



REQUEST FOR EXPRESSION OF INTEREST FOR THE PROCUREMENT OF CONSULTING SERVICES FOR BESPOKE SOFTWARE DEVELOPMENT OF JAIL VISITATION SYSTEM (JVS)

1. The Commission on Human Rights (CHR), through the General Appropriations Act of CY 2020 intends to apply the sum of Three Million Pesos (PhP3,000,000.00) being the Approved Budget for the Contract (ABC) to payments under the contract for the Services to Develop Software of Jail Visitation System. Bids received in excess of the ABC shall be automatically rejected at the opening of the financial proposals.
2. The CHR now calls for the submission of eligibility documents for the Procurement of Consulting Services to Bespoke Software Development of Jail Visitation System (JVS). The bid involves the ground-up (bespoke) software development of JVS that will fulfill the functions of CHR with respect to the following:
 - (a) Filing/Initiation of Request for a Visit,
 - (b) Validation/Approval of Requests,
 - (c) Assignment of Inspectors/Lawyers,
 - (d) Visitation/Assessment of detention facilities and/or persons deprived of liberty,
 - (e) Encoding/Uploading of Findings,
 - (f) Commitment to database,
 - (g) Data Analysis,
 - (h) Dissemination of findings to users and stakeholders,
 - (i) Compliance Monitoring,
 - (j) Interfacing with related information systems.

To comply with the 'New Normal' precipitated by COVID-19 Pandemic, JVS is to be architected using user-friendly, low-code programming, cloud-based technologies that are open and non-proprietary. 'Face-to-face' interactions between persons should be minimized (or eliminated, if possible); online, real-time consummation of transactions using state-of-the-art telecommunication media devices (mobile phones/laptops/tablets/etc.) on a 24x7 basis; with robust logical or (if necessary)

physical mechanisms and infrastructure to protect the confidentiality, integrity and privacy of data at rest or in transit. Finally, the Consultant is required to provide advisories on how to appropriately configure server (in terms of hardware/software/services) with adequate external storage to host JVS application and its related database.

The system should be designed to cater to more or less 2,000 simultaneous users.

The RFEI also calls for advisory services for the configuration of associated hardware server to host JVS and its corresponding database.

Please see attached terms of Reference (TOR) for the detailed technical specifications of the subject procurement requirement/project. ***Eligibility documents of interested consultants must be duly received by the BAC Secretariat on or before 1:30PM of December 1, 2020 at the Ground Floor, SAAC Building, CHR Office, U.P. Complex, Commonwealth Avenue, Diliman, Quezon City.*** Applications for eligibility will be evaluated based on a non-discretionary “pass/fail” criterion.

3. Interested bidders, after signifying their intention to participate, may obtain further information from the CHR Procurement Division or BAC Secretariat and inspect the Bidding Documents at the address given below during 10:30AM to 4:00PM.
4. A complete set of Bidding Documents may be acquired by interested Bidders from November 23, 2020 until before the scheduled opening of bids of the technical proposal envelope from the address below ***and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of Three Thousand Pesos (PhP3,000.00).***

It may also be downloaded free of charge from the website of the Philippine Government Electronic Procurement System (PhilGEPS) and the website of CHR, provided that Bidders shall pay the applicable fee for the Bidding Documents not later than the submission of their bids.

5. The bidding Consultant must have the following minimum qualifications (“Consultant” is defined here as a legal entity, i.e. single proprietorship, partnership, corporation or cooperative, that possesses an expertise or engages in the business of software development):
 - a). The Consultant should be in the business of software development for at least five (5) years with at least one (1) completed and accepted software development projects that are the same or similar in nature with JVS. A host server will also be of as part of the project, therefore, hardware expertise is required.
 - b). The Consultant must have at least six (6) technical personnel who shall work full time for the software development project. (Breakdown of personnel is found in the Terms of Reference (TOR) to be provided later to interested bidders.)
 - c). The Consultant must utilize software technologies that are open & non-proprietary, portable, hardware / operating system / database agnostic.

