

Procurement of Consultancy Services for the Conduct of Focus Group Discussions, and In-Depth Interviews with Micro, Small and Medium Enterprises for PCC Cases and other Research Initiatives

P.R. No./Date Received: **2022-03-0055/1 April 2022**

RFQ/P No. / Date: **2022-04-0057/5 April 2022**

The Philippine Competition Commission invites all eligible and PhilGEPS-registered suppliers, contractors and consultants to quote the best offer for the described item in the attached **Terms of Reference / Technical Specifications Sheet** subject to the Terms and Conditions and within the **Approved Budget for the Contract**.

Required Documents/Information to be submitted as Attachments to the Quotation/Proposal:

- Mayor's/Business Permit / BIR Certificate of Registration in case of individual.
- PhilGEPS Registration Number
- Originally Signed Curriculum Vitae
- Notarized Omnibus Sworn Statement (*to be submitted prior to the issuance of JO/PO*)
- Income/Business Tax Return
- Signed Terms of Reference

This pro-forma quotation may be submitted through **registered** or **electronic mail** to the PCC Bids and Awards Committee (PBAC) Secretariat at above address or email to procurement@phcc.gov.ph or amfrancisco@phcc.gov.ph on or before **18 April 2022, 12:00 nn** subject to the following **Terms and Conditions**:

1. All entries shall be typed or written in a clear legible manner.
2. No alternate quotation/offer is allowed, suppliers who submitted more than one quotation shall be automatically disqualified.
3. All prices offered herein are valid, binding and effective for THIRTY (30) calendar days upon issuance of this document. Alternative bids shall be rejected.
4. Price quotations to be denominated in Philippine Peso shall include all applicable government taxes subject to **(BIR 2306)** 5% R-VAT and **(BIR 2307)** 1% (PO) or 2% (JO) deductions.
5. PCC PBAC Technical Working Group may require you to submit documents that will prove your legal, financial and technical capability to undertake this contract.
6. Salient provisions of the IRR of RA 9184: Section 68 - Liquidated Damages and Section 69 - Imposition of Administrative Penalties shall be observed.
7. PCC reserves the right to reject any and all quotations, declare a failure, or not award the contract pursuant to Sec 41 of the same IRR.
8. In case of tie quotations, suppliers' presence are required during tie breaking through draw lots or toss coin.
9. In case supplier pro forma quotation is submitted, conditions will be governed by the submitted signed **Terms of Reference**.

Very truly yours,


JESON Q. DE LA TORRE
PBAC Chairperson

Item	QTY	ABC	Technical Specifications	Unit Price	Total Amount
				(To be filled-up by the supplier)	
1		₱ 999,500.00	Procurement of Consultancy Services for the Conduct of Focus Group Discussions, and In-Depth Interviews with Micro, Small and Medium Enterprises for PCC Cases and other Research Initiatives		
			(Please see attached Terms of Reference)		
Total Lot ABC		₱ 999,500.00	TOTAL Amount (Lot):		
Delivery Instructions:			<i>Please see attached Terms of Reference</i>		

(Please provide **complete** information below)

We undertake, if our Proposal is accepted, to supply/deliver the goods in accordance with the specifications and/or delivery schedule.

We agree to abide by this proposal for the price validity period specified in the terms and conditions and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

Until a Purchase/Job Order or a Contract is prepared and executed, this Quotation/Proposal shall be binding upon us. We understand that you are not bound to accept the lowest or any Proposal you may receive.

