

INTERNAL MEMO

FOR THE PRESIDENT AND CHIEF EXECUTIVE OFFICER

Thru : **AILEEN AN. R. ZOSA**
Executive Vice President *07-24-17*

From : **BGEN CARLOS F. QUITA (Ret)**
Head, Security Services Unit *24 July 17*

Date : 24 July 2017

Subject : **Proposed Terms of Reference (TOR) for Security Services for AOR III (Bataan Technology Park), Morong, Bataan**

A. BACKGROUND:

1. Pursuant to BCDA Board Resolution No. 2016-10-179, the BCDA Board approved the declaration of failure of bidding of AOR III (Bataan Technology Park) during the bidding for security services in 2016 and consequently, the conduct of the re-bidding for the said AOR through the BAC-G. (*Annex 1: Copy of Secretary's Certificate re Resolution No. 2016-10-179*).
2. Pending the completion of the said bidding, Baguio's Finest Security Agency (BFSA) temporarily took over AOR III on 01 December 2016. Currently, BFSA's deployment in AOR III is extended until 30 September 2017 or until such time that the bidding process is completed. It is the goal of SSU, however, that a new security provider can take over AOR III by 01 October 2017.
3. During the pre-procurement meeting of BAC-G on 21 July 2017 (Fri), SSU was directed to seek the approval of PCEO for the Terms of Reference (TOR) of the security services for AOR III as there were changes made on the new proposed TOR as compared to the TOR used during the 2016 bidding for AOR III.

B. PROPOSED TERMS OF REFERENCE FOR AOR III:

1. The proposed TOR, with some modifications, was lifted from the TOR used during the bidding for security in 2016 which incorporates all the provisions for AORs II, III, IV and V into one TOR (*Annex 2: Copy of the TOR for the 2016 Bidding for security Services*). The main components of the previous TOR, which passed the legal scrutiny of the OGCC, remained the same except that this 2017 TOR is focused primarily on AOR III and that some changes in the budgetary and personnel & equipment requirements were made, as summarized below (*Annex 3: Copy of the Proposed TOR*):

Changes Made	Previous TOR (2016 Bidding)	Proposed TOR (2017 Bidding)
1. Security Guard Requirements	26 SG	20 SG
3. Special Equipment and Services Requirements:	a. CCTV System with 16 channels and Cameras	a. CCTV System with 6 Channels and Cameras
	b. K-9 Service – 160 Hours deployment per year. Deployment as directed.	b. K-9 Services – Minimum 56 hours deployment per year. Deployment as directed.

	c. Background Investigation – at least 12 persons per year as directed.	c. Background Investigation – at least 5 persons per year as directed.
4. Approved Budget for the Contract (ABC)	PhP9,112,714.00	PhP7,441,140.00

2. The Supplemental Budget amounting to PhP5,194,860.72 required to support the proposed ABC for the 2017 bidding has been approved by the BCDA Board during its Board Meeting on 19 July 2017. Upon issuance of the Board Secretary's Certificate, SSU will request from the Finance Group for the issuance of Certificate of Fund Availability (CFA) for bidding purposes. Computation for the required Supplemental Budget is shown below:

Particulars	Amount
Proposed ABC for the bidding for security services of AOR III	7,441,140.00
Less: Remaining amount of the 2017 Budget for AOR III after 30 Sep 17	2,246,279.28
Difference: Supplemental Budget needed to support the proposed ABC for the bidding of AOR III's security services	P 5,194,860.72

III. RECOMMENDATION:

In view of the foregoing, recommend approval of the attached Proposed Terms of Reference (TOR) for security services for AOR III – Bataan Technology Park.

ANNEXES:

Annex 1: Copy Secretary's Certificate re Resolution No. 2016-10-179.

Annex 2: Copy of the TOR for the 2016 Bidding for security services covering AORs II, III, IV and V.

Annex 3: Copy of the Proposed TOR for the 2017 bidding for security services for AOR III.

SECRETARY'S CERTIFICATE

Republic of the Philippines)
Taguig City) SS.

I, JOANNA EILEEN M. CAPONES, of legal age, being the Assistant Corporate Secretary of the Bases Conversion and Development Authority (BCDA), with office address at the 2/F Bonifacio Technology Center, 31st Street corner 2nd Avenue, Bonifacio Global City, Taguig City, do hereby certify that on the occasion of the 477th Regular BCDA Board Meeting held on 5 October 2016 with a quorum being present, the Board of Directors, upon motion duly seconded, unanimously approved the following resolution:

Resolution No. 2016-10-179

"Resolved, that the Board of Directors approve, as it hereby approves the award of contracts for Areas of Responsibilities (AORs) II, IV and V to the following security providers, as follows:

Security Provider	Contract Amount (Inc. of applicable taxes & fees)	Area of Responsibility (AOR)
Catalina Security Agency	Php 15,471,479.84	II (Open Area, Fort Bonifacio)
Catalina Security Agency	Php 12,112,801.77	IV (BCDA Facilities, Clark & Clark Green City Project)
Bagulo's Finest Security Agency	Php 35,979,274.66	V (Camp John Hay Special Economic Zone)

Resolve further, that the Board of Directors approve, as it hereby approves the declaration of failure of bidding for AOR III (Bataan Technology Park), and conduct the re-bidding through the Bids and Awards Committee (BAC) for Goods."

IN WITNESS WHEREOF, I have hereunto affixed my signature this 21st day of October 2016.


JOANNA EILEEN M. CAPONES
Assistant Corporate Secretary

SUBSCRIBED AND SWORN to before me this OCT 26 2016 at Taguig City, Philippines, by Atty. JOANNA EILEEN M. CAPONES who exhibited to me her LTO Driver's License No. D16-03-278382 issued at the City of Pasig on 03 March 2015 and valid until 03 March 2018.


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Purpose: As an attachment to the BAC-G Resolution No. 2016-035.

