



Republic of the Philippines

OFFICE OF THE SOLICITOR GENERAL

Technical Working Group
for the Supply of Labor and Materials
with the Installation of Fire Protection and
Fire Detection and Alarm System (FDAS)
for the OSG Relocated Offices at Convergys One Building

TERMS OF REFERENCE

Supply of Labor and Materials for the Repair, Alteration and Relocation of Existing FDAS, and Installation of Additional Addressable FDAS at the OSG Relocated Offices at the Convergys One Building

The OFFICE OF THE SOLICITOR GENERAL (OSG) intends to alter/relocate the existing FDAS and install additional units at the seventh (7th) floor and sixth (6th) floor of Convergys One Building located at 6796 Ayala Avenue, corner Salcedo Street, Legaspi Village, Makati City.

The OSG shall hire the services of a CONTRACTOR to provide labor and materials, supervision, and other consumables for the relocation of existing and installation of additional addressable FDAS at the OSG relocated offices at the Convergys One Building.

1. The Approved Budget for the Contract (ABC) is **Two Million Eight Hundred Thousand Pesos (₱2,800,000.00)**, inclusive of all government taxes, charges, and other standard fees, including, but not limited to, payment for bonds, permits, and insurances required for this purpose, which shall be applied for by the CONTRACTOR.

2. To guarantee the performance by the winning bidder of its obligations under the contract, it shall post a performance security before the signing of the contract. The performance security shall be in an amount not less than the required percentage of the total Contract Price in any of the following forms and under the following schedule:

Form of Performance Security	Amount of Performance Security (Not less than the required percentage of the Total Contract Price)
a) Cash or cashier's/manager's check issued by a Universal or Commercial Bank.	5%

b) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank. <i>Provided, however,</i> that it shall be confirmed or authenticated by a Universal or Commercial Bank if issued by a foreign bank.	5%
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.	30%

3. The OSG shall pay the CONTRACTOR pursuant to the following schemes/schedules:

	Particulars	Remarks/Conditions
First Release	20% of the Total Contract Price <i>less</i> the 5% warranty deposit, computed based on the progress billing.	The percentage of the accomplishment must be at least 20%. The CONTRACTOR shall submit a Statement of Work Accomplishment (SWA) subject to the verification and certification by the OSG.
Second Release	20% of the Total Contract Price <i>less</i> the 5% warranty deposit, computed based on the progress billing.	The percentage of the accomplishment must be at least 40%. The CONTRACTOR shall submit a Statement of Work Accomplishment (SWA) subject to the verification and certification by the OSG.
Third Release	20% of the Total Contract Price <i>less</i> the 5% warranty deposit, computed based on the progress billing	The percentage of the accomplishment must be at least 70%. The CONTRACTOR shall submit a Statement of Work Accomplishment (SWA) subject to the verification and certification by the OSG.
Fourth Release	35% of the Total Contract Price <i>less</i> the 5% warranty deposit, computed based on the progress billing	The percentage of the accomplishment must be at least 100%. The CONTRACTOR shall submit a Statement of Work Accomplishment (SWA) subject to the verification and certification by the OSG.
Fifth Release	Retention Fee is equivalent to 5% of the Total Contract Price.	For the procurement of Goods, in order to assure that manufacturing defects shall be corrected by the contractor, a warranty shall be required from the CONTRACTOR for a minimum period of three (3) months , in the case of Expendable Supplies , after acceptance by the Procuring Entity of delivered supplies.

4. The CONTRACTOR must submit a project design based on the approved layout of the OSG. Said project design must be presented to and approved by the OSG and the authorized representative of Convergys One Building Administrator.

5. The CONTRACTOR must ensure that it employs a systematic way of doing the system design following the System Standards (NFPA 72 National Fire Alarm and Signaling Code, Philippine Electronics Code, and Philippine Electrical Code).