Signature over Printed Name : _____

Designation/Position : _____

Name of Company : _____

Address : _____

Telephone / Fax : _____

E-mail Address: _____

Company Tax Identification Number : _____

MEMORANDUM

FOR : PCC Bids and Awards Committee (PBAC)

FROM : The PCC Technical Working Group (TWG)
For Consulting Services

SUBJECT : Review of the Terms of Reference for the Procurement of Consultancy Services for the Conduct of Focus Group Discussions, Key Informant Interviews, and In-Depth Interviews with Micro, Small and Medium Enterprises for PCC Cases and Other Research Initiatives

DATE : 4 April, 2022

1. Pursuant to Special Order No. 2019-010 reconstituting the PCC Bids and Awards Committee (PBAC), PBAC Secretariat, and PBAC Technical Working Groups (TWG), the TWG for Consulting Services reviewed the attached Terms of Reference (TOR) and detailed evaluations criteria for the procurement of Consulting Service for the Procurement of Consultancy Services for the Conduct of Focus Group Discussions, Key Informant Interviews, and In-Depth Interviews with Micro, Small and Medium Enterprises for PCC Cases and Other Research Initiatives.
2. The TWG-CS respectfully recommends the approval of the attached TOR and detailed evaluations criteria.
3. Further, the TWG-CS respectfully recommends the posting for Competitive Bidding of the revised and reviewed Terms of Reference for the Project to the Bids and Awards Committee Secretariat.

Thank you.

For your consideration and approval.



AKEMI B. AIDA
Member, TWG



MARIE JOSEPHINE ANNE M. MALABAG
Member, TWG



CHRISTOPHER JAY F. GARBO
Member, TWG



RIMEL D. EVARISTO
Member, TWG



MARIA DOMINIQUE A. LUCENARIO
Member, TWG



KATRIELLE PAULINE C. ABRENICA
Provisional Member, TWG

TERMS OF REFERENCE

Consultancy Services for the Conduct of Focus Group Discussions, Key Informant Interviews, and In-Depth Interviews with Micro, Small and Medium Enterprises for PCC Cases and Other Research Initiatives

I. Background

The Philippine Competition Commission (“PCC”) is an independent quasi-judicial body mandated to implement Republic Act No. 10667 or the Philippine Competition Act (“PCA”). The PCC’s mandates include reviewing mergers and acquisitions, investigating and adjudicating anti-competitive agreements and abuses of dominant position, and undertaking economic and legal research on competition-related matters.

When assessing cases and conducting research, it is important to consider the broad range of possible factual contexts and the specific competitive effects that may arise in different scenarios. In order to have a comprehensive understanding of the various cases and research handled by the PCC, micro, small and medium enterprises (“MSMEs”) offer important insights and perspectives.

Given the foregoing, methods such as focus group discussions (“FGDs”), key informant interviews (“KIIs”), and in-depth interviews (“IDIs”) among selected respondents pertinent to the case or research can streamline data gathering and facts verification.

II. Objectives

This engagement will facilitate data gathering and facts verification among pertinent MSMEs. Data gathered will be analyzed for use in research projects handled by PCC staff, cases involving mergers and acquisitions, competition enforcement or cases under litigation or adjudication.

III. Scope of Work

Each FGD, KII, or IDI to be conducted shall be governed by a task order to be issued by PCC. No FGD, KII, or IDI should commence without a task order from the PCC.

A. FGDs

Based on the task order/s provided by PCC, the service provider shall:

1. Identify potential MSME participants in the FGD based on the selection criteria provided by PCC staff for a selected case or research initiative;
2. Propose the number of FGDs to be conducted for a case/research and the number of FGD participants (at least 6 to 8) to be agreed on with PCC staff;
3. Arrange the logistics for each FGD in consultation with PCC staff;
4. Conduct the FGDs based on the list of topics and issues provided by PCC staff;
5. Provide a facilitator who will introduce the topics, pose the questions, and guide the discussion so that all questions are covered within the allotted time;
6. Document participant responses during the FGD;
7. Write a report that summarizes the FGD proceedings; and
8. Transcribe the FGD

B. KIIs or IDIs



Based on the task order/s provided by PCC, the service provider shall:

1. Identify potential MSME interviewees based on the selection criteria provided by PCC staff for a selected case or research initiative;
2. Propose the number of KIIs or IDIs to be conducted for a case or research initiative and the number of KII/IDI participants (at least 1 participant) to be agreed on with PCC staff;
3. Arrange the logistics for each KII or IDI in consultation with PCC staff;
4. Conduct the KIIs or IDIs based on an interview outline provided by PCC staff;
5. Provide an interviewer who will introduce the topics, pose the questions, and lead the KIIs or IDIs;
6. Document participant responses during the KIIs or IDIs;
7. Write a report that summarizes the KII or IDI proceedings; and
8. Transcribe the KII/IDI

