



SUPPLEMENTAL / BID BULLETIN NO. 1

This Supplemental/Bid Bulletin is issued to all prospective bidders to clarify, modify and/or amend items in the Bidding Documents as discussed and agreed during the Pre-bid Conference held on 14 September 2020 for the **Procurement of Consulting Services for the Online Public Consultations on the Updating of the PCSSD Implementing Rules and Regulations (IRR) (Luzon, Visayas and Mindanao) (DOT-BAC-REI No. 2018-006)**.

This shall form an integral part of the Bidding Documents.

I. Clarification on the Bidding Documents

1. On Section II. Instruction to Bidders

- On Item 15.1 (a) Cash or cashier's/manager's check issued by a Universal or Commercial Bank.
 - If the bidder will post a Cashier's or Manager's Check, actual/original Cashier's/Manager's check should be placed inside the Technical Bid Envelope (First Envelope)

2. On Section IV. General Conditions of the Contract

- On Item 25 Force Majeure
 - The bidding documents clearly define a "Force Majeure" as provided under Section 25.1 of the General Conditions of the Contract, to wit:

"For purposes of this Contract the terms "force majeure" and "fortuitous event" may be used interchangeably. In this regard, a fortuitous event or force majeure shall be interpreted to mean an event which the Consultant could not have foreseen, or which though foreseen, was inevitable. It shall not include ordinary unfavorable weather conditions; and any other cause the effects of which could have been avoided with the exercise of reasonable diligence by the Consultant."

3. On Section VI. Terms of Reference

| OLD PROVISION | NEW PROVISION |
|---|---|
| III. Background and Objective Target number of participants per area: 30 pax | III. Background and Objective Target number of participants per area: minimum of 20 pax |

| OLD PROVISION | NEW PROVISION |
|--|--|
| V. Scope of Work and Deliverables: On Pre-Event <ul style="list-style-type: none"> • Advise and work xxx; • Design and execute xxx; | V. Scope of Work and Deliverables: On Pre-event: <ul style="list-style-type: none"> • Advise and work xxx; • Design and execute xxx; • Invite participants for the public consultations via e-mail (PCSSD to provide accredited database) |

4. **On Section VII. Bidding Forms**

- 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
 - The bidder may simply indicate “*no comment or not applicable*” if the consultant/s or bidder/s has no comments or suggestions.
- TPF 7. - Time Schedule for Professional Personnel
 - The bidder should indicate clearly the estimated duration in terms of person-months or man-months.
 - The bidder needs to indicate the number of days which the key personnel may be involved in the project and the duration.
 - Under column for reports due/activities, the bidder/consultant must place the monthly accomplishment report, post-activity report, and other reports which may be required in the TOR or deemed necessary in the implementation of the services.
- TPF 8. – Activity (Work) Schedule
 - The bidder should submit a workplan showing in graphical format (bar chart) the timing of major activities, anticipated coordination meetings, and deliverables such as reports required under the TOR.
- FPF 2. – Summary of Costs
 - The bidder should indicate the breakdown of the total costs.

II. Response to Queries received by the BAC

On the Background

1. *Aside from the laws stated as the premise for the rules, regulations, standards and operating procedures in line with the mandate of the Philippine Commission on Sports SCUBA Diving (PCSSD), why did the proponent request and bid out the project? Are there specific expectations from the project consultant to capture, facilitate, design and recommend?*

- The project was bid out as it is a follow-through of the focus group discussion (FGD) and workshop on the IRR held last October 2019, with the

participation of the PCSSD Commissioners and key dive stakeholders. From this workshop, the output was a draft updated IRR, which now needs to be consulted with and validated by dive stakeholders around the country. Additionally, the public consultation has to be conducted professionally and with full transparency, so as the new IRR will be accepted by the public.

- The project consultant is expected run the consultations and process the results professionally by effectively gathering, collating, and integrating all the inputs of the participants during the public consultations. The service provider must also handle the moderation and facilitation of the project, from the invitation of attendees, designing a mode of gathering the inputs (e.g. breaking the participants into smaller groups to further discuss sections of the draft IRR), to moderating and documenting the whole public consultation.

2. *What preparatory work has the project proponent done?*

- Conduct of the FGD and workshop on October 2019, and resulting draft updated IRR which will be the subject of the public consultation.

On Objectives and Components

3. *Are there other project objectives and components that should be incorporated in the TOR?*

- None.

4. *Are there specific project end-users and their role in project implementation?*

- PCSSD Board of Trustees or Commissioners:
To act as resource persons as may be needed, during the public consultations.

- PCSSD Staff:
To coordinate with the winning bidder to ensure that project is being implemented according to the deliverables on the TOR.

5. *Are there particular end-user's expectations or references for the intended revised and processed IRR? Or does the Consultant have reasonable latitude in defining the project?*

- We expect the revised or processed IRR to be taken from the context of the draft October 2019, and the inputs of the Commissioners. However, the consultant will also be provided some latitude in defining the project, as long as these are valid points that are within the objectives stated, and with the direction of the Commission and the Board.

On Milestones and Deliverables:

6. *Other than the timelines mentioned in the TOR, are there specific considerations regarding the project's timetable, such as particular national or local events before which the report should be finished? Are there specific circumstances that dictate the timetable in light of the General Community Quarantine?*

- There are no other specific considerations regarding the project's timetable. There is no particular event that requires the report to be finished earlier; the bidder must ensure that the report, and other deliverables are submitted on

the deadline indicated in the TOR or within the year of 2020 for the IRR to take effect in 2021. The timetable dictated is in view of the need to also incorporate in the IRR the new normal and community quarantine guidelines governing dive establishments, and the new accreditation guidelines, and to ensure that these are in place in time for the eventual reopening of tourism.