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TERMS OF REFERENCE (TOR)

BIDDING FOR SECURITY SERVICES OF BATAAN TECHNOLOGY PARK (Three [3] Years Contract Effective Upon Issuance of NTP)

I. BACKGROUND INFORMATION:

Pursuant to Republic Act No.7227, the Bases Conversion and Development Authority (BCDA) was created to oversee and accelerate the sound and balanced conversion of former US Baselands and their extensions into alternative productive civilian use. Consistent with the same law, the President of the Republic of the Philippines issued Executive Order No. 40, series of 1992, transferring major portions of Fort Bonifacio and Villamor Air Base in Metro Manila, Clark Air Base in Pampanga and Camp John Hay in Baguio City and Bataan Technology Park in Morong, Bataan for disposition, privatization and/or development, in order to raise funds for the conversion program as well as for the relocation and modernization of the Armed Forces of the Philippines.

As in other properties of BCDA, the land assets and facilities within the Bataan Technology Park (also known as AOR III) must be protected and secured from intrusion and proliferation of informal settlers and opportunists/exploiters, illegal construction of structures, theft, vandalism, sabotage and arson.

To ensure that BCDA personnel and properties are properly protected and secured in AOR III, BCDA shall hire a Security Agency that is administratively and operationally capable of providing quality services for the Bataan Technology Park.

II. BIDDING FOR QUALITY AND COST BASED SECURITY SERVICES IN BCDA AOR

2.1. Consistent with GPPB Resolution No. 24-2007 (**Approving and Adopting the Guidelines on the Procurement of Security and Janitorial Services**), the BCDA adopts a quality-and-cost-based selection method in procuring security service providers. Section 1 (policy statement) of the said resolution is hereby quoted: "It is recognized, however, that the proper and efficient procurement of security and janitorial services should be based not solely on cost, but should also take into consideration a range of other factors, such as, but not limited to, length of contract, standards of internal governance, adequacy of resources, levels of training, and adherence to labor and other social legislation." Moreover, Section 4.1 states: "**However, considering that procuring entities have different needs and requirements, the minimum standard for each parameter shall be determined by the procuring entity.**"

2.2. In line with the intent and spirit of the above-said resolution, BCDA has defined the major components of the security services that have to be provided by the security agency to be hired. These security services components include manpower, tools and equipment, and other forms of security services and capabilities that when taken as a whole would result to quality service.

III. APPROVED BUDGET FOR THE CONTRACT (ABC)

3.1. The Bases Conversion and Development Authority (BCDA) invites all interested bidders to participate in public bidding for the procurement of Security Services for AOR III – Bataan Technology Park located at Brgy. Sabang, Morong, Bataan amounting to **Seven Million Four Hundred Forty One Thousand One Hundred Forty Pesos (PhP 7,441.140.00)** for the first year inclusive of all applicable taxes and fees with breakdown as follows:

Component 1 (SG with Standard Package and Equipment Requirements)			Component 2 (Special Equipment & Services Requirements)	ABC
No. of SGs	No. Of Dy-Hour	Annual Budget (1-Year Period)		
20	12-Hr Duty	7,321,140.00	120,000.00	7,441,140.00

- See Annexes A, B, and C for the details.

- Reference for the rate of guard per month: PADPAO Wage Order No. RB III-20.

3.2. The ABC is the summation of the annual budget for each of the major components of the security services to be provided by the security agency. These components include the hiring of security guards and the standard package that goes with it, special tools and equipment, and other services as described below. It should be noted, however, that the budget allocated for the procurement of CCTV equipment will be a one-time procurement and that these equipment will be the property of BCDA.

Components	Description	COST/ABC	Remarks
Component 1: SG with Standard Package and Equipment Requirements (Refer to Annex A : Details of deployment of SG/Location Map and Annex B: Standard Package Equipment Requirement)			
20 Security Guards	12-Hr Duty	7,321,140.00	Refer to Annex B for the Standard package
Component 2: Special Equipment and Services Requirements (Refer to Annex C for the specifications of requirements)			
CCTV system		P 50,000.00	a. One-time procurement and installation. b. To be owned by BCDA
Background Investigation (BI)	As required	35,000.00	a. P7,000/individual. b. BI for At least 5 persons per year
K-9 Services	Deployment as required	35,000.00	a. P5,000 per 8-hour deployment (Package for handler and K-9). b. Minimum 56 hours Deployment per year.
Sub-Total for Component 2		P 120,000.00	
TOTAL		7,441.140.00	

IV. DESCRIPTION OF AOR III - Bataan Technology Park:

4.1. Land assets, structures, equipment and facilities within the complex at Brgy. Sabang, Morong, Bataan.

4.2. Due to the vastness of this AOR and the difficulty in securing the area, prospective bidders must have special equipment that could monitor the length and breadth of the AOR. These special equipment will include among others, CCTV system with night vision capability, and other special equipment for monitoring and surveillance purposes.

V. BIDDING FOR AOR III:

5.1 The bidding shall be conducted on the date, time, and place as published in the Invitation to Bid. The bid date will be scheduled for one (1) day and the sequence of bidding will be as follows:

5.1.2. Opening of Eligibility Documents

5.1.3. Opening of Financial Bid

5.2. An Agency who submitted the LCRB for a particular AOR shall be awarded the contract for the said AOR.

VI. MANPOWER REQUIREMENT

6.1. The manpower requirements for the AOR is Twenty (20) Regular Guards with at least 3 Relievers on 12-Hour duty per shift.

6.2. The Security Agency must be capable of increasing the number of guards deployed within fifteen (15) days upon receipt of the written communication from BCDA. In cases of extreme urgency, the contracted security agency may be required to immediately deploy a certain number of guards within two (2) days. Prior to the issuance of the written notice, SSU shall verbally notify the concerned agency of the need to prepare for the forthcoming changes in the deployment of guards.

6.3. Should the need arise, the Security Agency must be able to provide the required number of guards for deployment to other BCDA areas, including areas being managed by its affiliates and subsidiaries.

6.4 It must be explicitly stated that based on the assessment of the security situation and security needs of BCDA, the number of deployed security personnel may either be reduced or increased by BCDA as the case may be.