6. The Consultant can form joint venture with other companies for this project; provided that Filipino ownership or interest thereof shall be at least sixty percent (60%). For this purpose, Filipino ownership or interest shall be based on the contributions of each of the members of the joint venture as specified in their JVA. However, subcontracting of work to other companies shall not be allowed.
7. The BAC shall draw up the short list of consultants from those who have submitted Expression of Interest, including the eligibility documents, and have been determined as eligible in accordance with the provisions of Republic Act 9184 (RA 9184), otherwise known as the “Government Procurement Reform Act”, and its Implementing Rules and Regulations (IRR). The short list shall consist of at least one (3) prospective bidders who will be entitled to submit bids. The criteria and rating system for short listing are:
 - a. Company capability
 - b. Projects Implemented
 - c. Project Staffing
8. Bidding will be conducted through open competitive bidding procedures using non-discretionary “pass/fail” criterion as specified in the IRR of RA 9184.
9. Bidding is restricted to Filipino citizens/sole proprietorships, cooperatives, and partnerships or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines.
10. The CHR shall evaluate bids using the Quality-Cost Based Evaluation/Selection (QCBE/QCBS). using the following rating for the corresponding proposal:

Technical Proposal = 80%

Financial Proposal = 20%

The detailed criteria and rating system for the evaluation of bids shall be provided in the Instructions to Bidders.

11. The contract shall be completed within ten (10) months from the receipt by the winning bidder of the Notice to Proceed.
12. The CHR reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.

For further information, please refer to:

Bids and Awards Committee Secretariat

Commission on Human Rights of the Philippines

Procurement Division, General Administration Office

3rd Floor, SAAC Building, U.P. Complex, Commonwealth Avenue, Diliman, Quezon City

Tel. No.: 8936-6107

Mobile No.: 0999-9902138 (smart) or 0917-8571607 (globe)

Email Address: procurement.chr@gmail.com

CHR Website: www.chr.gov.ph

Issued this 23rd day of November 2020, Quezon City, Philippines.



RENANTE A. BASAS, MD.

Director IV, Centers Management Office (CMO)

and Chairperson, Bids and Awards Committee

for Consulting Services and Infrastructure Projects (BAC-CSIP)

Section II. Eligibility Documents

Notes on the Eligibility Documents

This Section provides the information necessary for prospective bidders to prepare responsive Eligibility Documents in accordance with the requirement of the Procuring Entity.

The provisions contained in this Section are to be used unchanged. Additional information or requirements specific to each procurement shall be specified in the EDS.



1. Eligibility Criteria

The following persons/entities shall be allowed to participate in the bidding for Consulting Services:

- (a) Duly licensed Filipino citizens/sole proprietorships;
- (b) Partnerships duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the interest belongs to citizens of the Philippines;
- (c) Corporations duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the outstanding capital stock belongs to citizens of the Philippines;
- (d) Cooperatives duly organized under the laws of the Philippines; or
- (e) Persons/entities forming themselves into a joint venture, *i.e.*, a group of two (2) or more persons/entities that intend to be jointly and severally responsible or liable for a particular contract: Provided, however, That Filipino ownership or interest thereof shall be at least sixty percent (60%). For this purpose, Filipino ownership or interest shall be based on the contributions of each of the members of the joint venture as specified in their JVA.

When the types and fields of Consulting Services involve the practice of professions regulated by law, those who will actually perform the services shall be Filipino citizens and registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions specified in the **EDS**.

If the Request for Expression of Interest allows participation of foreign consultants, prospective foreign bidders may be eligible subject to the conditions stated in the **EDS**.

Government owned or –controlled corporations (GOCCs) may be eligible to participate only if they can establish that they (a) are legally and financially autonomous, (b) operate under commercial law, and (c) are not attached agencies of the Procuring Entity.

