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Award Notice Abstract (Ref No.: 3501032)

Status: Updated

Reference Number: 8379584 Control Number: RFP No. 2022 - 01 - 0013 Bid Notice Title: Production of OIMD Audio Visual Presentation (2nd Posting) Approved Budget: Php620,000.00 Procurement Mode: Negotiated Procurement - Small Value Procurement (Sec. 53.9) Classification: Consulting Services Category: Consulting Services Applicable Procurement Rules: Implementing Rules and Regulations Funding Source: Government of the Philippines (GOP) Funding Instrument: General Appropriations Act Location: Contract Duration: 0 Day/s Contact Person: John Paulo Francisco Created By: John Paulo Francisco	DEPARTMENT OF TOURISM 351 Sen. Gil Puyat Avenue Makati City Metro Manila, NCR, Philippines Consulting Services Awardee : F-STUFF IMAGES Address : University Avenue Quezon City Metro Manila, NCR, Philippines Contact Person : Prabhatanand Reyes Designation : President	Award Type: Award Notice Contract Amount: Php615,000.00 Award Date: 11-Feb-2022 Publish Date: 23-Feb-2022 Date Last Updated: 13-Jun-2022 Contract Number: 22-00135 Proceed Date: 11-Feb-2022 Contract Effectivity Date: 30-Jun-2022 Contract End Date: 30-Jun-2022 Created By: John Paulo Samonte Francisco Date Created: 23-Feb-2022 Approver: View Documents: 4						
Line Item <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 5%;">#</th> <th style="width: 70%;">Product/Service/Project Name</th> <th style="width: 25%;">Budget</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>Consulting Services, Production of OIMD Audio Visual Presentation, 45110000, 1, Lot</td> <td style="text-align: right;">Php620,000.00</td> </tr> </tbody> </table>			#	Product/Service/Project Name	Budget	1	Consulting Services, Production of OIMD Audio Visual Presentation, 45110000, 1, Lot	Php620,000.00
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1	Consulting Services, Production of OIMD Audio Visual Presentation, 45110000, 1, Lot	Php620,000.00						
Reason for Award : Single Rated and Responsive Bid								



NOTICE OF AWARD

MR. PRABHATANAND REYES

President

F-Stuff Images, OPC

1934 UP Bliss, University Avenue, Diliman Quezon City

Dear Mr. Reyes:

We are pleased to inform you that your proposal for the Procurement of Consulting Services for the Production of Office of the Industry Manpower Development (OIMD) Audio Visual Presentation (AVP), in the amount of Six Hundred Fifteen Thousand Pesos (PhP615, 000.00) has been determined as the Single Rated and Responsive Bid (SRRB) through Negotiated Procurement – Small Value Procurement (SVP).

We appreciate your interest in this opportunity and we look forward to your satisfactory performance of your obligations under the project.

Very truly yours,

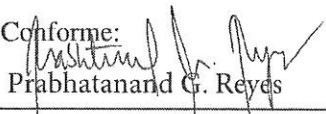

ASEC. MARIA RICA C. BUENO

Department of Tourism

By Authority of the Secretary:

(per Department Order No. 2021-077)

Conforme:


Prabhatanand G. Reyes

(Awarded bidder's name of authorized
Representative and signature)

February 23, 2022

(Date)

***Kindly fax or email to sender to acknowledge receipt**



***BAC Resolution Declaring Single Rated and Responsive Bid (SRRB) and
Recommending Award for the Procurement of Consulting Services the
Production of Office of Industry Manpower Development (OIMD) Audio
Visual Presentation (AVP)
(RFP No. 2022 - 01 - 0013)
Resolution No. 2021 - 017***

WHEREAS, the Department of Tourism (DOT), through the Procurement Management Division (PMD), posted the Request for Proposal (RFP) for the Procurement of Consulting Services for the Production of Office of the Industry Manpower Development (OIMD) Audio Visual Presentation (AVP), in the PhilGEPS website and DOT website continuously for at least four (4) calendar days, starting on 15 January 2022, and the deadline for the submission of proposals was set on 18 January 2022. The Approved Budget for the Contract (ABC) is Six Hundred Twenty Thousand Pesos (PhP620, 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 consulting firms were invited to join by sending Request for Proposal (RFP) via e-mail and to submit their proposals 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 said posting and invitation, two (2) bidders submitted their proposals within the deadline set on 18 January 2022, to wit:

1. *Dominguez Marketing Communications, Inc.*
2. *F-Stuff Images OPC*

WHEREAS, upon evaluation of eligibility requirements, only one (1) bidder was found eligible, to wit:

<i>Name of Bidders</i>	<i>Findings</i>
<i>Dominguez Marketing Communications, Inc.</i>	<i>Ineligible/did not submit latest Income/Business Tax Return</i>
<i>F-Stuff Image OPC</i>	<i>Eligible</i>

