



Bids and Awards Committee

Republic of the Philippines
Professional Regulation Commission
P. Paredes St., Sampaloc, Metro Manila
Facsimile: 5 310-0037 / email: bac@prc.gov.ph



REGULAR MEMBERS:

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Chairman

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Vice-Chairperson

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HENRIETTA P. NARVAEZ
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CRISANTO L. DECENA
Provisional Member, Non-IT Projects

REGIE O. TORRES
Provisional Member, IT Projects

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JOEL P. IGNACIO
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ARVIN R. LUNAR
Member

NOMAN MAUI G. EBORA
Member

Section VII. Technical Specifications

TERMS OF REFERENCE

PROJECT NAME/TITLE: SUPPLY AND DELIVERY OF PUBLICATION SERVICES FOR THE PROFESSIONAL REGULATION COMMISSION-CENTRAL OFFICE

I.BACKGROUND/RATIONALE

The Professional Regulation Commission is mandated to publish its administrative issuances including the Professional Regulatory Boards (PRBs) in enforcing or implementing the provisions of R.A 8981 or Professional Regulatory Laws (PRLs) and affecting public interest-whether applicable to only one individual or some of the people only, and to the public as a whole, or on the repeals or amendments thereof which require as conditions for their effectivity their publication in the Official Gazette or in a newspaper of general circulation (NGC) in the country.

This is to conform with Article 2 of the New Civil Code, Executive Order No. 200 (June 18, 1987), Section 18, Chapter 5, Book I of the 1987 Administrative Code, "Providing for the publication of laws either in the Official Gazette or in newspaper of general circulation in the Philippines as a requirement for their effectivity, xxxxx." And Supreme Court's pronouncements or rulings in Tanada vs. Tuvera, 146 SCRA 446 which provides that "publication is a requirement of the right of the people to information on matters of public concern, and its omission would offend due process in so far as it would deny the public knowledge of the laws, and it accords an opportunity that before the public is bound by the provision of the law, they must be published and the people officially and especially informed thereof xxx."

II. OBJECTIVE

This Terms of Reference (TOR) for the project: Procurement for the Supply and Delivery of Publication Services for the Professional Regulation Commission- Central Office aims to engage a PUBLISHER to facilitate the publication of the issuances and other official documents as may be required by law in newspaper of general circulation subject to RA 9184 Procurement Law and its IRR.

III.INTRODUCTION

The PRC wishes for the procurement of Supply and Delivery of Publication Services for dissemination of administrative issuances in the following categories:



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- Those made in the exercise of the rule-making power of the PRC and/or the Professional Regulatory Boards by virtue of a valid delegation of legislative power, i.e. Republic Act No. 8981 and PRLs
- Those which affect the substantive rights of any person
- Those which will entail imposition of new or adjusted fees or rates

Accordingly, this TOR is intended to convey the services and obligations required of the PUBLISHER to achieve its objective.

IV. DEFINITION OF TERMS

1. Professional Regulation Commission- is the agency of the national government tasked to regulate the various professions under its jurisdiction and to conduct licensure examinations administered by the forty-six (46) Professional Regulatory Boards (PRBs) including PRBs with its principal address at P. Paredes Street, Sampaloc, Manila and the Philippine International Convention Center (PICC).
2. PRC- Professional Regulation Commission
3. Professional Regulatory Boards (PRBs)- the forty-six (46) Regulatory Boards under the supervision and control of PRC which administer licensure examinations under the respective jurisdiction and the eventual issuance of Certificate of Registration/Professional License to qualified and competent successful examinees and registrants without examination.
4. Newspaper of General Circulation-the newspaper is published for the dissemination of local news and general information; that it has bona fide subscription list of paying subscribers; that is published at regular intervals; and that the newspaper need not have the largest circulation so long as it is of general circulation. (GPPB NPM No. 025-2016, Supreme Court: Fortune Motor (Phils.) Inc. v. Metropolitan Bank and Trust Co., et al.)

V. APPROVED BUDGET FOR THE CONTRACT

The total ABC for the project is Four Million Five Hundred Thousand (Php4,500,000.00) based on the approved Multi-Year Contracting Authority (MYCA-BMB-B-22-0000056) dated October 17, 2022.