2. Eligibility Requirements

2.1. The following eligibility requirements, together with the Eligibility Documents Submission Form, shall be submitted on or before the date of the eligibility check specified in the Request for Expression of Interest and Clause 5 for purposes of determining eligibility of prospective bidders:

- (a) Class “A” Documents –

Legal Documents

- (i) PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR, except for foreign



bidders participating in the procurement by a Philippine Foreign Service Office or Post, which shall submit their eligibility documents under Section 24.1 of the IRR, provided, that the winning Consultant shall register with PhilGEPS in accordance with Section 37.1.4 of the IRR;

Technical Documents

- (ii) Statement of the prospective bidder of all its ongoing and completed government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, within the relevant period provided in the **EDS**. The statement shall include, for each contract, the following:
 - (ii.1) the name and location of the contract;
 - (ii.2) date of award of the contract;
 - (ii.3) type and brief description of consulting services;
 - (ii.4) consultant's role (whether main consultant, subconsultant, or partner in a JV)
 - (ii.5) amount of contract;
 - (ii.6) contract duration; and
 - (ii.7) certificate of satisfactory completion or equivalent document specified in the **EDS** issued by the client, in the case of a completed contract;
- (iii) Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions in accordance with Clause 1.2, including their respective curriculum vitae.

- (b) Class "B" Document –

If applicable, the Joint Venture Agreement (JVA) in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners in accordance with Section 24.1(b) of the IRR of RA 9184.

- 2.2. The eligibility requirements or statements, the bids, and all other documents to be submitted to the BAC must be in English. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in foreign language other than English, it must be accompanied by a translation of the documents in English. The documents shall be translated by the relevant foreign government agency, the foreign government agency authorized to



translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. The English translation shall govern, for purposes of interpretation of the bid.

- 2.3. Prospective bidders may obtain a full range of expertise by associating with individual consultant(s) and/or other consultants or entities through a JV or subcontracting arrangements, as appropriate. However, subconsultants may only participate in the bid of one short listed consultant. Foreign Consultants shall seek the participation of Filipino Consultants by entering into a JV with, or subcontracting part of the project to, Filipino Consultants.

3. Format and Signing of Eligibility Documents

- 3.1. Prospective bidders shall submit their eligibility documents through their duly authorized representative on or before the deadline specified in Clause 5.
- 3.2. Prospective bidders shall prepare an original and copies of the eligibility documents. In the event of any discrepancy between the original and the copies, the original shall prevail.
- 3.3. The Eligibility Documents Submission Form shall be signed by the duly authorized representative/s of the Bidder. Failure to do so shall be a ground for the rejection of the eligibility documents.
- 3.4. Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialed by the duly authorized representative/s of the prospective bidder.

4. Sealing and Marking of Eligibility Documents

- 4.1. Prospective bidders shall enclose their original eligibility documents described in Clause 2.1, in a sealed envelope marked "ORIGINAL – ELIGIBILITY DOCUMENTS". Each copy thereof shall be similarly sealed duly marking the envelopes as "COPY NO. ____ - ELIGIBILITY DOCUMENTS". These envelopes containing the original and the copies shall then be enclosed in one single envelope.
- 4.2. The original and the number of copies of the eligibility documents as indicated in the **EDS** shall be typed or written in ink and shall be signed by the prospective bidder or its duly authorized representative/s.
- 4.3. All envelopes shall:
 - (c) contain the name of the contract to be bid in capital letters;
 - (d) bear the name and address of the prospective bidder in capital letters;
 - (e) be addressed to the Procuring Entity's BAC specified in the **EDS**;
 - (f) bear the specific identification of this Project indicated in the **EDS**; and



- (g) bear a warning “DO NOT OPEN BEFORE...” the date and time for the opening of eligibility documents, in accordance with Clause 5.

