

Republic of Philippines DEPARTMENT OF EDUCATION

DepEd Complex, Meralco Avenue, Pasig City https://www.deped.gov.ph/



PROJECT:

Procurement of ISO 9001:2015 Third Party Audit and Certifying Body – 1st Surveillance Audit for DepEd Pilot Offices

CONTRACT NO.:

2023-BHROD4(001)-BV-NPSVP002a-C007

CONTRACT

THIS CONTRACT made and entered into this <u>144</u> day of <u>June</u> 2023 by and between the **DEPARTMENT OF EDUCATION**, located at DepEd Complex, Meralco Avenue, Pasig City, Philippines, represented herein by its Undersecretary for Human Resource and Organizational Development, **GLORIA JUMAMIL-MERCADO**, as per Department Order No. 001, s. 2023 and Office Order OO-OSEC-2023-060 (hereinafter referred to as "**DEPED**"); and **TUV NORD PHILIPPINES**, **INC.**, represented herein by its Authorized Representative, **DIANE M. GUIA**, with office address at Unit 603-607 Common Goal Tower, Finance corner Industry Sts., Madrigal Business Park, Ayala-Alabang, Muntinlupa City, Philippines (hereinafter referred to as "**TUV NORD**"), as per Secretary's Certificate dated 18 April 2023 (hereto attached as Annex "A").

DEPED and TUV NORD are collectively called "PARTIES."

WHEREAS, DEPED requested quotations for the procurement of ISO 9001:2015 third party audit and certifying body (first surveillance audit for DepEd pilot offices) consisting of one (1) lot; DEPED received a quotation from a lone firm (TUV NORD); TUV NORD submitted its eligibility requirements and technical and financial proposals; DEPED opened, read, and evaluated the quotation of TUV NORD and declared TUV NORD as having the Single Calculated Quotation for the project; after evaluation, DEPED post-qualified and declared the bid of TUV NORD as the Single Calculated Responsive Quotation in the sum of PHILIPPINE PESOS ONE HUNDRED TWELVE THOUSAND and 00/100 (PhP112,000.00) ONLY, (hereinafter called the "Contract Price") detailed as follows:

Lot No.	Descriptiom	Amount (in Php)
1	Procurement of ISO 9001:2015 Third Party Audit and Certifying Body – 1st Surveillance Audit for DepEd Pilot Offices	PhP112,000.00

NOW THIS CONTRACT WITNESSETH AS FOLLOWS:

- 1. In this Contract, words and expressions shall have the same meaning as are respectively assigned to them in the Conditions of Contract referred to.
- 2. The following documents as required by the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as part of this Contract, viz:
 - Resolution to Award No. 2023-BHROD4(001)-BV-NPSVP-002a dated 20 April 2023;
 - b. Schedule of Requirements;
 - c. Terms of Reference;



DEPED's Witness

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GLORIN JUMAMIL-MERCADO

NORD's Witness

- d. **TUV NORD**'s quotation, including the eligibility requirements, technical and financial proposals, and all other documents or statements submitted;
- e. Notice of Award and TUV NORD's conforme thereto; and
- f. Other contract documents required by existing laws and/or **DEPED**. **TUV NORD** agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, shall form part of the Contract.
- 3. The consultancy services under this Contract shall be performed by **TUV NORD** at the DepEd Central Office, Region IV-A CALABARZON, Schools Division Office (SDO) of Biñan City, Biñan Elementary School (BES), and Biñan Integrated National High School (BINHS) within **12 CALENDAR DAYS** from receipt of the Notice to Proceed (NTP) or as may be indicated in the NTP. **TUV NORD** shall ensure that the required services will be performed in accordance with the Schedule of Requirements, which is hereto attached as Annex "B" and made an integral part hereof.

Consultancy services rendered at sites other than the aforementioned designated sites without **DEPED**'s written authorization and/or approval may be rejected by the latter. Violation of this provision, based on documents and reports submitted and validated by the authorized receiving personnel may be cause for the termination of the Contract.