6. The OSG shall check/inspect the CONTRACTOR's works and shall notify the CONTRACTOR of any defect found. The CONTRACTOR shall immediately correct/repair the notified defect/s at the CONTRACTOR's expense and without additional cost to the original contract amount.

7. Where the CONTRACTOR refuses or fails to satisfactorily complete the work within the specified contract time, an amount equal to at least **one-tenth (1/10) of one percent (1%) of the cost of the unperformed portion of the work for every day of delay based on calendar days** shall be paid by the CONTRACTOR or deducted from any money due the CONTRACTOR.

8. The CONTRACTOR shall ensure that the materials to be used for this project are of good quality and subject to inspection by the OSG.

9. The CONTRACTOR has **sixty (60) calendar days (inclusive of Saturdays, Sundays, and holidays)** to complete the scope of work, which shall commence **five (5) days** from receipt of the Notice To Proceed (NTP). The CONTRACTOR shall follow the health and safety protocols, including the enclosure of the office spaces, as imposed by the OSG and/or the Convergys One Building Administrator. The OSG shall exclude the days during which the covered office spaces were physically closed as part of the health and safety measures in the sixty (60) days to complete the scope of work.

10. The CONTRACTOR shall submit a Work Plan/Schedule specifying the number of (1) workers per day; (2) workdays per week; (3) work hours per week, and (4) the projected completed works corresponding to the cumulative 20%, 40%, 70% and 100% of the scope of work, as duly approved by the OSG. The contractor must ensure that it will deploy at least five (5) regular personnel on each floor every workday, excluding a Project-In-Charge (PIC) to supervise the works mentioned herein. The PIC shall be a licensed electrical engineer who shall report the status/progress of the project weekly and shall be responsible for all coordination works with the OSG and authorized representative of Convergys One Building Administration.

11. No employer-employee relationship shall arise between the CONTRACTOR and/or its workers on the one hand and the OSG on the other. The OSG shall not be liable or accountable for any accident and/or injury which may occur to any worker or personnel of the CONTRACTOR during the performance of the works mentioned herein, whether the injury or accident occurred inside or outside the leased premises of the OSG.

12. The CONTRACTOR shall be responsible for any loss or damage that may be incurred upon the property during the performance of the works or for injury to any person caused by unreasonable or negligent act or omission of the CONTRACTOR or its workers, whether such action is intentional or not. The OSG shall not be liable for any loss or damage whatsoever, and the CONTRACTOR shall save the OSG harmless therefrom. If the OSG is charged for any loss or damage to the property, the CONTRACTOR shall refund the corresponding amount and/or shall offset the same against the outstanding payable due to the CONTRACTOR.

13. The OSG shall have the authority to suspend the work wholly or partly by written order for such period as may be deemed necessary due to force majeure or any fortuitous events or for failure on the part of the CONTRACTOR to carry out valid orders

given by the OSG or to perform any provisions of the contract, or due to adjustment of plans to suit office conditions as found necessary during the delivery of this project.

14. Qualifications of the CONTRACTOR:

14.1. Must be competent and experienced in the field of FDAS works and must have been in the business for **at least three (3) years**.

14.2. Must present a Client Satisfaction Rating from **at least five (5)** procurement contracts from government agencies and/or private corporations with whom the contractor has a past or ongoing contract similar to this project.

For purposes of this project, similar contracts shall refer to contracts for the supply of labor and materials and installation of FDAS. Single project limited to installation shall not be considered a similar project in this Terms of Reference.

14.3) Must have a principal or satellite office in or around Metro Manila and/or nearby provinces.

14.4) Must have sufficient workforce to execute the scope of works within the delivery period stated under paragraph 10 of this Terms of Reference.

14.5) Must have a licensed electrical engineer who will be in charge of the project and directly coordinate with OSG and the authorized representative of Convergys One Building Administration.