4.4 Eligibility documents that are not properly sealed and marked, as required in the bidding documents, shall not be rejected, but the bidder or its duly authorized representative shall acknowledge such condition of the documents as submitted. The BAC shall assume no responsibility for the misplacement of the contents of the improperly sealed or marked eligibility documents, or for its premature opening.

5. Deadline for Submission of Eligibility Documents

Eligibility documents must be received by the Procuring Entity’s BAC at the address and on or before the date and time indicated in the Request for Expression of Interest and the EDS.

6. Late Submission of Eligibility Documents

Any eligibility documents submitted after the deadline for submission and receipt prescribed in Clause 0 shall be declared “Late” and shall not be accepted by the Procuring Entity. The BAC shall record in the minutes of submission and opening of eligibility documents, the Bidder’s name, its representative and the time the eligibility documents were submitted late.

7. Modification and Withdrawal of Eligibility Documents

- 7.1. The prospective bidder may modify its eligibility documents after it has been submitted; provided that the modification is received by the Procuring Entity prior to the deadline specified in Clause 5. The prospective bidder shall not be allowed to retrieve its original eligibility documents, but shall be allowed to submit another set equally sealed, properly identified, linked to its original bid marked as “ELIGIBILITY MODIFICATION” and stamped “received” by the BAC. Modifications received after the applicable deadline shall not be considered and shall be returned to the prospective bidder unopened.
- 7.2. A prospective bidder may, through a letter of withdrawal, withdraw its eligibility documents after it has been submitted, for valid and justifiable reason; provided that the letter of withdrawal is received by the Procuring Entity prior to the deadline prescribed for submission and receipt of eligibility documents.
- 7.3. Eligibility documents requested to be withdrawn in accordance with this Clause shall be returned unopened to the prospective bidder concerned. A prospective bidder that withdraws its eligibility documents shall not be permitted to submit another set, directly or indirectly, for the same project. A prospective bidder that acquired the eligibility documents may also express its intention not to participate in the bidding through a letter which should reach and be stamped by the BAC before the deadline for submission and receipt of eligibility documents.

8. Opening and Preliminary Examination of Eligibility Documents



- 8.1. The BAC will open the envelopes containing the eligibility documents in the presence of the prospective bidders' representatives who choose to attend, at the time, on the date, and at the place specified in the **EDS**. The prospective bidders' representatives who are present shall sign a register evidencing their attendance.

In case the submitted eligibility envelopes cannot be opened as scheduled due to justifiable reasons, the BAC shall take custody of the said envelopes and reschedule the opening on the next working day or at the soonest possible time through the issuance of a Notice of Postponement to be posted in the PhilGEPS website and the website of the Procuring Entity concerned.

- 8.2. Letters of withdrawal shall be read out and recorded during the opening of eligibility documents and the envelope containing the corresponding withdrawn eligibility documents shall be returned unopened to the withdrawing prospective bidder.

- 8.3. The eligibility documents envelopes and modifications, if any, shall be opened one at a time, and the following read out and recorded:

- (h) the name of the prospective bidder;
- (i) whether there is a modification or substitution; and
- (j) the presence or absence of each document comprising the eligibility documents vis-à-vis a checklist of the required documents.

- 8.4. The eligibility of each prospective bidder shall be determined by examining each bidder's eligibility requirements or statements against a checklist of requirements, using non-discretionary "pass/fail" criterion, as stated in the Request for Expression of Interest, and shall be determined as either "eligible" or "ineligible." If a prospective bidder submits the specific eligibility document required, he shall be rated "passed" for that particular requirement. In this regard, failure to submit a requirement, or an incomplete or patently insufficient submission, shall be considered "failed" for the particular eligibility requirement concerned. If a prospective bidder is rated "passed" for all the eligibility requirements, he shall be considered eligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "eligible." If a prospective bidder is rated "failed" in any of the eligibility requirements, he shall be considered ineligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "ineligible." In either case, the BAC chairperson or his duly designated authority shall countersign the markings.