IV. Budget

The total budget under this Terms of Reference is **Nine Hundred Ninety-Nine Thousand Five Hundred Pesos and 00/100 (PhP999,500.00)** that shall cover the conduct of eight (8) FGDs, or sixteen (16) KIIs/IDIs, or a combination of FGDs and KIIs/IDIs with a 1 FGD : 2 KIIs/IDIs replacement ratio. The budget shall cover the remuneration of the service provider and the costs of conducting FGDs/KIIs/IDIs. As a part of their financial proposal, the service provider shall provide the breakdown of expenses per FGD/KII/IDI by filling in Annex A, which shall serve as the basis for the service provider's future billing.

The mode of procurement shall be Negotiated Procurement – Small Value Procurement as provided under the Revised Implementing Rules and Regulations (IRR) of Republic Act (R.A.) No. 9184.

Below is the schedule of tranche payments for each task order:

Milestones	Timeline	% of Amount Indicated in Annex A
Preparatory work (submission of participants, arrangement of logistics)	Within seven (7) working days upon PCC's notification	30%
Conduct of actual FGDs/KIIs/IDIs	Within seven (7) working days after preparatory work has concluded	30%
Submission of final report and transcript	Within five (5) working days upon completion of conduct of FGD/KII/IDI	40%

V. Timelines, Deliverables, Schedules, Modes of Payment

The Contract is expected to begin immediately after the issuance of Notice of Award to the service provider. The PCC shall avail itself of the services of the service provider until 31 March 2023.

The service provider must be able to conduct FGDs/KIIs/IDIs for simultaneous cases if necessary. Furthermore, due to the current limitations brought about by COVID-19 pandemic, the FGDs/KIIs/IDIs shall be conducted through various methods as appropriate (i.e. telephone call, video call or in-person where possible).



The following are the outputs to be delivered for FGDs/KIIs/IDIs, pursuant to details specified in each task order:

1. Preparation of the logistics and submission of participants for the FGDs/KIIs/IDIs within one (1) week upon PCC’s notification
2. Conduct of the actual FGDs/KIIs/IDIs within seven (7) working days after preparatory work has concluded
3. Summary report and transcript within five (5) working days after the completion of the FGDs/KIIs/IDIs.

VI. Institutional Arrangement

The service provider shall be engaged by the PCC and shall submit outputs directly to the Economics Office Director or a designated project manager within PCC for review and endorsement for payment.

Payment will be based on the actual number of FGDs/KIIs/IDIs conducted within the specified time and upon issuance by end user of a Certificate of Satisfactory Service per milestone and billing statement by the service provider. Payment shall be released and collected within the PCC premises.

VII. Qualifications of the Contractor and its Personnel

The service provider must meet all the requirements set by the Government Procurement Reform Act (R.A. No. 9184) to be eligible to participate in the procurement.

A. Eligibility of the Prospective Bidder/s

To determine if the prospective bidder is eligible to participate in the bidding of this Project, all the legal, technical and financial documents enumerated in the PCC Request for Proposal, and other relevant documents necessary for evaluation as identified in this TOR and other relevant provisions of the RIRR of R.A. No. 9184 must be submitted and be present upon opening of the bids.