- 4. The consultancy services to be rendered by **TUV NORD** must conform to and comply with the standards mentioned in the Terms of Reference (Terms and Conditions, Scope of Services, and Minimum Qualifications of Service Provider) as approved by the Bids and Awards Committee based on the actual offer of **TUV NORD** and reflected in the post-qualification report, which is hereto attached as Annex "C" and made an integral part hereof.
- 5. **TUV NORD** shall notify **DEPED** on the conduct of surveillance audit at least three (3) working days in advance, and shall ensure that the authorized representative of **DEPED** is present during the conduct of surveillance audit.
- 6. In case **TUV NORD** encounters condition(s) impeding timely completion of services, **TUV NORD** shall promptly notify **DEPED** in writing within five (5) calendar days from notice of such condition(s). Any request for work suspension and/or contract period extension shall be promptly done in writing as soon as circumstances for such request have become apparent. **TUV NORD** must provide sufficient proof to support any request for work suspension and/or contract period extension.
- 7. The Contract Price shall be paid to **TUV NORD** in accordance with the following disbursement procedures:
 - a. **TUV NORD** may submit a request for payment based on the following:
 - i. Actual services rendered based on the terms of reference and other relevant terms and conditions of the Contract; and,
 - ii. Certification by **TUV NORD**, as approved by the duly authorized DepEd representative, that the services have been rendered in accordance with the Contract.

Other documents in support of a request for payment may be required by **DEPED** pursuant to existing disbursement, accounting and auditing rules and procedures.

DEPED's Witness

GUIA

TUV NORD

TUV NORD's Witness

GLORIA JUMAMIL-MERCADO DEPEDA

Page 2 of 3

- b The full Contract Price shall be paid to TUV NORD through Land Bank's LDDAP-LAND Bank Transfer facility within thirty (30) days after the submission of billing and user acceptance of the service provided. Bank transfer fee shall be charged against the creditor's account after issuance of the ISO Certificate to **DEPED**.
- 8. Each Party in the performance of their respective duties and responsibilities under this Contract and in the implementation thereof shall adhere to Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012."

Any gathered data and information should be protected and respected during the term and even after the termination of this Contract. The processing of any gathered data and information should be in compliance with the confidentiality and privacy requirements under the said law and applicable regulations.

- 9. **TUV NORD** shall be liable for liquidated damages in an amount equal to one-tenth (1/10) of one percent (1%) of the cost of the unperformed portion, for every day of delay. DEPED shall deduct the liquidated damages from any money due or which may become due to TUV NORD, or collect from any of the securities posted by TUV NORD, whichever is convenient to **DEPED**. Once the acccumulated amount of liquidated damages reaches ten percent (10%) of the Contract Price, DEPED may rescind or terminate the Contract, without prejudice to other courses of action and remedies available under the circumstances.
- 10. The **PARTIES** shall make every effort to resolve amicably and by mutual consultation any and all disputes or differences arising between the **PARTIES** in connection with the implementation of the Contract. Should such dispute not be resolved amicably, it shall be submitted to Early Neutral Evaluation pursuant to R.A. No. 9285, or the "Alternative Dispute Resolution Act of 2004," and its Implementing Rules and Regulations.

IN WITNESS WHEREOF, the PARTIES hereto have caused this Contract to be executed in accordance with governing laws on the day and year first above written.

SIGNED, SEALED AND DELIVERED BY:

GLORIA JUMAMIL-MERCADO

Undersecretary for Human Resource and Organizational Development DEPED

DIANE M. GUIA Authorized Representative **TUV NORD**

SIGNED IN THE PRESENCE OF:

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DEPED's Witness

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CERTIFIED FUNDS AVAILABLE: \$112,000.

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REPUBLIC OF THE PHILIPPINES)

PASIG, GHETRO MANILA) S.S

ACKNOWLEDGMENT

BEFORE ME, a Notary Public in and for **PASIG CITY** Philippines, this _____ day of 2 1 JUN 2023 personally appeared:

NAME

GOVERNMENT ISSUED ID

(Number, Issued On, Issued By)

DIANE M. GUIA Authorized Representative TUV NORD

Known to me and to me known to be the same person who executed the foregoing instrument and acknowledged to me that the same is the free and voluntary act and deed of the entity which he/she respectively represents.