WHEREAS, the proposal was submitted by the lone eligible bidder is found complying in terms of the ABC, as follows:

<i>Name of Bidder</i>	<i>Bid Amount</i>
<i>F-Stuff Image OPC</i>	<i>PhP600, 000.00</i>

WHEREAS, upon detailed evaluation of the proposal submitted, the following ranking was gathered:

<i>Name of Bidder</i>	<i>Average Score</i>	<i>Ranking</i>
<i>F-Stuff Image OPC</i>	<i>58.25%</i>	<i>Failed</i>

Note: Passing score is 70%

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 bidders are declared ineligible;

WHEREAS, after the first (1st) posting on 14 January 2022 which resulted in failure of bidding, the Department of Tourism (DOT), through the Procurement Management Division (PMD), reposted the Request for Proposal (RFP) for the Procurement of Consulting Services for the Production of Office of the Industry Manpower Development (OIMD) Audio Visual Presentation (AVP), in the PhilGEPS website and DOT website continuously for at least four (4) calendar days, starting on 27 January 2022, and the deadline for the submission of proposals was set on 31 January 2022. The Approved Budget for the Contract (ABC) is Six Hundred Twenty Thousand Pesos (PhP620, 000.00). A copy of the PhilGEPS posting is hereto attached, marked as **Annex "B"**, and made an integral part hereof;

WHEREAS, three (3) known consulting firms were invited to join by sending Request for Proposal (RFP) via e-mail and to submit their proposals 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 said posting and invitation, two (2) bidders submitted their proposals within the deadline set on 31 January 2022, to wit:

3. *Dominguez Marketing Communications, Inc.*
4. *F-Stuff Images OPC*

WHEREAS, upon evaluation of eligibility requirements, two (2) bidders were found eligible, to wit:

Name of Bidder	Findings
<i>Dominguez Marketing Communications, Inc.</i>	<i>Eligible</i>
<i>F-Stuff Image OPC</i>	<i>Eligible</i>

WHEREAS, the proposals were submitted by the eligible bidders are found complying in terms of the ABC, as follows:

Name of Bidder	Bid Amount
<i>Dominguez Marketing Communications, Inc.</i>	<i>PhP608, 509.44</i>
<i>F-Stuff Image OPC</i>	<i>PhP615, 000.00</i>

WHEREAS, upon detailed evaluation of the proposal submitted, the following ranking was gathered:

Name of Bidder	Average Score	Ranking
<i>Dominguez Marketing Communications, Inc.</i>	<i>40%</i>	<i>Failed</i>
<i>F-Stuff Image OPC</i>	<i>71%</i>	<i>Single Rated Bid (SRB)</i>

Note: Passing score is 70%

WHEREAS, upon detailed evaluation and careful examination of the proposal submitted by **F-STUFF IMAGE OPC**, being the bidder with the *Single Rated Bid (SRB)*, its proposal has been determined to be complying and responsive with the Terms of Reference (TOR). A copy of the Abstract of Proposals, Summary of Ratings and supporting documents submitted are hereto attached, marked as **Annexes "C"**, **"D"**, and **"E"** 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**:

- a) 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 Consulting Services for the Production of Office of the Industry Manpower Development (OIMD) Audio Visual Presentation (AVP); and
- b) To declare **F-STUFF IMAGE OPC** as the **Single Rated and Responsive Bid (SRRB)** and to award the contract for Procurement of Consulting Services for the Production of Office of the Industry Manpower Development (OIMD) Audio Visual Presentation (AVP), in the total amount of **SIX HUNDRED FIFTEEN THOUSAND PESOS (Php615, 000.00)**, inclusive of all applicable taxes;
- c) To recommend for approval of the Secretary of Tourism the foregoing findings.

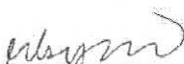
Resolved at the City of Makati this 11th day of February 2022.

Recommending Approval:


OIC - USEC. REYNALDO L. CHING
BAC Chairperson


OIC - ASEC. MILAGROS Y. SAY
BAC Vice Chairperson


MR. RAYMUND GLEN A. AGUSTIN
BAC Member


MS. ERNESTINNE S. DEMACLID
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 for Human Capital and
Industry Development Programs

**SUMMARY RATING SHEET
SMALL VALUE PROCUREMENT**

Name of Project:	Production of OIMD Audio Visual Presentation							
Passing Rate:	70%							
RESULT								
BIDDER	EVALUATOR					Total	Average	Findings
	OIC - Usec. Ching	OIC - Asec. Say	Mr. Agustin	Ms. Demaclid	Atty. Olba			
Dominguez Marketing Communications, Inc.	30	-	-	50	40	120	40.00	Failed
F-Stuff Image OPC	57	50	93	95	60	355	71.00	Passed