7. *Can the consultant reschedule/suspend the project timetable, such as when the client is reviewing project outputs, or when the difficulty of coordinating meetings and consultations results in delays?*
 - The consultant may do so provided that the timetable is adjusted within the contract duration, and deadline is complied with as indicated in the TOR on 7 December 2020, and subject to the Project Officer's concurrence.
8. *How will the consultant and client communicate during project implementation? Who will be the points of contact and preferred means of communication? Can meetings or consultations be handled over Skype or similar technologies?*
 - The bidder and end-user may communicate via email, Viber, or video conference, skype and similar technologies.
 - The following are the PCSSD point persons for the project:
 - Ms. Anne Barnuevo – anne.barnuevo@divephilippines.com.ph
 - Ms. Rachelle Yoro – rachelle.yoro@divephilippines.com.ph
9. *How will other government agencies and stakeholders be involved in the project?*
 - Government agencies, such as the DOT Office of Tourism Standards and Regulations (OTSR), DOT Regional Offices (RO), and MARINA, are to be invited as resource speakers should there be questions or clarifications on the IRR that involves said offices' accreditation and/or mandate.
10. *For documentation purposes, is there a specific format the entity will require the consultant to use? Or will the Consultant be free to design and strategize its packaging?*
 - The consultant is given leeway to design and strategize the packaging and documentation, as long as the format is easily readable by general computer programs.
11. *Regarding the final compilation, in what manner does the end-user expect the final deliverable to be bound? Will a digital copy suffice?*
 - The bidder may opt to create a hard copy for the appreciation of the Commission. However, the final required deliverable is in digital copy to be submitted via email, and in a flash drive.

On Project Cost and Milestones:

12. *What are included in the project cost? Is it understood that the Consultant will shoulder all costs for professional fees, logistics, consultation, printing, among others?*

- The project cost includes all items mentioned. The cost also includes the fee for the video conferencing program, venue for the secretariat, and internet source and/or back-up, including applicable taxes.

13. *Can the proponent or the end-user assist the consultant with logistics? Is logistics part of the project cost?*

- The end-user may assist the consultant with the logistics (e.g. contact for service provider of transportation going to and from the venue)

- The logistics is part of the project cost (e.g. transportation going to and from the venue)

On the Consultant:

14. *Can the listed experts be substituted between the expression of interest and the actual bid?*

- The list of key personnel is actually part of the Technical Bid Proposal and is submitted on or before the deadline for the submission and opening of technical bids.

- As a rule, after the deadline for the submission of Technical Bid Proposal, the key personnel may not be replaced. Section 27.3 of the Philippine Bidding Documents – Instructions to Bidders provides that, “having selected the Consultant on the basis of, among other things, an evaluation of the proposed key professional staff, the Procuring Entity expects to negotiate a contract on the basis of the experts named in the bid. Before contract negotiations, the Procuring Entity shall require assurances that the experts shall be actually available. **The Procuring Entity shall not consider substitutions during contract negotiations except for justifiable reason as may be determined by the Procuring Entity, such as illness, death, or resignation, unless both parties agree that undue delay in the selection process makes such substitution unavoidable or that such changes are critical to meet the objectives of the Project.** If this is not the case and if it is established that key staff were offered in the bid without confirming their availability, the Consultant may be disqualified.”

- Section 27.3 of the Instructions to Bidders further provides that “**once the contract has been awarded, no replacement shall be allowed until after fifty percent (50%) of the personnel’s man-months have been served, except for justifiable reasons as may be determined by the Procuring Entity.** Violators shall be fined an amount equal to the refund of the replaced personnel’s basic rate, which should be at least fifty percent (50%) of the total basic rate for the duration of the engagement.”

On Payment and Fees:

15. *How will payment be made? Can particular payment channels be arranged ahead of time?*

- Payment is on a send-bill arrangement. Processing of payment shall be initiated upon certification by the end-user of the satisfactory completion of services and the issuance of a billing statement by the service provider.

- Prospective bidders/consultants are highly encourage to have an account with the Land Bank of the Philippines to facilitate release of payments instead of issuing check/s. Other banks may be used but it is subject to bank transactional fees.

III. Changes on the Schedule of Procurement Activities:

| OLD PROVISION | NEW PROVISION |
|--|---|
| 1. Issuance of Supplemental Bid/Bulletin - 21 September 2020 | 1. Issuance of Supplemental/Bid Bulletin – 25 September 2020 |
| 2. Deadline of Submission and Receipt of Bids – September 28, 2020 (9:00 a.m.) | 2. Deadline of Submission and Receipt of Bids – 02 October 2020 (9:00 a.m.) |
| 3. Opening of Technical Proposal- September 28, 2020 (10:00 am.) | <p>3. Opening of Technical Proposal - 02 October 2020 (10:00 a.m.)</p> <p><i>The Opening of Technical Bids will be conducted through video conference using the MS Teams platform on 02 October at 10:00 a.m.</i></p> <p><i>The Shortlisted bidder who are interested in joining the opening of technical bids must send the following details to the BAC Secretariat via e-mail at dot.bac@tourism.gov.ph not later than 5:00 p.m. of 01 October 2020.</i></p> <ul style="list-style-type: none"> • <i>Name of Representative(s) - Maximum of two (2)</i> • <i>Company Name:</i> • <i>Email Address:</i> • <i>Contact No.</i> |

The unamended portion of the bidding documents shall remain the same.

Attached is a copy of the revised Terms of Reference.

For the guidance and information of all concerned.


ASEC. ROBERTO P. ALABADO III
 DOT-BAC Chairperson

25 September 2020