YEAR	PARTICULARS	AMOUNT AUTHORIZED	
		Amount per Page	Total Amount
2022	101 pages x 3 columns x 15 cm.	2,465.56	250,000



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2023	608 pages x 3 columns x 15 cm.	2,465.56	1,500,000.00
2024	608 pages x 3 columns x 15 cm.	2,465.56	1,500,000.00
2025	506 pages x 3 columns x 15 cm.	2,465.56	1,250,000.00

1,823 pages

4,500,000.00

No	Item	Specification	Statement of Compliance												
1	LOT	<p>SUPPLY AND DELIVERY OF PUBLICATION SERVICES FOR THE PROFESSIONAL REGULATION COMMISSION-CENTRAL OFFICE</p> <p>SCOPE AND COVERAGE OF SERVICE</p> <p>The PUBLISHER shall:</p> <ol style="list-style-type: none"> Assign an account executive to handle the PRC account, for the publication of issuances or official documents as required, in broadsheet newspaper for daily general circulation within the Philippines. Submit proof of publication and provide at least fifteen (15) complimentary copies on the first working hour on the day of publication to the following PRC-Central Offices/Division: <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Office/Division</th> <th>Number of Copies</th> </tr> </thead> <tbody> <tr> <td>Directors</td> <td>7</td> </tr> <tr> <td>Commission Proper</td> <td>4</td> </tr> <tr> <td>Requesting Office</td> <td>2</td> </tr> <tr> <td>Archives and Records Division</td> <td>2</td> </tr> <tr> <td>TOTAL</td> <td>15</td> </tr> </tbody> </table> <ol style="list-style-type: none"> Issue Statement of Account (SOA) to PRC within five (5) days after the publication <p>QUALIFICATION REQUIREMENTS</p> <p>The PUBLISHER must meet the following minimum qualifications:</p>	Office/Division	Number of Copies	Directors	7	Commission Proper	4	Requesting Office	2	Archives and Records Division	2	TOTAL	15	
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Directors	7														
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		<ol style="list-style-type: none"> 1. Be a reputable publication or advertising firm with at least three (3) years business operation; 2. Must be able to submit Composition of the Editorial Board and their Responsibilities 3. It has bona fide subscription list of paying subscribers. 4. It has publication at a regular interval. <p>TECHNICAL SPECIFICATIONS:</p> <ol style="list-style-type: none"> 1. Range of 3-15 Columns x 15-54 Centimeters of two 2- 27 pages long bond paper and/or based on the number of pages of approved issuance for publication. 2. The Publisher will submit the layout of the approved issuance within the day after the receipt of the copy of the said issuance for publication. 3. Upon receipt of the approved layout of the issuance, the publisher will publish the same on the following day. 4. The approved issuance shall be published in the main business section of the newspaper (broadsheet of general circulation). 5. An allowance of an hour and a half (1½) from the regular cut-off time for publication must be provided to PRC. 6. The ARD reserves the right to cancel or defer publication within an allowable one and half (1½) hours from the regular cut-off time at no cost to the PRC. 7. All publication shall be subject to inspection and examination by the ARD/end-user, who may reject publication by the PUBLISHER. Rejected publication shall be satisfactorily corrected immediately by the PUBLISHER at no cost to the PRC. 8. In the event that there is an excess number of pages to be published in a particular year, the Publisher will bill the PRC at a discounted rate of 10% based on their quoted bid amount 9. In case of erratum, notice of correction on the subject publication must be made on the following day after
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		<p>notification from the ARD, said correction shall be at no cost to the PRC.</p> <p>10. The Publisher warrants that it shall comply with labor laws and standard in accordance with GPPB circular no. 01-2008 under section 3.3. Hence the winning bidder shall provide proof of remittances with Philhealth, Pag-IBIG, SSS, and the like during post-qualification.</p> <p>TERM OF CONTRACT</p> <p>The term of contract shall be for the approved Multi-Year Contractual Authority.</p> <p>2022- Php250,000.00 2023- Php1,500,000.00 2024- Php1,500,000.00 2025- Php1,250,000.00</p> <p>TERMS OF PAYMENT</p> <p>1. The Payment shall be made within 15-30 days through our Government servicing bank, the Landbank of the Philippines, after delivery and upon the submission of the required supporting documents, i.e. order slip and/or billing statement by the service provider. Please note that the corresponding bank transfer fee, if any shall be chargeable to the service provider's account.</p> <p>2. In the event of the expiration of contract, extension shall be understood as running from month to month only, under the same terms and condition stipulated, and may be terminated by either party by means of written notice served upon the other party at least one (1) month in advance prior to date of such termination and until a new contract is awarded or approved. Provided that, the Performance Bond shall have been posted/updated during the extension period. The contract extension, herein referred to, shall be made in accordance with existing laws and rules issued by the Government Procurement Policy</p>	
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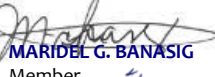

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		Board (GPPB).	
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1. Compliance with the statements must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate.
2. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection.
3. A statement either in the Bidders statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the provisions of **ITB** Clause 3.1 (a) (ii) and/or General Conditions of the Contract (**GCC**) Clause 2.1 (a) (ii).

ACKNOWLEDGMENT AND COMPLIANCE WITH THE TERMS OF REFERENCE FOR THE SUPPLY AND DELIVERY OF PUBLICATION SERVICES FOR THE PROFESSIONAL REGULATION COMMISSION-CENTRAL OFFICE

SIGNATURE OVER PRINTED NAME
OF AUTHORIZED REPRESENTATIVE,
DESIGNATION AND PRINTED NAME OF COMPANY