9. Short Listing of Consultants

- 9.1. Only prospective bidders whose submitted contracts are similar in nature and complexity to the contract to be bid as provided in the **EDS** shall be considered for short listing.



- 9.2. The BAC shall draw up the short list of prospective bidders from those declared eligible using the detailed set of criteria and rating system to be used specified in the **EDS**.
- 9.3. Short listed consultants shall be invited to participate in the bidding for this project through a Notice of Eligibility and Short Listing issued by the BAC.

10. Protest Mechanism

Decision of the Procuring Entity at any stage of the procurement process may be questioned in accordance with Section 55 of the IRR of RA 9184.



Section III. Eligibility Data Sheet

Notes on the Eligibility Data Sheet

This Section is intended to assist the Procuring Entity in providing the specific information and requirements in relation to corresponding clauses in the Eligibility Documents, and has to be prepared for each specific procurement.

The Procuring Entity should specify in this Section the information and requirements specific to the circumstances of the Procuring Entity, the processing of the eligibility, and the rules that will apply in the determination and evaluation of eligibility.

In preparing this Section, the following aspects should be checked:

- (a) Information that specifies and complements provisions of the Eligibility Documents must be incorporated.
- (b) Amendments and/or supplements, if any, to provisions of the Eligibility Documents as necessitated by the circumstances of the specific procurement, must also be incorporated.



Eligibility Data Sheet

Eligibility Documents	
0	<p><u>Profession regulated by law</u></p> <p>Albeit the ICT profession is currently not regulated by law, the technology expertise required shall be as follows:</p> <ul style="list-style-type: none"> • Software Engineering: analysis, design, programming & quality testing • Hardware & Systems Software product configuration & installation • Database Build-up and migration services • Training services • Capacity planning & performance Tuning • Security testing <p>Deployment for production purposes</p>
0	<p><u>Participation of foreign consultants</u></p> <p>Foreign participation is not allowed except as partner or subcontractor, however, subject to the conditions of the law.</p>
2.1(a)(ii)	<p><u>Ongoing and completed government and private contracts</u></p> <p>The statement of all ongoing and completed government and private contracts shall include all such contracts within three (3) years prior to the deadline for the submission and receipt of eligibility documents.</p> <p>However, past projects that were implemented “older” than three (3) years ago, can also be included provided they are similar in nature to the project being bid out.</p>
2.1(a)(ii.7)	<p><u>Certificate of satisfactory completion or equivalent document</u></p> <p>All certifications of completed contracts must be signed by an incumbent with at least a rank of IT or MIS Chief or Manager of the agency or the company respectively, and the date of signing.</p>
4.2	<p><u>The original and the number of copies of the eligibility documents</u></p>



	<p>Each prospective bidder shall submit one (1) original and two (2) copies of its eligibility documents.</p> <p>Bidders must arrange their bid documents into sections with tabs properly labeled separating each eligibility documents.</p> <p>These envelopes containing the original and the copies shall then be enclosed in one single envelope.</p>
4.3 (e)	<i>Bids and Awards Committee for Consulting Services and Infrastructure Projects (BAC-CSIP)</i>
(f)	<p><u>Name of the Project is:</u></p> <p>Software Development of Jail Visitation System (JVS)</p> <p>Specific details concerning the identification of the Project:</p> <p>The Commission on Human Rights (CHR), through its General Appropriation Act for 2020 intends to apply the sum of Three Million Pesos (PhP3,000,000.00) inclusive of all applicable government taxes being the Approved Budget for the Contract (ABC) to payments under the contract for software development of Jail Visitation System (JVS) and the associated services on the configuration of its host server. Bids received in excess of the ABC shall be automatically rejected at the opening of the financial proposal.</p> <p>CHR now calls for the submission of eligibility documents for JVS. The bid involves the ground-up (bespoke) software development of JVS that will fulfill the functions of CHR with respect to the following:</p> <ol style="list-style-type: none"> i. Filing/Initiation of Request for a Visit, ii. Validation/Approval of Requests, iii. Assignment of Inspectors/Lawyers, iv. Visitation/Assessment of detention facilities and/or persons deprived of liberty, v. Encoding/Uploading of Findings, vi. Commitment to database, vii. Data Analysis, viii. Dissemination of findings to users and stakeholders, ix. Compliance Monitoring, x. Interfacing with related information systems. <p>To comply with the ‘New Normal’ precipitated by COVID-19 Pandemic, JVS is to be architected using user-friendly, low-code programming, cloud-based technologies that are open and non-proprietary. ‘Face-to-face’ interactions between persons should be minimized (or eliminated, if possible); online, real-time consummation of transactions using state-of-the-art telecommunication media devices (mobile phones/laptops/tablets/etc.) on</p>



