



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS
MARITIME INDUSTRY AUTHORITY



**TERMS OF REFERENCE (TOR)
PUBLIC BIDDING FOR THE PROCUREMENT
OF MARINA SECURITY SERVICES**

1. APPROVED BUDGET FOR THE CONTRACT (ABC)

The Maritime Industry Authority (MARINA) shall offer public bidding to all prospective bidders for the procurement of Security Services with an Approved Budget for the Contract (ABC) amounting to **Three Million Six Hundred Eight-Nine Thousand Pesos (P 3,689,000.00)** for the period **01 March to 31 December 2013**

2. SCOPE OF WORK

The prospective bidders shall bid and provide security services for the **MARITIME INDUSTRY AUTHORITY** which Offices occupies the 3rd, 4th, 5th, 6th and 7th floors of the Parkview Plaza located at Taft Avenue corner T.M. Kalaw Street, Ermita, Manila, with details as follows:

- 2.1 To provide minimum of twelve (12) Security Guards and one (1) Chief Security to be deployed at parking area, ground floor/entrance, 3rd floor, 4th floor, 5th floor, 6th and 7th floor who shall inspect, monitor, secure and guard the areas occupied by MARINA by rotation 24 hours a day from Monday to Sunday.
- 2.2 To perform the following:
 - a. To guard and protect MARINA properties from theft, arson, pilferage, trespassers, robbery, destruction and other unlawful acts committed by any person as well as maintain peace and order within MARINA premises.
 - b. Protect MARINA officials, employees, visitors and guests from assault, harassment, threat or intimidation, and other criminal acts and to enforce and implement security and safety rules and regulations within MARINA premises.
 - b. Conduct inspection of all bags and baggages carried by people coming in and out of the MARINA premises.

- c. Conduct random physical inspection of people coming in and out of the premises, as warranted.
- 2.3. Eleven (11) guards will be hired at day shift and two (2) guards at night shift.
For day shift (12 hours duty) - 11 guards
For night shift (12 hours duty) - 2 guards
- 2.4. The winning bidder shall provide the MARINA with specified number of qualified, competent, uniformed and armed guards who possess the following qualifications:
 - a. Must be a Filipino Citizen;
 - d. The Chief Security should be a graduate of Criminology or any related courses. The rest of the guards must be 2nd year college or should have earned 72 units in college. The security guards should also have 3 years relevant experience as guards;
 - e. Must be physically and mentally fit and not less than 21 or more than 45 years of age;
 - f. Must have passed and undergone regular security service training within the last 6 months, psychological evaluation test, neuro-psychiatric examination, polygraph integrity profile and drug test;
 - g. Must be of good moral character, courteous, alert and without any pending criminal case filed in court or any police record involving criminal acts;
 - h. Must be duly licensed and properly screened and cleared by PNP, NBI, and other government offices issuing clearances for employment;

3. PERIOD OF THE CONTRACT

The Contract for security services shall cover the duration of **01 March to 31 December 2013**

4. CONDITIONS OF THE CONTRACT

- 4.1 The contract shall have provisions for general conditions specified in Section IV of the Bid Documents, and special conditions specified in Section V of the Bid Documents.
- 4.2 That if the exigency of the service so requires, MARINA shall have the right to require additional security guards compensable in accordance with the provisions of the Labor Code.
- 4.3 The winning bidder shall submit proof of payment of wages to their employees deployed in MARINA within the period of three (3) days from the scheduled date of payment and

compliance with the provisions of the Labor laws in relation to the payment of minimum wage.

5. PRE-BID CONFERENCE

A Pre-Bid Conference shall be conducted on **31 January 2013, 10:00 A.M.** at the **MARINA Board Room** located at the **4th floor**, Parkview Plaza, Taft Avenue corner T.M. Kalaw Street, Ermita, Manila, to clarify and address the Bidders' questions on the requirements, terms and conditions and specifications stipulated in the Bidding Documents.

Bidders are encouraged to attend the Pre-Bid Conference but their non-attendance shall in no way prejudice their Bid. The Bidders, however are expected to know the changes and/or amendments to the Bidding Documents discussed during the Pre-Bid Conference.