The foregoing instrument is a CONTRACT consisting of three (3) pages (exclusive of attachments), excluding this page on which this acknowledgment is written and signed by the party hereto.

WITNESS MY HAND AND SEAL on the date and place first above written.

PICIM

Notary Public Pasig, PateN9TASAN PLABLIC Valid Until December 31, 2023 Roll No. 22188 PTR AA No. 0112306/01-03-23 Lifetime IBP Member No. 04286 Official Receipt No 574709. IBP Chapter MCLE Compliance No. VII-0000050/6-18-2019 Ground FIr. Armal Centre, U. Velasco, Ave.. Malinao, Pasig City

Doc. No. (17); Page No. /5; Book No. /04; Series of 2023. **REPUBLIC OF THE PHILIPPINES**)

PASIG GMETRO MANILA) S.S

ACKNOWLEDGMENT

PASIG CITY

BEFORE ME, a Notary Public in and for ______ Philippines, this _____ day of 2 JUN 2023 personally appeared:

NAME

GOVERNMENT ISSUED ID (Number, Issued On, Issued By)

P6519758A, 22 March 2018 DFA Manila

GLORIA JUMAMA-MERCADO Undersecretary for Human Resource and Organizational Development DEPED

Known to me and to me known to be the same person who executed the foregoing instrument and acknowledged to me that the same is the free and voluntary act and deed of the entity which he/she respectively represents.

The foregoing instrument is a CONTRACT consisting of three (3) pages (exclusive of attachments), excluding this page on which this acknowledgment is written and signed by the party hereto.

WITNESS MY HAND AND SEAL on the date and place first above written.

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Doc. No.

REPUBLIC OF THE PHILIPPINES)) S.S. MUNTINLUPA CITY

SECRETARY'S CERTIFICATE

I, RICARDO M. ESPINA, as the Corporate Secretary of TUV NORD PHILIPPINES, INC. ("TUV"), a corporation duly incorporated under Philippine laws, with address at Units 406-407 Common Goal Tower, Finance cor. Industry St. Madrigal Business Park, Ayala-Alabang, Muntinlupa City, after having been duly sworn in accordance with the law, hereby certify that in the Regular Meeting of the Board of Directors held on 23 March 2023, after a motion duly made and seconded, the Board unanimously approved:

"RESOLVED, that TUV's Ms. DIANE GUIA, be appointed as the authorized representative of the Corporation, to participate in the bidding of the Department of Education Pilot Offices under the Project Title: Procurement of ISO 9001:2015 Third Party Audit and Certifying Body - 1st Surveillance Audit for DepEd Pilot Offices

For purposes of verification, the above-mentioned representative signs:

Name	Specimen Signature
DIANE GUIA	digia

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The foregoing Resolution is in full force and effect and has not been amended, revoked, or rescinded by subsequent resolutions.

IN WITNESS WHEREOF, I have hereunto set my hand this 1 8 APR 2022 Muntinlupa City.

ICARDO M. ESPINA Corporate Secretary

SUBSCRIBED AND SWORN to before me this 1 8 APR 2023 at MUNTINLUPA compant exhibiting to me his Permanent Identification Card to wit:

NAME	BERMANENT ID CARD NO.	EXPIRY DATE/
RICARDO M. ESPINA	0111 . 6186 2301.8	Multino adena
Doc. No. <u>458</u> Page No. <u>93</u> Book No. <u>1</u> Series of 2023.	C/TY, PHILIP	A CADORNA Notary Public in Muntinlupa City Comm. No. 22-029 until 31 Dec 2023 Roll No. 73988 IBP No. 267797/04 Jan 2023/PPLM TIN No. 359-744-199 PTR No. 4347603/03 Jan 2023/Muntinlupa E Compliance No VII-0020375/07 June 2022 208 Entrata U-ban Complex, 2609 Civic Drive, yest Corporate City, Alabang, Muntinlupa City

Schedule of Requirements

The delivery schedule expressed as weeks/months stipulates hereafter a delivery date which is the date of delivery to the project site.

