



COMMISSION ON HUMAN RIGHTS

Republic of the Philippines

TERMS OF REFERENCE

For the Procurement of a
Certifying Body for the
Commission on Human Rights' (CHR's)
ISO 9001:2015
Quality Management System (QMS)

Mindanao Cluster

1. BACKGROUND

- 1.1. The CHR developed and installed its Quality Management System (QMS) in conformity with the ISO 9001:2015 standards since 2015. This is in line with the commitment to ensure that the organization is able to provide prompt, accessible, responsive, and excellent public services in accordance with its Constitutional mandates and universal human rights standards.
- 1.2. Likewise, the CHR ensures it is able to proliferate operational efficiency and productivity as business processes, programs, activities, and responsibilities are clearly planned, delineated, implemented, monitored, evaluated, and streamlined keeping in mind the statutory, regulatory, and customer requirements are continually and fully satisfied.
- 1.3. On December 2018, the CHR's Regional Offices III and IV-A were the Pilot Regional Offices for the QMS implementation. They successfully obtained certification to ISO 9001:2015 from an internationally-acknowledged Certifying Body. This cemented the CHR as the second National Human Rights Institution (NHRI) in the world certified with international standard for QMS.
- 1.4. Part of the CHR's commitment is to have the Regional Offices in Mindanao obtain certification to ISO 9001:2015. As such, this Terms of Reference (TOR) is intended to convey the need to contract the services of a certifying body which is competent and qualified to assess as well as certify conformity of the CHR's Mindanao Cluster to the international standards for QMS.

2. OBJECTIVES

- 2.1. Generally, the objective is to have each of the CHR Regional Offices in Mindanao certified to ISO 9001:2015 standards.
- 2.2. The following are the specific objectives:
 - 2.2.1. To ensure alignment of the ISO 9001:2015 standards in the CHR's Regional Offices' operations through the core, management, and support processes;
 - 2.2.2. To prepare certification audit plan;
 - 2.2.3. To conduct pre-audit assessment and actual audits;
 - 2.2.4. To prepare audit reports detailing observations, opportunities for improvement, and any non-conformity to ISO 9001:2015 standards or on documented procedures on a per process basis of the concerned process owner or office;
 - 2.2.5. To conduct documents review, and prepare and submit corrections/ corrective actions for Stages 1 and 2 of the Certification Audits; and
 - 2.2.6. To issue ISO 9001:2015 certificates to respective CHR Regional Offices in Mindanao.

3. EXPECTED OUTPUTS

- 3.1. The ISO certifying body shall promptly and fully perform as well as deliver the following to the CHR:
 - 3.1.1. Pre-Audit Assessment report;
 - 3.1.2. Certification audit plan;
 - 3.1.3. Certification audit conducted;
 - 3.1.4. Audit reports detailing observations, opportunities for improvement, and any non-conformity to ISO 9001:2015 standards or on documented procedures on a per process basis of the concerned process owner or office; and
 - 3.1.5. ISO 9001:2015 certificates awarded to each of the CHR's Regional Office in Mindanao and certified true copies of the same.

4. SCOPE OF WORK

- 4.1. The scope of the certification audit shall cover the core, management, and support processes: Protection Services, Promotion Services, Policy Services, Administrative and Finance Services, and Client Feedback System.
- 4.2. The audits at the CHR Mindanao Regional Offices shall cover an average number of one hundred seventy-five (175) human resources in total.
- 4.3. **The Pre-Audit Assessment at the CHR Mindanao Offices** shall be conducted

within **February to March 2020**. The **Stage 1 External Audit** shall be conducted within **May 2020**. Further, the **Stage 2 External Audit** shall be conducted within **June 2020**. A consultation meeting with the awarded certifying body shall be arranged for this purpose. If one party decides to revise the timeline, a formal letter shall be provided for acknowledgement by the other party.

4.4. Below are the addresses of the audit sites from the CHR's Mindanao Cluster:

CHR OFFICE	LOCATION
Regional Office/ RO IX	JMS Bldg., Nuñez Ext. Zamboanga City
Regional Office/ RO X	2 nd Flr. Ong Bldg. Cor. Yacapin Ext. & Pres. Roxas St., Cagayan de Oro City
Regional Office/ RO XI	Trinity II Bldg., No. 8 Quimpo Boulevard Davao City
Regional Office/ RO XII	Prime Regional Government Center, Brgy. Carpenter Hill, Koronadal City
CARAGA Region	2 nd Flr., CAP Bldg. J.C. Aquino Avenue Butuan City