6.5. The Security Agency must have the capability to deploy at least two (2) Security Escorts/VIP Security upon notice.

6.6. The Security Agency must be able to deploy in each AOR a security force composed of at least 10% female security guards.

6.7. BCDA has the right to demand from the Security Agency for the immediate relief from post/duty of security officers/guards who are deemed undesirable or incompetent. The Security Agency shall immediately comply with such demand. However, it is the responsibility of the Security Agency to conduct investigation and observe the due process and impose appropriate disciplinary action to erring security officers/guards. Failure of the Security Agency to observe due process is its sole consequential liability.

VII. POSTING/MANNING HOURS AND REQUIRED EQUIPMENT (*Details are indicated in Annexes A and B of this TOR*):

7.1. The Security Agency must ensure that all the security posts within its area/s of responsibility are manned in accordance with this TOR.

7.2. The Security Agency shall render services twenty-four (24) hours a day, and seven (7) days a week in the AOR. Individual security officer/guard shall render six (6) days duty per week, in consonance with the provisions of the Labor Code except on extreme necessity, where a security officer/guard may render duty for seven (7) days a week.

7.3. Under no circumstance shall a security guard be allowed to render two (2) successive shifts in one day.

7.4. The Security Agency must provide the organizational and individual equipment enumerated in the attached posting/manning hours and required equipment per AOR. Equipment deployed shall be in good operational condition throughout the duration of the contract. Maintenance of said equipment shall be the responsibility of the Security Agency including adequate POL provisions for the vehicles (4-wheel vehicle and motorcycle)

7.5. It is the responsibility of the security agency to immediately repair or replace its defective equipment. Failure to repair or replace its damaged equipment within one (1) day, especially when the said equipment is/are badly needed at that time, would unfavorably impact on the performance rating of the Agency.

VIII. SCOPE OF WORK

Contracted Security Agencies shall perform the following functions, duties and responsibilities within its AOR:

8.1. Provide quality security services on five areas of security, to wit: Personnel Security, Physical Security, Document Security, Communications Security, and Cybersecurity.

8.1.1. Personnel Security - Secure and protect BCDA officers, employees and visitors from harm, harassment, threat and intimidation within the Agency's AOR;

8.1.2. Physical Security - Secure and protect BCDA structures, facilities, equipment and properties from theft, robbery, arson, vandalism, destruction and other criminal acts;

8.1.3. Document Security – Secure and protect documents and vital information from unauthorized use, lost, and unsanctioned destruction; and allow easy but secured access of these documents and information to authorized personnel.

8.1.4. Communications Security - Prevent unauthorized users/interceptors from accessing radio and telecommunications.

8.1.5. Cybersecurity - Implement (in its own ICT system) basic cybersecurity technologies, processes and measures designed to protect computers, networks and data from unauthorized access, vulnerabilities and attacks; and when required, assist the BCDA ICT Department in cybersecurity.

8.2. Implement and enforce all applicable BCDA rules and regulations, standard operating procedures (SOPs) and other issuances relative to the maintenance of safety and security within the scope of work of the contracted Security Agency;

8.3. In times of emergency, all deployed security guards shall be in emergency mode and ready to implement contingency plans. Those who are within the immediate area of the emergency situation shall act as first responders and be prepared to handover the responsibility to designated authority.

8.4. Conduct emergency preparedness drills.

8.5. Provide special services such as canine deployment and conduct of background investigation of personnel as may be directed.

8.6. In addition to the already existing CCTV system in AOR III, install additional CCTV cameras and other CCTV system needs as may be required in the AOR. Operate the CCTV system to ensure widest monitoring coverage of the area of operations. Ensure the proper maintenance of the system and to timely report any damage to the system so that BCDA can immediately respond to maintenance requirements.

8.7. Prevent dumping of garbage of any form in its AOR. In the event that guards fail to prevent the dumping of garbage, it is the responsibility of the Agency to immediately remove said garbage at its own expense. Otherwise, BCDA shall remove or dispose of the garbage and the expenses incurred therefrom shall be chargeable to the account of the Agency.

8.8. Prevent intrusion and proliferation of informal settlers and building of illegal/unauthorized structures within its AOR. Stop and demolish on-going illegal construction of structures within seventy-two (72) hours upon discovery.

8.9. Should the Agency fail to enforce item paragraph 8.8, it shall compensate BCDA for the cost of demolition and eviction, and pay BCDA the

amount of P20,000.00 per structure illegally constructed during the effectivity of the Contract;

8.10. In case of damage to or loss of BCDA properties due to the negligence or failure of the guard/s to fulfill his/her obligations, the Security Agency is liable to compensate BCDA for the cost of losses or damages.

8.11. Submit the following reports:

- 8.11.1. Daily Activity and Situation Report.
- 8.11.2. Incident Report (In case of occurrence of unusual incident)
- 8.11.3. Investigation Report (as necessary)
- 8.11.4. Special Reports (In cases of confluence of events and observations which have bearing on safety and security)
- 8.11.5. Information Reports (as obtained)
- 8.11.6. Accomplishment Reports:
 - a. Monthly – Every 1st Monday of succeeding month
 - b. Quarterly – Every 1st week of succeeding quarter
 - c. Annual – Every 2nd week of January
- 8.11.7. Roster of Guards (every 15th and 30th of the month)
- 8.11.8. Guard Deployment Schedule (every 15th and 30th of the month)
- 8.11.9. Daily Guard Detail

8.12. Employ/deploy guards with the following qualifications:

- 8.12.1. Mandatory Training (in accordance with RA 5487):
 - a. Basic Security Officer/Guard Training Course
 - b. Retraining/Refresher SO/SG Training Course.
 - c. Basic Marksmanship Training Course
- 8.12.2. Optional training/seminars/skills which may contribute to their efficiency, effectiveness and quality of services:
 - a. Basic Life Support Training/Seminar
 - b. VIP Security Training/Seminar
 - c. Marksmanship Refresher Training
 - d. Info Gathering and Basic Report Writing Training/Seminar
 - e. Disaster and Emergency Response Training
 - f. Basic Computer Training for Security Officers
 - g. Forest Protection for guards deployed at the CJHEZ

Reservation Area.