6. BID SECURITY

6.1 All bids shall be accompanied by a bid security, payable to MARINA as a guarantee that the successful bidder shall, within ten (10) calendar days or less, as indicated in the Instructions to Bidders, from receipt of the notice of award, enter into contract with the MARINA and furnish the performance security required in Section 39 of the revised IRR, except when Section 37.1 of the revised IRR of RA 9184 allows a longer period. Failure to enclose the required bid security in the form and amount prescribed herein shall automatically disqualify the bid concerned.

6.2 The bid security shall be in the amount equal to a percentage of the ABC in accordance with the following schedule:

| Form of Bid Security | Amount of Bid Security (Equal to Percentage of ABC) |
|--|--|
| a) Cash or cashier's/manager's check issued by a Universal or Commercial Bank | Two percent (2%) of ABC or P 73,780.00 |
| b) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank: Provided, however, that it shall be confirmed or | |

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| authenticated by a Universal or Commercial Bank, if issued by a foreign bank. | |
| c) Surety Bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security. | Five Percent (5%) of ABC or P 184,450.00 |

7. PERFORMANCE SECURITY

To guarantee the faithful performance by the winning bidder of its obligations under the contract in accordance with the Bidding Documents, it shall post the performance security prior to the signing of the contract. The performance security shall be denominated in Philippine Pesos and posted in favor of the procuring entity, which shall be forfeited in the event it is established that the winning bidder is in default in any of its obligations under the contract, pursuant to Items 39.1 up to 39.5, respectively, of the Revised IRR of RA 9184.

8. LANGUAGE OF BID

The Bid, as well as all correspondence and documents relating to the Bid exchanged by the Bidder and the MARINA, shall be written in English.

9. ELIGIBILITY CHECK

Prior to Bid opening the Bidder must first pass an eligibility check. Only after a Bidder has satisfactorily passed this eligibility check will its Bid be included in the Bid opening.

A Bidder shall include its eligibility documents in a separate envelope marked "Eligibility Documents" and shall be submitted together with the Technical and Financial Bid envelope on or before the deadline specified in the PBDs.

10. ELIGIBILITY DOCUMENTS

For purposes of determining the eligibility of bidders using the criteria stated in Section 23.5 of the Revised IRR of RA 9184, only the following documents shall be required by the BAC using the forms prescribed in the Bidding documents:

10.1 Class "A" Documents

10.1.1 Legal Documents (ORIGINAL OR AUTHENTICATED COPY BY THE ISSUING AGENCY/ENTITY, i.e. SEC, DTI, etc.)

- (a) Registration certificate from SEC, Department of Trade and Industry (DTI) for sole proprietorship, or CDA for cooperatives, or any proof of such registration as stated in the Bidding Documents.
- (b) Mayor's permit issued by the city or municipality where the principal place of business of the prospective bidder is located.

10.1.2 Technical Documents

Statement of the prospective Bidder of all its ongoing and completed government and private contracts, where applicable, 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 period for the last five (5) years. The statement shall include all information required in the PBDs prescribed by the GPPB:

- (a) Name of the contract;
- (b) Date of the contract;
- (c) Kinds of goods;
- (d) Amount of contract and value of outstanding contracts;
- (e) Date of delivery; and
- (f) End user's acceptance or official receipt(s) issued for the contract, if completed.

10.1.3 Financial Documents

- (a) The prospective Bidder's audited financial statements, showing among others, the prospective bidder'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) The prospective bidder's computation of its Net Financial Contracting Capacity (NFCC)

or a commitment from a Universal or Commercial Bank to extend a credit line in favor of the prospective bidder if awarded the contract to be bid (CLC).

10.2 Class “B” documents

Valid joint venture agreement (JVA), in case the joint venture is already in existence. In the absence of a JVA, a duly notarized statement 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 legal eligibility documents. The submission of technical and financial eligibility documents by any of the joint venture partners constitutes compliance.

11. BIDDING DOCUMENTS

A complete set of Bidding Documents containing other information and instructions to bidders can be purchased by interested bidders at the **4th floor Supply Section, MARINA Central Office**, Parkview Plaza, Taft Avenue corner T.M. Kalaw Street, Ermita, Manila and upon payment of a non-refundable fee in the amount of **fifteen thousand pesos (Php 15,000.00)**.

The Bidding Documents may also be downloaded at the following websites provided that the bidders shall pay the fee for the bidding documents upon submission of their bids:

1. MARINA Website- www.marina.gov.ph
2. PHILGEPS – www.philgeps.net