14.6) The CONTRACTOR shall submit documents relevant to the project, such as but not limited to the following:

1. Valid DTI or SEC Registration
2. Valid and Current Mayor's Permit/Municipal License
3. Valid and Current Business Permit
4. Tax Clearance Certificate as finally reviewed and approved by BIR
5. Statement of Government and Private Construction contracts completed, which are similar to the bid contract. The following documents should support submission:
 - i. Contract Agreement
 - ii. Constructor's Performance Evaluation System (CPES) or Certificate of Completion
 - iii. Certificate of Acceptance
 - iv. Purchase Order showing contractor has duly conformed with the terms stated therein.
6. Net Financial Contracting Capacity (NFCC) Computation
7. Valid and current professional licenses (electrical engineer) issued by the appropriate government licensing agency.

15. The OSG Administrative Division reserves the right to conduct periodic checking of the progress of the project as specified in the scope of works at any time but shall not be primarily responsible for supervising the day-to-day accomplishment.

16. Applicable provisions of the Government Procurement Reform Act (Republic Act No. 9184) and its Revised Implementing Rules and Regulations (RIRR) shall form part of the Terms of Reference (TOR).

SCOPE OF WORKS

Subject to the restrictions of the office space and those that may be reasonably imposed by the building administrator/owner. The sprinkler, alarm system, and other materials to be installed should be similar/compatible with the existing FDAS of the building. The following are the scope of works:

Item no.	Description	Qty.	Unit/s
1.	Mobilization/Demobilization	1	Lot
2.	Plans and Layout <ul style="list-style-type: none"> - Preparation and adaptation of proposed, as -built plans and layout for Smoke detectors and Sprinklers at Seventh (7th) and Sixth (6th) Floor of One Convergys Building to be approved by APMC ADMIN 		
3.	Sprinkler System at 7th Floor <ul style="list-style-type: none"> - Supply, Installation/Relocation and Fabrication of additional Sprinkler Heads based on approved plans and layout of One Convergys Building APMC ADMIN for the half side rented space of Seventh (7th) floor. - AREA - (+-1,032.50sqm.) 	1,032.50	SqM.
4.	Smoke Detector System at 7th Floor <ul style="list-style-type: none"> - Supply, Installation/Relocation and Fabrication of additional Smoke Detectors based on approved plans and layout of One Convergys Building APMC ADMIN for the half side rented space of Seventh (7th) floor. - Area - (+-1,032.50sqm.) 	1,032.50	SqM.
5.	Sprinkler System at 6th Floor <ul style="list-style-type: none"> - Supply, Installation/Relocation and Fabrication of additional Sprinkler Heads based on approved plans and layout of One Convergys Building APMC ADMIN for the whole Sixth (6th) floor. - Area - (+-2,065.00sqm.) 	2,065.00	SqM.
6.	Smoke Detector System at 6th Floor <ul style="list-style-type: none"> - Supply, Installation/Relocation and Fabrication of additional Smoke Detectors based on approved plans and layout of One Convergys Building APMC ADMIN for the whole Sixth (6th) floor. - Area - (+-2,065.00sqm.) 	2,065.00	SqM.
7.	Testing and Commissioning at 7th and 6th floor <ul style="list-style-type: none"> - Preparation of functionality testing and commissioning of Smoke Detectors and sprinklers. 	1	Lot
8.	Warranty Certificate <ul style="list-style-type: none"> - Supply and Issuance of Warranty Certificate. - Must indicate in the warranty that contractor is available within 2-3days upon reported issues. 	1	Lot
9.	Hauling of Debris materials.	1	Lot

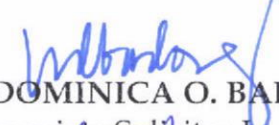
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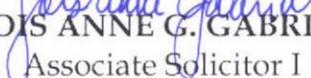

SONNY VON N. RUAYA
Assistant Solicitor General
Chairperson

Members:



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Associate Solicitor III



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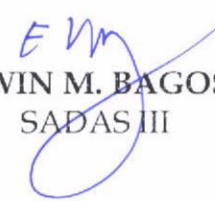

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Approved/Disapproved:

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