5. RESPONSIBILITIES OF THE CERTIFYING BODY

5.1. The certifying body is expected to provide the following services within C.Y. 2020:

ACTIVITY
Pre-Audit Assessment, Stages 1 and 2 of Certification Audits, and Issuance of ISO 9001:2015 Certificates to each of the CHR's Regional Office in Mindanao valid for one (1) year
<u>Pre-Audit Assessment</u>
<ul style="list-style-type: none"> ✓ Prepare and submit pre-audit assessment plan; ✓ Conduct opening meeting and on-site pre-audit assessment; and ✓ Report during the closing meeting the Pre-Audit Assessment findings to the CHR, including any issue to be addressed.
<u>Stage 1 Audit:</u>
<ul style="list-style-type: none"> ✓ Prepare and submit certification audit plan; ✓ Conduct opening meeting and on-site audit; and ✓ Report during the closing meeting the Stage 1 Audit findings to the CHR, including any issue to be addressed; and ✓ Prepare and submit audit report detailing observations, opportunities for improvement, and any non-conformity to ISO 9001:2015 standards or on documented procedures on a per process basis of the concerned process owner or office, and recommendations on how to address these within five (5) working days after the conduct of on-site audit;

Stage 2 Audit:

- ✓ Prepare and submit certification audit plan;
- ✓ Conduct opening meeting and on-site audit;
- ✓ Prepare and submit audit report detailing observations, opportunities for improvement, and any non-conformity to ISO 9001:2015 standards or on documented procedures on a per process basis of the concerned process owner or office, and recommendations on how to address these within five (5) working days after the conduct of on-site audit, if applicable;
- ✓ Report during the closing meeting the Stage 2 Audit findings to the CHR; and
- ✓ Prepare Notice of Award of Certification.

Award of Certification:

- ✓ Provision of the following for each audit site:
 - Complimentary A3 size certificate with frame;
 - Complimentary all-weather tarpaulin banner with logo – landscape (6m x 3m) and portrait (5m x 2m);
 - Electronic copy of logo (to be issued upon release of certificate)

- 5.2. The certifying body shall be informed that **the contract will be for one (1) year ONLY**. A separate procurement will be conducted for the Surveillance and/or Re-certification Audits come the following year(s). **Hence, it is expected to provide the CHR with a proposal specifying that its services will be for this year's Certification Audit ONLY.**

6. TECHNICAL REQUIREMENTS

- 6.1. The certifying body shall provide its company profile highlighting related projects, list of government clients, scope of work, and implementation methodology. Curriculum vitae of the proposed certification team shall also be submitted.
- 6.2. The certifying body shall provide its company's proof of accreditation from the Department of Trade and Industry – Philippine Accreditation Bureau (DTI-PAB) or the International Accreditation Forum (IAF).
- 6.3. In order to avoid conflict of interest, certification bodies which provided QMS consulting services or site-specific auditor training within five (5) years to a particular group/unit within the CHR, shall not be contracted as a certification body for the Commission.

- 6.4. The certifying body shall include in the proposal the audit activities and procedures for client appeals. If resolutions on good terms for disputes between the CHR and the certifying body cannot be made, the Commission shall be afforded the right to lodge appeals about the decisions of the audit team through the accreditation body. Independently from this, the legal path is open to both parties.
- 6.5. All information reviewed and recorded by the certifying body audit team will be treated with utmost confidentiality at all times.
- 6.6. The certifying body shall adhere to the agreed scope of work/deliverables which are previously approved by the CHR's selection committee.
- 6.7. The findings generated during the Pre-Audit Assessment **shall neither be used** as reference to succeeding audits **nor shall these affect the results** of the Stages 1 and 2 Audits.
- 6.8. The certifying body audit team shall provide a full report on the operations audited consistent with the content of the approved scope of work/deliverables to the CHR at the end of the certification audits.
- 6.9. The certifying body shall audit **ONLY** those documents and other pieces of evidence of QMS implementation which exist from the **second (2nd) semester of C.Y. 2019** up to the present.
- 6.10. The non-conformance of one (1) or several audit sites **shall not** affect the eligibility or conformity of the other audit sites for ISO 9001:2015 certification.
- 6.11. The certifying body's audit team shall satisfy the following:
- 6.11.1. Consist of two to three (2-3) qualified auditors to conduct audits in the name of the certifying body;
 - 6.11.2. Have team members with actual hands-on experience on the QMS in the government agencies;
 - 6.11.3. Have team members with technical expertise in the covered scope;
 - ✗ 6.11.4. No member of the audit team should have provided consultancy for the agency within two (2) years prior to the audit; and
 - 6.11.5. Replacement of any team member shall require prior written approval from the CHR.
- 6.12. The certifying body audit team shall abide by the auditing principles, terminologies, and guidelines specified in the ISO 19011:2018 – Guidelines for Auditing Management Systems.