Lot No.	Description	Quantity	Delivery Period
	Agreements regarding the conduct of the surveillance audit	1	April 28, 2023
	Approved Surveillance 1 Audit Plan	1	May 2-5, 2023
1	Conducted Surveillance 1 Audit and Surveillance 1 Audit Report	1	May 9-10, 2023
	Conducted Surveillance 2 Audit and Surveillance 2 Audit Report	1	May 23-26, 2023
	Confirmed and maintained ISO Certificate	1	May 31, 2023

A. Delivery Schedule

The consultancy services shall start from the receipt of the Notice to Proceed (NTP), or from the commencement date indicated therein, in coordination with DepEd BHROD-OED.

B. Project Site

Goods/Services shall be delivered to DepEd Central Office, Meralco Avenue, Pasig City.

Others: Region 4-A CALABARZON, Schools Division Office of Binan, Binan Integrated National High School and Binan Elementary School

C. Delivery and Receiving Instructions

The Supplier shall observe the following instructions:

- 1) Goods/Services as specified in this Schedule of Requirements and/or Technical Specifications /Terms of Reference (TOR) shall be delivered only to the address indicated herein.
- 2) The Supplier shall notify the indicated authorized receiving personnel at the Project Site at the scheduled date of delivery at least three (3) working days in advance, and shall ensure that the authorized receiving personnel of the Purchaser is present during the date and time of delivery.
- 3) The Supplier shall make delivery or deliveries to the Project Site on regular working days, during Office hours from 8:00 A.M. to 2:00 P.M. The Receiving Personnel reserves the right to refuse to receive/accept delivered Goods made before 8:00 A.M. to 2:00 P.M., and on nonworking days.
- 4) The Supplier shall coordinate with DepEd Administrative Service-Asset Management Division for purposes of Inspection and Acceptance.

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TERMS OF REFERENCE

I. PROJECT TITLE

Procurement of ISO 9001:2015 Third-Party Audit and Certifying Body - 1st Surveillance Audit for DepEd Pilot Offices

II. BACKGROUND AND/OR RATIONALE

The Department of Education (DepEd) is mandated under the Republic Act No. 9155, also known as "An Act Instituting a Framework of Governance for basic Education, Establishing Authority and Accountability, Renaming the Department of Education, Culture and Sports as the Department of Education, and for Other Purposes", to formulate, implement and coordinate policies, plans, programs and projects in the areas of formal and non-formal basic education; supervise all elementary and secondary education institutions, including alternative learning systems, both public and private; and provide for the establishment and maintenance of a complete, adequate and integrated system of basic education relevant to the goals of national development.

In line with the thrusts of the government to be responsive to the needs of its clients by improving productivity on its operations and delivery of quality services, and in support of the DepEd's mission to protect and promote the right of every Filipino to quality, equitable, culture-based, and complete basic education, the DepEd National Quality Management System (NQMS) Pilot Offices namely: DepEd Central Office, Regional Office IV-A CALABARZON, Schools Division Office of Biñan City, Biñan Integrated National High School and Biñan Elementary School endeavored its ISO 9001:2015 Initial Certification Audit last April 2022, thereby granted ISO 9001:2015 Certificate. Further, to ensure that the DepEd NQMS Pilot Offices continually improve its systems and processes and conform to the ISO 9001: 2015 standards, the conduct of surveillance audits for Fiscal Year (FY) 2023 and 2024 shall be undertaken.

DIANE GUIN TUV- NORIO The project aims to procure the services of an ISO Third-Party Certifying Body this year 2022 to conduct the ISO 9001:2015 QMS 1st Surveillance Audit of the Department of Education-Central Office, and its pilot field offices which include DepEd Region IV-A, Schools Division Office of Biñan City, Biñan Integrated National High School, and Biñan Elementary School scheduled in May 2023.

Furthermore, ISO 9001:2015 QMS 2nd Surveillance Audit and confirmation of Certificate Maintenance is projected to be undertaken in FY 2024.