8.13. Coordinate with the PNP, AFP and other friendly forces on matters related to the security and protection of respective AOR.

IX. QUALIFICATIONS OF SECURITY AGENCY AND OTHER REQUIREMENTS:

9.1. Has Regular License to Operate (LTO) and in continuous business operation as Security Agency for the last five (5) years. Original Copy to be provided during the Post-Qualification Inspection.

9.2. With at least 100 guards currently performing security duties in any part of the country. List of security guards deployed per contract shall be presented during the Post Qualification Inspection.

9.3. Certified by SOSIA that the Agency is not and has never been blacklisted by any government or private entity. The original copy be presented during the Post Qualification Inspection.

9.4. Has not been a security provider or is currently a security provider of a company or juridical entity with whom BCDA and/or its subsidiaries have past or existing legal case/conflict.

9.5. Former and current security providers of BCDA, to include their subsidiaries, affiliates and sister companies, who has been rated "Poor" during the conduct of periodic Performance Evaluation and Inspection and/or is not in good standing with BCDA due to the security agency's violation of its contract with the BCDA Group shall not be allowed to participate in this bidding.

9.6. For an Agency who had provided security services in the past or is currently providing security services to BCDA and/or its subsidiaries, said agency must have a good performance record in BCDA and/or its subsidiaries.

9.7. Has the Information-Communication Technology (ICT) capability to:

9.7.1. Record information and other data relative to the performance of the Agency's safety and security functions.

9.7.2. Electronically monitor, record, store (one month) and review the situation within the coverage of CCTV System.

9.7.3. Maintain e-files of 201 Records and biometrics of deployed security guards, relievers and identified security escorts.

9.7.4. Implement (in its own ICT system) basic cybersecurity technologies, processes and measures designed to protect computers, networks and data from unauthorized access, vulnerabilities and attacks; and when required, assist the BCDA ICT Department in cybersecurity.

9.7.5. Communicate with SSU, BCDA through internet.

9.8. Has the capability to conduct background investigation of identified individuals and organization.

9.9. Can provide K9 services. For this purpose, a security agency may either have its own K9 services or have an existing service contract with K9 unit/company.

9.10. Pursuant to 23.5.3 of the IRR to RA 9184, the bidder must have completed within a period of at least three (3) years a single contract equivalent to at least 50% of the ABC; or at least one (1) similar contract equivalent to at least 50%

of the ABC. For this purpose, "Similar Contract" shall refer to contracts involving the provision of security services.

9.11. The prospective bidder shall certify under oath as to the correctness of the statements made, and the completeness and authenticity of the documents submitted. Documentary requirements shall be validated during the post qualification.

X. QUALIFICATIONS OF OFFICERS AND SECURITY GUARDS

10.1. The Security Officers (Detachment Commander & Assistant Detachment Commander)

10.1.1. Must have satisfied the basic qualifications required in Section 4 of Republic Act No. 5487 as amended (an act governing the organization and management of Private Security Agencies, Company Guards Forces and Government Security Forces);

10.1.2. At least five (5) feet and four (4) inches in height, and must not be more than fifty (50) years old at the time of acceptance;

10.1.3. Must be computer literate and a licensed driver;

10.1.4. Former AFP/PNP personnel must either be retired or honorably separated from the Service (copy of retirement order or honorable discharge order duly authenticated by competent authorities must be submitted);

10.1.5. Must possess the necessary clearances from Barangay, PNP, NBI, Neuro-Psychiatric Test and Drug Test.

10.2. The security guards to be deployed must:

10.2.1. Have satisfied the basic qualifications provided in Section 2 and 3 of Republic Act No. 5487 as amended (an act governing the organization and management of Private Security Agencies, Company Guards and Government Security Forces);

10.2.2. At least five (5) feet and four (4) inches in height for male and five (5) feet and two (2) inches in height for female;

10.2.3. Possess the necessary clearances from Barangay, PNP, NBI, Neuro-Psychiatric Test and Drug Test;

10.2.4. Must have undergone training on first aid and life saving techniques or is willing to undergo similar training within the duration of the contract.

10.3. The Security Agency shall submit bio-data and work employment record with corresponding description of expertise and experience of the nominated Detachment Commander; Assistant Detachment Commander; and Shift-In-Charge; for review by BCDA. Acceptance or denial of the nominated Security Officers and Guards shall be determined by the Security Services Unit of BCDA.

10.4. Likewise, the Security Agency shall submit to BCDA the 201 files of all deployed security officers and guards to include Personal Data Sheet, copies of Security Licenses, Certificates of Completion of Training for security officers/guards, NBI Clearances, Police Clearances, Barangay Clearances, Neuro-Psychiatric Clearances and result of Drug Tests.

10.5. The prospective bidder shall certify under oath as to the correctness of the statements made, and the completeness and authenticity of the documents submitted. Qualifications of Officers and Security Guards shall be validated during the post qualification.

XI. CONCEPT PLAN AND COMPREHENSIVE SECURITY PLAN

The Comprehensive Security Plan of the winning bidder shall be submitted to BCDA upon issuance of Notice of Award (NOA) for review. BCDA shall notify the Security Agency on revisions, if any. Thereafter, the final Security Plan including corresponding contingency plans (fire, bomb threat, earthquake and typhoon) must be submitted to SSU, BCDA upon issuance of the Notice to Proceed.

XII. PAY RATE OF SECURITY GUARDS AND WAGE ADJUSTMENT

12.1. The Security Agency shall guarantee each security officer/guard a pay rate not lower than the minimum wage rate and other remuneration and benefits as provided for in the Philippine Labor Code and the Wage Orders officially issued by the Philippine Association of Detective and Protective Agency Operators, Inc. (PADPAO).

12.2. The Security Agency shall regularly provide each security officer/guard copy of official individual pay slip every pay period indicating therein the Summary of their salaries, allowances, bonuses, remittances to SSS, Pag-IBIG, PhilHealth and other authorized deductions.

