

TERMS OF REFERENCE

SUPPLY, DELIVERY AND INSTALLATION OF MODULAR PARTITION SYSTEM FOR FACILITY IMPROVEMENT OF THE PHILIPPINE COMPETITION COMMISSION

I. Rationale

The Philippine Competition Commission (“PCC”) is an independent quasi-judicial body mandated to promote and maintain market competition by regulating anti-competitive agreements, abuse of dominant position, and anti-competitive mergers and acquisitions. The main role of the PCC is to ensure fair competition in the market for the benefit of consumers and businesses.

In order to deliver this mandate, the Administrative Office provides PCC with preventive maintenance and improvements in its facilities to ensure that PCC Offices have a sound and secured working environment for its employees and guests. Thus, a Service Provider for the provision of wall partition system (“Project”) shall be engaged by the Procuring Entity (“End-user”).

II. Scope of Services

A. The Service Provider shall perform the following functions and responsibilities:

1. Ensure proper supply, delivery, fabrication and installation of the modular partition system in accordance with the Technical Specifications (Annex A) of the Project;
2. Secure the necessary documents (e.g. work permits, job hazard analysis, list of personnel & equipment, etc.) prior to the supply and delivery of the Project;
3. Provide all the necessary materials, tools and equipment for the fabrication, installation and completion of the Project;
4. Fabricate and install the necessary works during Saturdays and/or Sundays from 8:00AM to 5:00PM. The Project may be done during weekdays (Monday to Friday) upon proper coordination and approval by the End-user;
5. Ensure that drilling/noisy works (if any) shall be minimal and maintain a clean work area after completion of the Project and;
6. Issue a Delivery Receipt (DR) and Statement of Account / Billing Statement (SOA / BS) after completion of the Project.

B. The End-user shall perform the following functions and responsibilities:

1. Submit the necessary documents to the building management for approval prior to the supply, delivery, fabrication and installation of the Project;
2. Monitor the activities during contract implementation of the Project and;



3. Issue a Certificate of Satisfactory Services Rendered (CSS) after completion of the Project.

III. Delivery Schedule / Schedule of Requirements

No.	Particulars	Duration
1	Lead time for the supply and delivery of materials to PCC	Thirty (30) days
2	Fabrication and installation of the wall partition system	Fifteen (15) days
Total Duration		Forty-five (45) days

IV. Contract Duration

The contract period shall commence this calendar year 2021 within forty-five (45) days upon acceptance of the Job Order / Contract by the Service Provider.

V. Approved Budget for the Contract

The Approved Budget for the Contract is **Three Hundred Thousand Pesos (Php 300,000.00)**, inclusive of all applicable government taxes and service charges, subject to the usual budgeting, accounting and auditing rules and regulations.

VI. Mode of Procurement

The Mode of Procurement shall be Negotiated Procurement – Small Value Procurement provided under the Revised Implementing Rules and Regulations of Republic Act No. 9184.

VII. Payment Scheme

The PCC shall pay the Service Provider within fifteen (15) working days upon receipt of the DR and SOA / BS of the completed project and issuance of CSS from the End-user.

VIII. Liquidated Damages

In case of delay in the delivery of expected service, the amount of the liquidated damages shall be at least equal to one-tenth of one percent (1/10 of 1% or 0.1%) of the cost of the unperformed portion for every day of delay. Once the cumulative amount of liquidated damages reaches ten percent (10%) of the amount of the contract, the PCC shall rescind the contract, without prejudice to other courses of action and remedies open to it.

IX. Dispute Resolution

Should there be any dispute related to the contract and/or rights of the parties, 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 amendment or additional terms and conditions to the Contract must be in writing, signed and acknowledged by the End-user and the Service Provider (“Parties”).

X. Warranty

The Service Provider shall provide a warranty for **two (2) years** on all materials, parts and components of the Project against any defects. This warranty shall include replacement of materials, parts and/or components inclusive of all applicable fees at no additional cost to the End-user. The warranty period shall commence upon approval and acceptance of the Warranty Security by the Parties.

Approved by:



JESON Q. DE LA TORRE
Officer-in-Charge, Administrative Office 


CONFORME:

Name and Signature of Authorized Representative

Designation

Name of Company

Date

TECHNICAL SPECIFICATIONS

Bidders must state “Comply” or any equivalent term in the column “Bidder’s Statement of Compliance” for every corresponding “No.” and “Specification”.

No.	Specification	Bidder’s Statement of Compliance
A. Office of the General Counsel		
1	<p>Wall partition dimensions (allowance: $\pm 1\%$): Total length: 6.62 meters Total height: 2.27 meters</p> <p>Partition materials: aluminum/metal framing with fabric and glass matching the existing PCC colors / appearances</p> <p>The Service Provider shall verify actual dimensions and materials based on actual site location and conditions to modify and match as needed.</p>	
2	<p>Provision of two (2) sliding door panels with glass and/or fabric material</p> <p>The Service Provider shall verify location of the door panels.</p>	
B. Communication and Knowledge Management Office		
3	<p>Workstation panel dimensions (allowance: $\pm 1\%$):</p> <p>Main front panel: eight (8) units @ 1.20 meters Side panel: fifteen (15) units @ 0.60 meters Panel height: 0.45 meters</p> <p>Partition materials: aluminum/metal framing with fabric and glass matching the existing PCC colors / appearances to be installed on top of the existing workstation</p> <p>The Service Provider shall verify actual dimensions and materials based on actual site location and conditions to modify and match as needed.</p>	

CONFORME:

Name and Signature of Authorized Representative

Designation

Name of Company

Date