GENERAL TERMS AND CONDITIONS

The certifying body must comply with the following:

- 1. Provide the procuring entity with the following information and/or supporting documents:
 - a. Company profile highlighting related government and private certification projects, scope of work, and implementation methodology;
 - b. Curriculum vitae of the proposed certification audit team with audit experience relevant to this project;
 - c. The certifying body must have a track record of at least 10 years of experience in the assessment and certification of management systems;
 - d. The certifying body must be accredited with the Department of Trade and Industry- Philippine Accreditation Bureau with PNS ISO/IEC 17021-1:2015 to provide Quality Management Systems (QMS) certification to ISO 9001:2015 (for L75: Public Administration and IAF 37 Education) Furthermore, the certifying body shall have a locally SEC-registered office accredited to both the Philippine Accreditation Bureau and an international accreditation body;
 - e. The certifying body must have relevant experience in the audit and certification of organizations under Public Administration; at least 30 certified organizations consist of LGUs, government agencies, GOCCs; and
 - f. PhilGEPS platinum registration certificate.
- 2. The Bureau of Human Resource and Organizational Development shall take the lead and provide guidance and instructions to the certifying body on the Organizational Development expectations for the Department of Education.

SCOPE OF SERVICES

Activity		Output	Man-days	Target Date
1.	Preparatory engagement with the Client	Agreements regarding the conduct of the 1st Surveillance Audit	1 calendar day	April 28, 2023
2.	Preparation and Communication of the 1st Surveillance Stage 1 Audit Plan	Approved 1st Surveillance Stage 1 Audit Plan	4 calendar days	May 2-5, 2023

Activity		Output	Man-days	Target Date	
3.	Conduct of 1st Surveillance Stage 1 Audit and Submission of audit report	Conducted 1st Surveillance Stage 1 Audit and 1st Surveillance Stage 1 Audit Report	2 calendar days	May 9 -10, 2023	
4.	Conduct of 1st Surveillance 2 Audit and Submission of audit report	Conducted 1st Surveillance Stage 2 Audit and 1st Surveillance Stage 2 Audit Report	4 calendar days	May 23-26, 2023	
5.	Confirmation of ISO Certification Maintenance	Confirmed and maintained ISO Certificate	1 calendar day	May 31, 2023	
	TOTA	L	12 ca	lendar days	

IV. QUALIFICATION OF SERVICE PROVIDER

Below are the minimum qualifications of the service provider:

1.	Expertise required	Working experience in the conduct of ISO 9001:2015 certification audit for business organizations; preferably in the Philippine Basic Education Sector
2.	Minimum no. years of experience	10 years
3.	Minimum no. of projects undertaken/managed of similar nature	 At least five (5) similar projects Similar projects include: the conduct of ISO 9001:2015 certification audit in the education sector. Multi-site ISO 9001:2015 certification audit
4.	Accreditation	Must be accredited by an international Accrediting Body (AB), and by the Philippine Accreditation Bureau (PAB)

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Minimum Qualifications of Team Members

Key Staff	Educational Qualification	Experience
One (1) Lead Auditor	Bachelor's Degree (preferably in	1. At least seven (7) years of experience

Key Staff	Educational Qualification	Experience
	Education or in Public Administration) Graduate Degree (preferably in Education or in Public Administration) is a plus	in ISO 9001 Auditing 2. Active certification of a CQI-IRCA certified ISO 9001:2015 Lead Auditor Training Course (preferably an IRCA registered auditor) 3. At least five (5) similar projects – ISO 9001:2015 Certification for
		Philippine Basic Education Sector 4. At least ten (10) other relevant projects – ISO 9001:2015 Certification for other agencies/
At least three (3) Auditor Members	Bachelor's Degree relevant to the project	companies 1. At least five (5) years of experience in ISO 9001 Auditing
	Graduate Degree (preferably in Education or in Public Administration) is a plus	 2. Active certification of a CQI-IRCA certified ISO 9001:2015 Lead Auditor Training Course (preferably an IRCA registered auditor)
		 3. At least three (3) similar projects – ISO 9001:2015 Certification for Philippine Basic
		Education Sector 4. At least five (5) other relevant projects – ISO 9001:2015 Certification for