12.3. The Security Agency shall timely and regularly remit all obligations (Amount to Government in Favor of Guard as indicated in the PADPAO Wage Order) for SSS, PhilHealth, Pag-Ibig, and other mandatory remittances as deducted from the pay and allowances of the security guards and officers.

12.4. The Security Agency shall be entitled to request from BCDA for adjustment of the contract price in the event the minimum wage is increased or where there is an increase in the fringe benefits in favor of the guards pursuant to law, executive order, decree or wage order; provided that the Security Agency presents acceptable proof thereof, e.g. copy of a wage order certified by the Philippine Association of Detective and Protective Agency Operators, Inc. (PADPAO), through its "Committee on PADPAO Rate Computation".

12.5. BCDA has the right to demand from the Security Agency proofs of compliance of its obligations under sub-clauses 11.1 to 11.3.

12.6. The adjustment of the contract price, unless otherwise amended/superseded by law, shall be computed as follows:

12.6.1. Only the "Amount to Guard and Government" shall be adjusted and NOT the Agency Fee; and

12.6.2. The 12% VAT shall only be imposed on the Agency Fee and not on the Amount to Guard and Government, in accordance with BIR Revenue Memorandum Circular No. 39-2007, as applied to wage orders issued by PADPAO.

XIII. POSTING OF PERFORMANCE AND WAGE SECURITIES

13.1. Performance Security

To guarantee the faithful performance of the Agency of its responsibilities and obligations under the Contract, and the payment to BCDA for losses, and/or damages suffered thereby and such other liabilities that the Agency may have incurred during its tour of duty arising from unsatisfactory performance or non-performance under the Contract, the Agency shall post a performance security in favor of BCDA in the form of Cash, Cashier's or Manager's Check (equivalent to 5% of the ABC) or Surety Bond (equivalent to 30% of the ABC).

13.2. Wage Security

13.2.1. Similarly, to answer for the wages due the security guards should the Agency fail to pay the same, the Agency must post a wage security in favor of BCDA equivalent to three (3) months' cost of labor in the AOR(s).

13.2.2. The performance and wage securities shall be callable on demand and shall have a validity period equal to the duration of the contract including its renewal or extension, if any, plus three (3) months.

12.3. Adjustment and Performance Wage Securities

In case of change in contract price arising from additional deployment of guard force or wage adjustments pursuant to law, executive order, decree or wage order, the afore-cited performance and wage securities shall be accordingly upgraded.

XIV. MEDICAL AND RISK INSURANCE

The security guards to be deployed shall have full coverage of medical and risk insurance by the Agency.

XV. CONFIDENTIALITY CLAUSE

15.1. All information, data and documents concerning the business and affairs of BCDA which are classified as confidential shall be treated with extreme secrecy by the Security Agency, Officers/Guards and shall not be communicated or disclosed to any person or entity without prior written clearance from BCDA.

15.2. In the event that the Security Agency fails to comply with this Confidentiality Clause, BCDA shall have the option to apply pertinent

provisions of RA 5487 and other applicable charges provided for under the Table of Offenses and Penalties hereto attached.

15.3. In the event that the disclosure of the confidential information and or documents is made by the Security Agency to any person or entity after the termination of its contract with BCDA, the latter shall have the right to seek redress and compensation through legal proceedings in a court of law

15.4. For the above-stated purposes, a non-disclosure agreement with BCDA shall form part of the contract between the winning bidder and BCDA.

XVI. PENALTY CLAUSE

The Security Agency, Security Officers and guards shall be penalized for failure to comply with the provisions of this TOR based on the Table of Offenses and Penalties (hereto attached as Annex D) and other applicable provisions of RA 5487.

XVII. DURATION AND EXTENSION OF CONTRACT

17.1. The Agency shall provide security services to BCDA for a contract period of three (3) years, subject to renewal annually based on any or all of the following criteria:

17.1.1. Results of the Semestral Performance Evaluation and Inspection (PEI).

17.1.2. Assessment of the current and future security situation and the corresponding security needs/requirements of BCDA.

17.2. It is understood that paragraph 16.1 above allows BCDA to exercise its right to either extend or terminate the Contract based on the results of the PEI and/or the assessment of the security situation and security needs of BCDA.

17.3. After the contract period of three (3) years, the Contract may be extended for a maximum of twelve (12) months, renewable monthly, subject to the extension of contracts as defined in the Amended IRR of R.A. 9184, results of the performance evaluation of the Security Agency, exigency of service, availability of funds and upon mutual agreement of the parties.

17.4. The Agency is expected by BCDA to maintain at least a rating of "Satisfactory" level of performance in the first six months of the term of the contract based on the performance criteria which shall include, among others, (i) quality of service delivered; (ii) compliance to required resources and scope of work; (iii) standards of internal governance; (iv) training and suitability of personnel; (v) contract administration and management; and (vi) provision of regular and special reports on the status of BCDA's premises in terms of security in accordance with the security plan. It should be emphasized, however, that BCDA desires that the contracted security providers should deliver quality services within the range of "Very Good" to "Excellent" level of performance. The actual level of performance shall be assessed by BCDA, through SSU, before the end of every semester of each year, and shall serve as one of the bases for the renewal of its contract for another one (1)

year or until the final three (3)-year period mentioned in this Terms of Reference shall have been completed in accordance with Government Procurement Policy Board (GPPB) rules and regulations on implementation of said three (3)-year period. Based on the assessment, the BCDA may terminate the contract of the security service contractor for its poor performance (not within the BCDA's standard level of performance, i.e. poor and satisfactory) or failure to comply with its obligations as stipulated in the contract.