- 6.13. The certifying body must have at least five (5) years ISO 9001 auditing experience in the Philippines.
- 6.14. The certifying body must submit to the CHR a certified true copy of the following documents for initial evaluation:
 - 6.14.1. Prescribed PhilGEPS registration;
 - 6.14.2. SEC or DTI registration;
 - 6.14.3. Mayor's/Business Permit for 2020;
 - 6.14.4. Income/Business Tax Return for 2019;and
 - 6.14.5. Omnibus Sworn Statement.

7. RESPONSIBILITIES OF THE CHR

- 7.1. The CHR shall coordinate with the concerned officials, process owners, and employees, whose participation are vital to the fulfilment of the herein specified audits.
- 7.2. The CHR shall arrange a consultation meeting with the awarded agency for the schedule of audits and other preparations.
- 7.3. The CHR shall provide a conducive venue or working area, with meals for the auditors and participants.
- 7.4. The CHR shall provide equipment, such as laptops, LCD projector with screen, white board and markers, sound system, camera for documentation, and other necessary materials needed during the opening and closing meetings.
- 7.5. In the event there is one (1) or several audit sites of the CHR which did not conform with the ISO 9001:2015, the CHR shall provide additional fees to the certifying body to cover the necessary expenses **for the conduct of another round of auditing.**

8. TERMS OF PAYMENT

- 8.1. The cost of engagement of the certifying body shall be based on the agreed contract between the two parties. The payments shall be based on the completion of above cited activities as evidenced by the submission and acceptance of the required deliverables of the certifying body.

PERCENTAGE OF PAYMENT	
•	Thirty percent (30%) of the total contract price, within fifteen (15) days after the completion of the Pre-Audit Assessment, formal acceptance by the client of the Pre-Audit Report, and submission of Statement of Account
•	Thirty-five percent (35%) of the total contract price, within fifteen (15) days after the completion of the Stage 1 Audit, formal acceptance by the client of the Audit Report, and submission of Statement of Account
•	Thirty-five percent (35%) of the total contract price, within fifteen (15) days after the completion of the Stage 2 Audit, formal acceptance by the client of the Audit Report, and submission of Statement of Account

9. PROPOSED BUDGET

- 9.1 The Approved Budget for the Contract (ABC) is **Eight Hundred Thousand Pesos (PhP 800,000.00)** for the five (5) CHR's Regional Offices in Mindanao *inclusive* of applicable taxes, professional fees, costs of travel, incidentals, meals not provided by the Regional Office, and accommodation of the ISO third-party assessors/auditors during the Pre-Assessment and Certification Audits as well as the fees for original ISO certificates and certified true copy of the same for each of the regional office. The funding source for this purpose is through the authorized appropriations under the FY 2020 General Appropriations Act.
- 9.2 Financial proposals received in excess of the ABC shall be automatically rejected.
- 9.3 Payment shall be made through Land Bank's LDDAP-ADA/Bank Transfer Facility within fifteen (15) days after submission of final Billing (Statement of Account). Bank transfer fee shall be charged against the creditor's account for other Banking Institution.

10. SELECTION PROCESS

- 10.1 The procurement of the certifying body shall be based on the applicable government laws, rules and procedures.
- 10.2 The CHR Bids and Awards Committee (BAC) shall select the most qualified certifying body using the quality-cost based evaluation approach in accordance with the provision of RA 9184 and its revised IRR.
- 10.3 A two-level evaluation approach will be carried out for the selection of an ISO certifying body. The initial evaluation will include the assessment of compliance of the bidders with the eligibility requirements, e.g. documents to establish qualification to perform the task, PhilGEPS requirement, Mayor's Permit for 2020, Income/Business Tax Return for 2019, and Omnibus Sworn Statement.

10.4 For the second level, a Quality-Cost Based Evaluation (QCBE) using the following criteria of assessment with the corresponding percentage points will be used:

***TECHNICAL REQUIREMENTS (80%)**

10.4.1 Relevant experience and capability (30%);

10.4.2 Qualifications and competence of the auditors (25%);

10.4.3 Plan of approach and methodology (25%); and

***FINANCIAL REQUIREMENTS (20%)**

10.4.4 Financial proposal (20%).

11. SUBMISSION REQUIREMENTS

11.1 Unless there is prior written consent of the CHR, the agency/external auditors shall be subjected to a Non-Disclosure Agreement (NDA). Further, it/they shall not, at any time, communicate to any individual or entity any confidential information acquired in the course of the services, nor shall make public their reports formulated as a result of the services being rendered.

12. APPROVAL

Prepared by:



SHIELA MARICONE C. PAEZ

Planning Officer III, PMO-PD

Reviewed by:



GRETA B. BELTRAN-TARUN

Division Chief, PMO-PD

Approved by:



ATTY. JACQUELINE ANN C. DE GUIA

Executive Director