Further, the following are the minimum qualifications required for this Project and shall be evaluated based on the documents submitted by the bidder:

Criteria	Minimum Qualifications	Bases
Quality of the core members of the project team, to be assigned to the project	<p>Project Manager</p> <ul style="list-style-type: none"> • Graduate of any bachelor’s degree in any relevant field of social science, Communication or Statistics • At least five (5) years of experience in handling Research and/or Project Management related to focus group discussions • At least sixteen (16) hours of relevant training <p>Facilitator</p>	<p>Original signed curriculum vitae submitted indicating relevant work experience and educational background, and trainings attended supported by certificates of attendance/participation (Indicate in the CV the position the personnel are assigned to)</p> <p><i>Note: Pursuant to Section 33.3 of the revised IRR, there should be no replacement of key personnel before the awarding of the contract, except for justifiable reason, such as illness, death, or resignation provided it is duly supported by relevant certificates, or any delay caused by the procuring entity. Once the contract has been awarded, no replacement shall be allowed until after fifty</i></p>

	<ul style="list-style-type: none"> • Graduate of any bachelor's degree in any relevant field of social science, Communication, or Statistics • At least five (5) years of experience in handling Research and/or Project Management related to focus group discussions • At least sixteen (16) hours of relevant training 	<p><i>percent (50%) of the personnel's man-months have been served, except for justifiable reasons, subject to appropriate sanctions as prescribed in the Philippine Bidding Documents (PBD).</i></p>
<p>Experience and capability of the survey firm</p>	<ul style="list-style-type: none"> • At least three (3) years in business. • Has engaged with at least five (5) companies/institutions from the private sector in similar or relevant nature of work • Has engaged with at least two (2) institutions belonging to the public/government sector in similar or relevant nature of work as mentioned above • Single largest project within the past five (5) years at least equal to the ABC • Total value of projects within contract period (completed) at least equal to the ABC 	<p>DTI or SEC registration submitted indicating the year of registration and/or other relevant documents</p> <p>Originally signed copy of List of Ongoing and Completed Contracts within the last five years indicating the contract amount, duration of the contract, activities undertaken and nature/short profile of or description (which can be annexed on the List of Ongoing and Completed Contracts) of engagement with copies of Certificates of Satisfactory Services Rendered or Certificates of Completion of at least one private institution and two government institutions. The records of previous engagement and quality of performance in projects that related to competition and other similar fields, and geographical distribution of current/impending projects.</p>
<p>Plan of approach and methodology</p>	<ul style="list-style-type: none"> • The timeline of deliverables allows for submission by the deadline set by the PCC. • The proposed approach is discussed in full detail, and the methodology is specifically tailored to the characteristics of the assignment and flexible enough to allow its adaptation to change that may occur during project execution. • Sampling Design submitted has identified deviations from the requirements in the 	<p>With respect to the study, submission of the following:</p> <ul style="list-style-type: none"> • Timeline of deliverables • Comprehensive FGD/KII/IDI discussion plan • Sampling design • Documents pertaining to existing policies of the firm pertaining to (1) quality control measures

	<p>Terms of Reference, but the FGD/KII/IDI can still be conducted with acceptable results</p> <ul style="list-style-type: none"> • Submission of Existing policies of the firm pertaining to quality control measures • Submission of Existing policies of the firm pertaining to the following: refusal rate, minimum no. of callbacks and attrition rate, if any 	<p>and (2) refusal rate, minimum no. of callbacks and attrition rate, if any</p>
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B. Evaluation of The Technical and Financial Proposals of the Shortlisted Bidders

The technical and financial proposals of the shortlisted bidders will be evaluated using the Quality Cost-Based Evaluation (QCBE), pursuant to the pertinent provisions of R.A. No. 9184 or the Government Procurement Reform Act. The 60% - 40% quality to cost ratio shall be used for this purpose and shall be allocated as follows:

Criteria	Bases	Weight (%)
Technical Proposal		
Quality of personnel to be assigned to the project (50%)	As specified in the qualifications above, and the submission of a duly notarized Omnibus Sworn Statement using the prescribed format of R.A. No. 9184	60%
Experience and capability of the service provider (30%)		
Plan of approach and methodology (10%)	Timeliness, clarity, feasibility of the written proposal, and overall quality of proposed work	
Overall work commitment (10%).	Originally signed records of on-going (including awarded but not yet started contracts) and previous engagements	
At most 5 ongoing projects (including awarded but not yet started contracts)	<i>Note: Contract/s that will terminate on or before 90 calendar days, from the deadline of submission of eligibility documents for this project, shall not be considered as 'ongoing'.</i>	
Financial Proposal		40%
Total		100%

The bidder with the highest rated score based on the technical proposal submitted, provided that the score shall pass the hurdle rate of 85 points, all eligible documents and other relevant documents for the procurement of this project are legal and valid in reference to the requirements of R.A. No. 9184, shall be the Highest Rated and Responsive Bidder.