17.4.1. Level of Performance Rating (The detailed rating system for the Performance Evaluation and Inspection (PEI) shall be provided to the contracted agency/):

Adjectival Rating	Numerical Rating	Description of Rating
Poor	74.99 and below	Fails to meet most of the requirements of BCDA in terms of admin and operational capability. Poor quality of services.
Below Satisfactory	75 – 79.99	Meets most of the requirements but several violations were noted. The quality of services is very much wanting.
Satisfactory	80 – 84.99	Meets all the requirements but with minor violations. The quality of services needs further improvement.
Good	85 – 89.99	Meets all the requirements and no violations, but the quality of services needs further improvement
Very Good	90 – 94.99	Meets all the requirements and no violation. The quality of services needs minimal improvement
Excellent	95 – 100	Achieves the highest standard for quality-security services as required by BCDA.

16.5. Former and current security providers of BCDA, who have been rated "Poor" during the conduct of periodic Performance Evaluation and Inspection and/or are not in good standing with BCDA due to the security agencies' violation of their contract with the BCDA Group shall not be allowed to participate in this bidding, to include their affiliates, subsidiaries, and sister companies.

XVIII. TERMINATION

Either party may, at any given time, terminate the Contract for breach of any of the provisions thereof and other legal causes by serving a written notice to the other party at least thirty (30) days before the intended date of termination.

ANNEXES:

- A – Security Guard Requirement
- B – Standard Package and Equipment Requirement
- C – Specifications of Special Equipment and Services Requirements
- D – Table of Offenses and Penalties

GUARDS REQUIREMENT

AOR III - Bataan Technology Park 12-Hour Duty

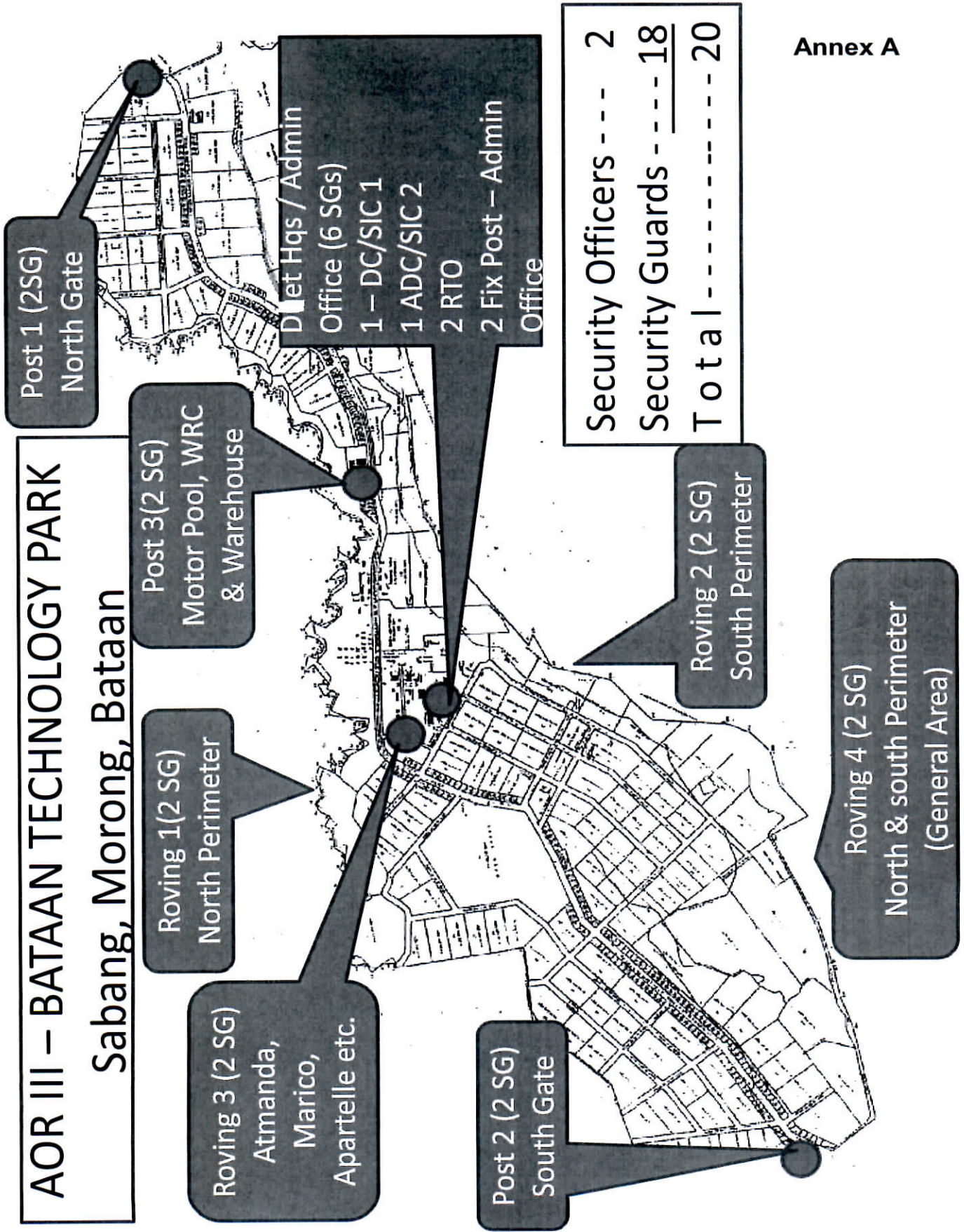
SECURITY POST/DET HQS	GUARD SHIFT		NR OF SG	NR OF HR	Hand Held Radio	Firearms	
	1st	2nd				9mm Pistol	Shot Gun
Detachment Commander/SIC-1	1		1	12	1	1	
Asst. Detachment Comdr/SIC-2		1	1	12			
Radio Operator	1	1	2	24			
Post 1 - Main Gate	1	1	2	24	1	1	
Post 2 - Gate 2	1	1	2	24	1	1	
Post 3 - Main Office	1	1	2	24	1	1	
Roving Patrol 1	1	1	2	24	1		1
Roving Patrol 2 - Central Warehouse & Motor Pool and WRC Compound	1	1	2	24	1		1
Roving Patrol 3 - Staff House, Admin Bldg, Apartell & Club House	1	1	2	24	1		1
Roving Patrol 4 - South and North Perimeter Area	2	2	4	48	1		2
TOTAL	10	10	20	240	8	4	5

