS Objectives 2. Approved ISMS Policy 3. Documented Information/ Procedures for ISO 27001 4. Applicable Non-Mandatory but commonly used documents for ISMS 5. Approved ISMS Manual 	50%
3. Systems Implementation, Monitoring and Auditing	<ol style="list-style-type: none"> 1. Required Records from 27001 2. Conduct of Internal Audit Seminar/ Workshop/ Training 3. Audit Training Materials/ Documents 4. Conduct of Supervised/ Mock Audit 5. Conduct of Management Review 6. Conduct of Corrective Action Planning 7. Corrective Action Planning Report 	20%
4. Acceptance/ Project Closure	<ol style="list-style-type: none"> 1. Pre-Certification Assessment/ Readiness Report 2. Certification Audit Assistance 3. ISMS Guidance Document/ Toolkit 	15%
TOTAL		100%

The project schedule may only be extended by mutual written agreement to a maximum of 2 months.

VIII. MODE OF PROCUREMENT:

The mode of procurement shall be Competitive Bidding provided under the Revised Implementing Rules and Regulations (IRR) of Republic Act (R.A.) No. 9184.

IX. LIQUIDATED DAMAGES

If the supplier fails to deliver any or all of the goods and/or to perform the services within the period specified in the contract, the Procuring Entity shall, without prejudice to its other remedies under this contract and under the applicable law, deduct from the contract price as liquidated damages, the applicable rate of one-tenth (1/10) of one percent (1%) of the cost of the unperformed portion of every day of delay. The maximum deduction shall be ten percent (10%) of the amount of the contract. Once, the maximum is reached, the procuring entity reserves the right to rescind the contract, without prejudice to other courses of action and remedies open to it.

X. DISPUTE AGREEMENT / RESOLUTION

Should any dispute related to the Contract and/or rights of the parties arise, the same shall be submitted to mutual consultation, mediation and arbitration, in the order of application. The venue of the proceedings shall be in Quezon City.

In case of a court suit, the venue shall be the courts of competent jurisdiction in Quezon City, to the exclusion of all other courts.

Any amendments and additional terms and conditions of the Contract must be in writing, signed and acknowledged by the Parties.

Prepared by:


WARREN PAUL A. NICDAO
Information Technology Officer II

Reviewed by


ALLAN ROY D. MORDENO, CISM
Chief, ICT Division

Approved by:


JESON Q. DE LA TORRE
Officer-In-Charge, Administrative Office (AO)

Conforme:

Name and Signature of Authorized Representative

Designation

Name of Company

Date