	<p>a 24x7 basis; with robust logical or (if necessary) physical mechanisms and infrastructure to protect the confidentiality, integrity and privacy of data at rest or in transit. Finally, the Consultant is required to provide an appropriately configured server (in terms of hardware/software/services) with adequate external storage to host JVS application and its related database.</p> <p>The system should be designed to cater to more or less 1,000 simultaneous users.</p> <p>The RFEI also calls for advisory services for the configuration of associated hardware server to host JVS and its corresponding database.</p>
5	<p>The address for submission of eligibility documents is:</p> <p style="text-align: center;"><i>DR. RENANTE A. BASAS, MD</i> <i>Chairperson, Bids and Awards Committee for Consulting Services and Infrastructure Projects (BAC-CSIP)</i> <i>c/o Bids and Awards Committee Secretariat</i> <i>Commission on Human Rights of the Philippines</i> <i>Procurement Division, General Administration Office</i> <i>Ground Floor, SAAC Building, U.P. Complex, Commonwealth Avenue, Diliman, Quezon City</i> <i>Tel. No.: 8936-6107</i> <i>Mobile No.: 0999-9902138 (smart) or 0917-8571607 (globe)</i> <i>Email Address: <u>procurement.chr@gmail.com</u></i> <i>CHR Website: <u>www.chr.gov.ph</u></i></p> <p>The <u>deadline for submission of eligibility documents</u> is <i>on or before 1:30PM of December 1, 2020 at the Ground Floor, SAAC Building, U.P. Complex, Commonwealth Avenue, Diliman, Quezon City</i></p>
5	<p>The <u>place of opening of eligibility documents</u> is at the PARDEC Building of CHR Office, U.P. Complex, Commonwealth Avenue, Diliman, Quezon City.</p> <p>The <u>date and time of opening of eligibility documents</u> is at 2:00PM of December 1, 2020.</p>
9.1	<p><u>Definition of “similar contract”</u></p> <p>Similar contracts shall refer to software development, configuration and installation of associated hardware/systems software and database migration services for Legal Cases Management Systems.</p>

9.2

The criteria and rating system to be used by the CHR for the short listing are:

a) The Consultant must be in the business of providing ICT services, specifically software development for at least five (5) years. In case of joint ventures, one company must have at least five (5) years business operations.

b) The Consultant must be registered with the Philippine Government Electronic Procurement System (PhilGEPS) as Platinum member.

c) The Consultant must have at least six (6) technical personnel to work fulltime in the project.

d) The bidder’s technical personnel should have at least graduated from a four (4) year course or its equivalent training with certifications relevant to his function/role in the team.

e) Each technical personnel must have been involved in at least two (2) projects which are similar in nature to the requirement of the CHR’s project.

f) The Consultant must have completed at least two (2) ICT projects involving software development with a supply of hardware server. Each of the project must be equal to the approved budget contract (ABC) or higher.

g) The Consultant shall be assessed based on the compliance of the criteria as stated below:

Criteria	Rating (100/0) Pass/Fail
Company Capability	Compliance to minimum requirement
Projects Implemented	Ditto
Project Staffing	Ditto