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DIANE GUER TWV- NORD Philippines

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Key Staff	Educational Qualification	Experience
		other agencies/ companies

V. TECHNICAL EVALUATION

1. Qualification of Key Personnel to be Assigned in the Job - 50

1.A. LEAD AUDITOR - 25

i.	7 years	1 point
ü.	>7-10 years	3 points
iii.	>10-14 years	4 points
iv.	>14 years	5 points

b. ISO 9001 Audit projects in Basic Education Sector 5

i.	5 similar projects	1 point
ü.	6-7 similar projects	3 points
iii.	8-9 similar projects	4 points
iv.	>9 similar projects	5 points

c. ISO 9001 Audit projects in other organizations

i.	10 other projects	1 point
ü,	11-14 other projects	3 points
iii.	15-19 other projects	4 points
iv.	>19 other projects	5 points

d. Training and Certification

i.	Trained in a CQI-IRCA	3 points
	certified Lead Auditor	
	training course	
ii.	IRCA Registered Auditor	5 points

e. Education

. E	Bachelor's Degree	1 point
й.	Bachelor's Degree in Education or Public Administration	3 points
iii.	Graduate Degree	4 points
iv.	Graduate Degree in Education or Public Administration	5 points

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1.B. MEMBER AUDITORS - 25

a.

Note: All Auditor members must meet the minimum criteria. The average score of all the member auditors shall be reflected in the technical evaluation.

i.	5 years	1 point
ii.	>5-7 years	3 points
ü.	>7-9 years	4 points
v.	>9 years	5 points

b. ISO 9001 Audit projects in Basic Education Sector

i.	3 similar projects	1 point
ii.	4-5 similar projects	3 points
iii.	6-7 similar projects	4 points
iv.	>7 similar projects	5 points

c. ISO 9001 Audit projects in other organizations

i. 5 other projects	1 point
ii. 6-7 other projects	3 points
iii. 8-9 other projects	4 points
iv. >9 other projects	5 points

d. Training and Certification

i. Trained in a CQI-IRCA	3 points
certified Lead Auditor	
training course	
ii. IRCA Registered Auditor	5 points

e. Education

i.	Bachelor's Degree	1 point
ü.	Bachelor's Degree in	3 points
	Education or Public	
	Administration	
iü.	Graduate Degree	4 points
iv.	Graduate Degree in	5 points
	Education or Public	
	Administration	
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2. Experience and Capability of the Firm - 30

a.

i.	10 years	3 points
ii.	>10-15 years	5 points
iii.	>15-19 years	7 points
iv.	>19 years	10 points

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b. Audit Experience in ISO 9001

i. 5 similar projects	3 points
ii. 6-7 similar projects	5 points
iii. 8-9 similar projects	7 points
iv. >9 similar projects	10 points

c. Audit Results of the Auditors

3 points
5 points
7 points
10 points

3. Plan of Approach and Methodology - 20

1

a. Feasibility (based on the audit plan)

i.1-4 days	4 points
ii.5-8 days	7 points
iii. 9-12 days	10 points

b. Comprehensive, completeness, and adequacy of submitted audit plan 10

i.1-10 processes	4 points
ii.11-20 processes	7 points
iii.more than 21 processes	10 points

*The minimum score required to pass the technical evaluation is 65.

VI. RECOMMENDED TERMS OF PAYMENT

The Approved Budget for the Contract (ABC) on the project is **Two Hundred Twenty Thousand Pesos Only (220,000.00)** for the ISO 9001:2015 Certification Audit, inclusive of all incidental costs, applicable taxes, and fees. Financial proposals received in excess of the ABC shall be automatically rejected.

Full payment shall be made through Land Bank's LDDAP-ADA/Bank Transfer facility, within thirty (30) days after submission of billing and user acceptance of the service provided. Bank transfer fee shall be charged against the creditor's account.

VII. EVALUATION PROCEDURE

Minimum Technical Score is 65%

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