VIII. Information Security and Non-disclosure Agreement

To ensure protection of PCC assets, service providers are expected to observe and abide by the established PCC Information Security Management System (PCC ISMS) and shall agree to sign a non-disclosure agreement.

All data, documents, records, backup files and Virtual Machine (VM) configuration files and metadata (collectively "Information") to be provided to the Service Providers for purposes of delivering the Services are considered confidential information and shall remain the sole property of PCC. The Service



Providers shall acknowledge the importance of maintaining security and confidentiality of the Information and agree to prevent unauthorized transfer, disclosure, or use of this Information by any third person or entity. Service Providers shall not use the Information for any purpose other than in connection with the Services. Service Providers shall ensure that it will not retain, after completion of the Services with which the Information was provided, all or any portion of the Information, in any manner whatsoever.

Upon completion of the Services, all Information shall be deleted by PCC. The Service Provider shall not keep any copy of the Information in either digital or physical format, including, but not limited to notes, documents, memoranda, and other writing, electronic records, communications, and the like.

IX. Liquidated Damages

If the contractor fails to deliver any or all of the goods and/or to perform the services within the period specified in this contract, the Procuring Entity shall, without prejudice to its other remedies under this contract and under the applicable law, deduct from the contract price as liquidated damages, the applicable rate of one-tenth (1/10) of one percent (1%) of the cost of unperformed portion of every day of delay. The maximum deduction shall be ten percent (10%) of the amount of the contract. Once the maximum is reached, the procuring entity reserves the right to rescind the contract, without prejudice to other courses of action and remedies open to it.

X. Dispute Resolution

Should any dispute related to the TOR and/or rights of the parties arise, the same shall be submitted to mutual consultation, mediation and arbitration, in the order of application. The venue of the proceedings shall be in Quezon City.

In case of a court suit, the venue shall be the courts of competent jurisdiction in Quezon City, to the exclusion of all other courts.

Any amendment or additional terms and conditions to the TOR must be in writing, signed and acknowledged by the Parties.

Approved by:


BENJAMIN E. RADO, JR., PHD
Director IV, Economics Office

CONFORME:

Name and Signature of Authorized Representative

Designation

Name of Company

Date

**ANNEX A
ESTIMATED COST PER FGD/KII/IDI**

Method	Estimated Cost per FGD/KII/IDI			
	Area	Medium	Estimated Amount (in PhP)	
FGD	NCR	Face-to-face		
		Telephone		
		Online		
	Bulacan, Cavite, Laguna, Rizal, and other provinces near NCR <i>(Please specify others, if any)</i>	Face-to-face		
		Telephone		
		Online		
	Balance Luzon	Face-to-face		
		Telephone		
		Online		
	Visayas	Face-to-face		
		Telephone		
		Online		
	Mindanao	Face-to-face		
		Telephone		
		Online		
	Nationwide	Face-to-face		
		Telephone		
		Online		
	KII	NCR	Face-to-face	
			Telephone	
			Online	
		Bulacan, Cavite, Laguna, Rizal, and other provinces near NCR <i>(Please specify others, if any)</i>	Face-to-face	
			Telephone	
			Online	
Balance Luzon		Face-to-face		
		Telephone		
		Online		
Visayas		Face-to-face		
		Telephone		
		Online		
Mindanao		Face-to-face		
		Telephone		
		Online		
Nationwide		Face-to-face		
		Telephone		
		Online		
IDI		NCR	Face-to-face	
			Telephone	
			Online	
		Bulacan, Cavite, Laguna, Rizal, and other provinces near NCR	Face-to-face	
			Telephone	
			Online	