Relievers: 3 SG

en

AOR III – BATAAN TECHNOLOGY PARK

Sabang, Morong, Bataan



Security Officers	---	2
Security Guards	---	18
Total	-----	20

Annex A

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STANDARD EQUIPMENT REQUIREMENTS

AOR III - Bataan Technology Park

ITEMS	QUANTITY	REMARKS
COMMUNICATION EQUIPMENT:		
Base Radio with complete accessories & antenna	1	Ready for inspection during Post-Qual.
Hand held radio sets (including battery):		
- For issue to the guards on duty	8	Ready for inspection during Post-Qual.
- Reserve	2	Ready for inspection during Post-Qual.
Battery charger for hand held radios	10	Ready for inspection during Post-Qual.
Extra rechargeable batteries for hand held radios	10	Ready for inspection during Post-Qual.
VEHICLES:		
4-wheeled vehicle with adequate fuel support	1	(1) Ready for inspection during Post-Qual. (2) In the event the number of guards is doubled, additional vehicle should be deployed by the agency.
Motorcycle with adequate fuel support (at least 125 cc)	1	Ready for inspection during Post-Qual.
FIREARMS:		
9mm Pistol for issue to guards on duty	4	Ready for inspection during Post-Qual.
9mm Pistol as reserve	1	Ready for inspection during Post-Qual.
Shot Gun for issue to guards on duty	5	Ready for inspection during Post-Qual.
Shot Gun as reserve	1	Ready for inspection during Post-Qual.
OTHER STANDARD EQUIPMENT:		
Computer with printer and internet connection with at least 2-4 MBPS speed	1	1. Monthly billing for internet chargeable against the security agency and must be operational 1 month upon assumption of AOR. 2. Ready for inspection during Post-Qual.
Digital camera (at least 5 mega pixel)	1	Ready for inspection during Post-Qual.
Portable Metal Detector	1	Ready for inspection during Post-Qual.
BASIC EQUIPMENT FOR DISASTER & EMERGENCY RESPONSE		
Rescue Hydraulic Jack (10 tonner)	1 set	Ready for inspection during Post-Qual.
Chain Block with at least 5 tons capacity	1 set	Ready for inspection during Post-Qual.
Rechargeable Emergency Flashlight	5 sets	Ready for inspection during Post-Qual.
Megaphone	2 sets	Ready for inspection during Post-Qual.
Squad Tent good for at least 10 persons	1 set	Ready for inspection during Post-Qual.
Rescue Multi-purpose Rope with at least 1/2 inch diameter and at least 20 meters length per roll.	5 rolls	Ready for inspection during Post-Qual.
Stretcher	2 ea	Ready for inspection during Post-Qual.
Detachment First Aid Kit	1 set	1. Ready for inspection during Post-Qual. 2. See attached for the list of requirements.
INDIVIDUAL UNIFORM AND EQUIPMENT OF GUARDS:		
Class A Uniform	1	To be inspected during Rank Inspection
Rain Coats and Boots	1	To be inspected during Rank Inspection
Medicine Kit (with Bethadine solution, gauze, Alcohol, Band aid)	1	To be inspected during Rank Inspection
Hand Cuff	1	To be inspected during Rank Inspection
Flash Light	1	To be inspected during Rank Inspection
Baton	1	To be inspected during Rank Inspection

FIRST AID KIT FOR THE DETACHMENT HEADQUARTERS

A. Basic supplies:

1. Adhesive tape
2. Antibiotic ointment
3. Antiseptic solution or towelettes
4. Bandages, including a roll of elastic wrap (Ace, Coban, others) and bandage strips (Band-Aid, Curad, others) in assorted sizes
5. Instant cold packs
6. Cotton balls and cotton-tipped swabs
7. Disposable latex or synthetic gloves, at least two pair
8. Duct tape
9. Gauze pads and roller gauze in assorted sizes
10. First-aid manual
11. Petroleum jelly or other lubricant
12. Plastic bags for the disposal of contaminated materials
13. Safety pins in assorted sizes
14. Scissors and tweezers
15. Soap or instant hand sanitizer
16. Sterile eyewash, such as a saline solution
17. Thermometer
18. Triangular bandage
19. Turkey baster or other bulb suction device for flushing out wounds

B. Medications:

1. Aloe vera gel
2. Anti-diarrhea medication
3. Over-the-counter oral antihistamine, such as diphenhydramine (Benadryl, others)
4. Aspirin and nonaspirin pain relievers.
5. Calamine lotion
6. Over-the-counter hydrocortisone cream
7. Personal medications that don't need refrigeration
8. Syringe, medicine cup or spoon

C. Emergency items:

1. Emergency phone numbers (Nearest PNP Station, Fire Station, Hospital and other government institutions)
2. Small, waterproof flashlight and extra batteries
3. Candles and matches
4. First-aid instruction manual

**SPECIFICATIONS OF
SPECIAL EQUIPMENT AND SERVICES REQUIREMENTS**

AOR III: Bataan Technology Park

1. CCTV SYSTEM (6 Channels)

a. The 6 channels CCTV with 6 cameras may be split up into two set. The possible location of CCTV cameras shall be determined by the BTP Management upon assumption of the winning bidder.

c. The Security Agency shall shoulder the cost of installation and monthly billing of internet connectivity (if there is any) throughout the duration of the contract.

d. Specifications for other CCTV Cameras to be installed.

(Note: The 6 channels/cameras as stated herein shall be modified later depending on the required number of channels needed in a particular area where the cameras shall be installed)

(1) With high-end H-264 16 channels DVR, 16 night vision outdoor CCTV Cameras.

(2) 6 Channels DVR which supports real-time recording up to 30 frames per second on each channel, and the newest most advanced H.264 compression to maximize picture quality and storage space.

(3) DVR recorder - Record all 6 channels at 30 frames per second at full 720x480 pixels each. It has built-in scheduler which gives the user the ability to pick the time and day for the DVR to record. Can store video recording for all 6 channels up to at least 30 days.