OIC - USEC. REYNALDO L. CHING
BAC Chairperson


OIC - ASEC. MILAGROS Y. SAY
Vice Chairperson


MR. RAYMOND GLEN A. AGUSTIN
BAC Member


MS. ERNESTINE S. DEMACLID
BAC Member


ATTY. JENNIFER A. OLBA
BAC Member

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SERVICE CONTRACT

Production of Audio Visual Presentation (AVP)

22-00135

KNOW ALL MEN BY THESE PRESENTS:

That this Agreement, made and entered into this FEB 23 2022, 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 OIC-Undersecretary for Tourism Regulation, Coordination, and Resource Generation, **ENGR. CHRISTOPHER V. MORALES**, of legal age, Filipino, hereinafter referred to as the "**FIRST PARTY**";

and

F-STUFF IMAGE OPC is a private entity existing and duly registered under the laws of the Philippines, with office address at 1934 UP Bliss, University Avenue, Diliman, Quezon City and represented by its President, **MR. PRABHATANAND REYES**, 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 produce an Audio Visual Presentation (AVP) to showcase the continuous efforts of the Department both at the central and regional offices in upgrading human resources capability to be globally competitive;

WHEREAS, the **FIRST PARTY** is in need of a company that provides professional and technical services for the production of the AVP;

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. 2022-017** has declared the **SECOND PARTY** to be the bidder with the *Single Rated and Responsive Bid (SRRB)* as its quotation is found to be compliant and responsive to the technical specifications indicated in the Terms of Reference (TOR);

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

1. **SERVICES.** The **SECOND PARTY** hereby agrees to provide the following:
 - a. Engage a team of technical personnel required for the production of the AVP;
 - b. Conceptualization and development of the script of the AVP aligned with the DOT training policies and thrusts;
 - c. Produce one mother AVP with two versions of 7 minutes each and one 3-minute version, which will feature the program thrusts and accomplishments of the OIMD and "subjects" - Filipino tourism professionals, front liners, tourism enterprises, organizations and communities in the tourism industry;
 - d. Post-production process and submission of the AVP in high definition.

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. **EFFECTIVITY AND TERM.** This Agreement shall be effective from the date of issuance of Notice of Award until **30 June 2022**.
3. **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, but not to exceed **Six Hundred Fifteen Thousand Pesos (PhP615,000.00)** for the total actual cost of services rendered inclusive of VAT and other taxes.
4. **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.
5. **LIQUIDATED DAMAGES.** If the **SECOND PARTY** fails to deliver any or all of the Services within the period(s) specified under this Agreement, the **FIRST PARTY** shall, without prejudice to its other remedies under this Agreement and under the Applicable Law, deduct from the contract price, as liquidated damages, a sum equivalent equal to one-tenth (1/10) of one percent (1%) of the price of the unperformed portion of the Services for each day of delay based on the approved contract schedule. The **FIRST PARTY** need not prove that it has incurred actual damages to be entitled to liquidated damages. Once the amount of liquidated damages reaches ten percent (10%) of the total contract price, the **FIRST PARTY** may consider termination of this Agreement.
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. **OWNERSHIP OF MATERIALS.** Any videos, photos, or other materials, graphic software or otherwise, prepared by the **SECOND PARTY** for the **FIRST PARTY** under this Agreement shall belong to and remain property of the **FIRST PARTY**. The **SECOND PARTY** may retain a copy of such documents and software, exclusively for record purposes and the same shall not be published, reproduced, or distributed without the written consent of the **FIRST PARTY**.
8. **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

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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*.

- 9. **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.
- 10. **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.

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

DEPARTMENT OF TOURISM

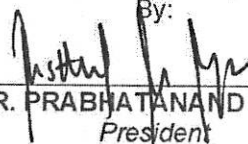
By:



ENGR. CHRISTOPHER V. MORALES
OIC-Undersecretary


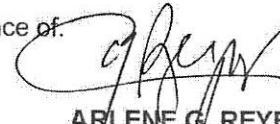
F-STUFF IMAGES, OPC

By:




MR. PRABHATANAND REYES
President

Signed in the presence of.


ROWENA LU Y. MONTECILLO
[Printed name and signature of
Witness 1]
ARLENE G. REYES
Printed name and signature of
Witness 2]

FUNDS AVAILABLE:


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

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ACKNOWLEDGEMENT

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

On this 9th day of June, 2022 personally appeared before me, a Notary Public in and for the City of Makati, the following persons:

Name	Government ID	Date Issued	Place Issued
Engr. Christopher V. Morales	<u>Ptr P26239ND8</u>		
Mr. Prabhatanand Reyes	Driver's License No. N02-15- 001477	August 10, 2017	Quezon City

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.

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Series of 2022

ATTY. AUDELIN K. ZAMORA
Notary Public
Until December 31, 2021
Penthouse, Legal Affairs Service, DOT Bldg.
PTR No. 8862995 - 01/13/2022 - Makati City
IBP Lifetime Member 04646 / Makati City
Roll No. 44115 / MCLE VI-0024349
Extended Until June 30, 2022 Per BM No. 3795