(4) HDMI – HDMI output use with HDMI compatible monitor.

(5) USB 2.0 – Two USB ports and one USB 2.0. This can be used as a mouse port or used for a quick clip backup utility.

(8) Built in DDNS domain address

(9) Existing files can be compressed by up to 80% without compromising video quality.

(10) The entire system can be linked to an external drive as back up.

(11) Night Vision – Day and night functionality. Packed with IR LED's that gives it the ability of a night vision with a range of at least 20 meters.

(12) Water Proof (for outdoor camera)

(13) Size of TV Monitor as applicable.

2. K-9 SERVICE:

a. Must be able to provide at least two (2) K-9 with handlers upon notice for a limited period of deployment.

b. The deployed K9 must have the following capabilities and characteristics

- Sniffing ability for explosives including bomb making materials
- Tracking capability
- Training of Dog and its handler is in accordance with the SOSIA, PNP Standard.
- Friendly

3. BACKGROUND INVESTIGATION (BI)

1. Background investigation (BI) of persons on request.

2. Requirements:

a. validation of submitted documents to include the following:

- Diploma and other school records submitted.
- Birth Certificates
- Employment Records
- Clearances:
 - NBI
 - PNP (Local and National)
 - Court Clearance
 - Barangay
 - Result of Drug Test

b. Interview of at least two (2) character references given by the person.

c. Interview of at least two (2) persons, either neighbors or former co-worker (not given by the person).

TABLE OF OFFENSES AND PENALTIES

NR	OFFENSES	PENALTIES
SECURITY AGENCY		
1	<p>1. Non-compliance with any of the following mandatory requirements:</p> <ul style="list-style-type: none"> • The Security Agency shall guarantee that each security officer/guard receives a pay rate not lower than the minimum wage rate and other remuneration and benefits as provided for in the Philippine Labor Code and the Wage Orders officially issued by the Philippine Association of Detective and Protective Agency Operators, Inc. (PADPAO). • The Security Agency shall regularly provide each security officer/guard copy of official individual pay slip every pay period indicating therein the Summary of their salaries, allowances, bonuses, remittances to SSS, Pag-IBIG, PhilHealth and other authorized deductions. • The Security Agency shall timely and regularly remit all obligations (Amount to Government in Favor of Guard as indicated in the PADPAO Wage Order) for SSS, PhilHealth, Pag-Ibig, and other mandatory remittances as deducted from the pay and allowances of the security guards and officers. <p>2. Falsification of reports, Daily Time Record, payroll and other documents submitted to BCDA.</p>	Termination of the Contract
2	Unauthorized disclosure of confidential information/document of BCDA by the Security Agency (SA) or anybody among the deployed Security Guards.	<p>Termination of Contract.</p> <p>Filing of civil case against the SA for the determination of its liabilities</p>
3	Loss of company/client property due to negligence of the SA's guards	<p>a. Cost as determined by the joint investigation conducted by BCDA and SA.</p> <p>b. Deduction of P3,000.00 per incident from the billing of the SA</p>
4	Dumping of Garbage in its AOR (AORs II, III and IV)	<p>a. The SA shall shoulder the cost of the removal of garbage.</p> <p>b. Deduction of P1,000.00 per incident of garbage dumping from the billing of the SA.</p>

NR	OFFENSES	PENALTIES
5	Illegal Structure (AORs II, III and IV)	<ul style="list-style-type: none"> - Cost of Demolition for failure to demolish the structure within 3 days - Deduction of P20,000 from the billing of the SA as penalty for failure to demolish same within 3 days
6	Illegal extension of existing structure (AORs II, III and IV)	<ul style="list-style-type: none"> - Cost of Demolition for failure to demolish the extension within 3 days - Deduction of P20,000 from the billing of the SA as penalty for failure to demolish it within 3 days
7	Illegal repair of existing structure (AORs II, III and IV)	<ul style="list-style-type: none"> - Cost of Demolition for failure to demolish the repair within 3 days - Deduction of P20,000 from the billing of the SA as penalty for failure to demolish it within 3 days
8	Posting of guard on straight Duty (2 consecutive duties)	Deduction of P1,000.00 from the billing of the SA per guard posted on 2 consecutive details .
9	Failure to provide the required number of firearms, vehicles and radio equipment at the start of the contract	<ul style="list-style-type: none"> - 1st Offense: Notice of Compliance. - 2nd Offense: P100 per day per item to be deducted from the billing of the Agency. - 3rd Offense: P500.00 per day per item to be deducted from the billing of the Agency
10	Failure to provide the required number of other equipment at the start of the contract	
11	Non-availability or un-serviceability of firearms, radio equipment and vehicles during the conduct of daily and random inspection.	
12	Un-manned and/or Under-manned Post	Deduction of P500.00 per day per post from the billing of the SA.
13	Non-availability or un-serviceability of other equipment during the conduct of daily and random inspection.	Deduction of P500.00 per day per item from the billing of the SA.
SECURITY GUARDS		
14	Guard found sleeping on post	Deduction of P300.00 per guard from the billing of the SA.
15	Guard found under the influence of liquor while on duty	<ul style="list-style-type: none"> - Suspension from duty based on the provisions of RA 5487. - Following the due process, the SA must conduct immediate investigation and impose appropriate sanction against the erring guard. - Deduction of P500.00 per guard from the billing of the SA.
16	Abandoning of Post by the Duty Guard.	
17	Accidental and/or indiscriminate firing of weapon by the guard	<ul style="list-style-type: none"> - Outright termination of guard's duty with BCDA.
18	Guards found guilty of vandalism, theft and pilferage of company properties	
19	Act of disrespect and other forms of discourtesies committed by the guards against BCDA officials & employees, visitors and co-workers	<ul style="list-style-type: none"> - Following the due process, the SA must conduct immediate investigation and impose appropriate sanction against the erring guard.
20	Guards found in possession of prohibited drugs or are found positive of same	<ul style="list-style-type: none"> - Deduction of P1,000.00 per guard from the billing of SA