

NOTICE OF NEGOTIATED PROCUREMENT
(Small Value Procurement-Individual Consultant)
DSWD NNP No. 20-DFAT-SVC-008

“Hiring of Individual Consultant for the Development of Data Privacy Manual for DSWD WiSupport: Wireless Mental Health and Psychosocial Support” (PR No. 01-20001-PR-2020-08-00087)

1. The Republic of the Philippines, through the **Department of Social Welfare and Development (DSWD) – Social Technology Bureau (STB)**, has received funds from the **Australian Embassy – Department of Foreign Affairs and Trade (DFAT)** and intends to apply part of the loan payments the sum of **One Hundred Fifty Thousand Peso (PhP 150,000.00)** being the Approved Budget for the Contract (ABC) for the **“Hiring of Consultant for the Development of Data Privacy Manual for DSWD WiSupport: Wireless Mental Health and Psychosocial Support” (DSWD NNP No. 20-DFAT-SVC-008)**.
2. The project aims to engage a consultant who will develop a Data Privacy Manual to protect personal data in information and communications systems both I the government and private sector in compliance to the Data Privacy Act.

The Data Privacy Manual (DPM) shall include the following as prescribed by the National Privacy Commission: a) Background; b) Introduction; c) Definition of Terms; d) Scope and Limitations; e) Processing of Personal Data; f) Security Measures; g) Breach and Security; h) Incidents; i) Inquiries and Complaints; and j) Effectivity.

3. Scope of work of the consultant are as follows:
 - **Identify and collect all relevant information** about: existing systems related to WiSUPPORT, the process and data flows, the provisions on Data Privacy Act and issuances from the National Privacy Commission, and other necessary information that will help in the development of the manual.
 - **Conduct online meetings and consultations** with key stakeholders/ project focal persons to gather the necessary information and conduct of the privacy impact assessment. Then, after all these processes and after working on the draft manual, this shall be presented to DSWD STB and ICTMS for the finalization of the documents.
 - **Conduct Privacy Impact Assessment (PIA) and develop the Data Privacy Manual** based on the data gathered from the key stakeholder/ project focal persons and in consonance with the Data Privacy Law. The manual shall consist of the following (NPC, 2019):
 - **Introduction** – This section lays down the basis of the manual and should provide an overview of the DPA, its IRR and other policies that relate to data protection. It should discuss how the organization complies with the data privacy principles, and upholds the rights of the data subjects, both of which are laid out in DPA.
 - **Definition of Terms** - Terms used in the Manual must be defined for consistency and uniformity in usage. This portion will make sure of that, and



allow users of the Manual to understand the words, statements, and concepts used in the document.

- Scope and Limitations – This section defines the coverage of the Manual. Given that the document is essentially an internal issuance and is meant for the use and application of the organization’s staff or personnel, that fact should be emphasized here.
- Processing of Personal Data – This section lays out the various data life cycles (or processing systems) in existence within the organization—from the collection of personal data, to their actual use, storage or retention, and destruction.
- Security Measures - In this section, general description of measures such as physical, technical and organizational measures for the protection of personal data. Security measures aim to maintain the availability, integrity and confidentiality of personal data and protect them against natural dangers such as accidental loss or destruction; and human dangers such as unlawful access, fraudulent misuse, unlawful destruction, alteration and contamination.
- Breach and Security Incidents - This section must adequately describe or outline policies and procedures for the management of a personal data breach and security incidents, including the following: a) Creation of a Data Breach Response Team; b) Measures to prevent and minimize occurrence of breach and security incidents; c) Procedure for recovery and restoration of personal data; d) Notification protocol; e) Documentation and reporting procedure of security incidents or a personal data breach.
- Inquiries and Complaints – This section shall discuss the procedure for inquiries and complaints that will specify the means through which concerns, documents, or forms submitted to the organization shall be received and acted upon.
- Effectivity - This section indicates the period of effectivity of the Manual, as well as any other document that the organization may issue, and which has the effect of amending the provisions of the Manual.
- **Finalize the Manual** based on the comments/ inputs from the Department of Social Welfare and Development, particularly from Data Protection Officer (DPO), STB and ICTMS.

4. The consultant should have the following qualifications:

Educations (20%)	<ul style="list-style-type: none"> • Bachelor’s or Advanced Degree(s) in fields highly relevant to the nature of the consultancy (e.g. information and communication technology (ICT), computer science, social work, governance, law, public administration and management, organizational management, and other related fields).
Experience (35%)	<ul style="list-style-type: none"> • Proven experience and technical training on systems analysis, data impact assessment, manual development and or related documentations. • Experience related to the job/terms of reference of the

	<p>consultancy.</p> <ul style="list-style-type: none"> • Consultancy experience in working with a Government and/or CSO Project • Has a well grasp and understanding on Child Protection in Emergencies as provided in RA 10821 and guidelines provided by the National Privacy Commission following the RA 10173 or the “Data Privacy Act” of 2012.
Success Rate (35%)	<ul style="list-style-type: none"> • Must have conducted at least one (1) related consultancy and submit sample outputs • Effectively work in a team composed of various agencies/organizations both government, civil society organizations and other stakeholders.

5. The Consultant is expected to come up with following deliverables in accordance with the following schedule:

Activities	Deliverables	Time Frame
Identify and collect all relevant information	Document: Data on existing systems related to WiSUPPORT, the process and data flows, the provisions on Data Privacy Act and issuances from the National Privacy Commission, and other necessary information that will help in the development of the manual.	10 days
Meetings and consultations with key stakeholders and project focal persons	Action: Consultant to attend meetings/ conduct consultations with key stakeholders/ project focal persons to gather the necessary information and conduct of data impact assessment.	5 days (and as needed during the consultancy period)
Develop the WiSUPPORT Data Impact Assessment and Data Privacy Manual	Document: WiSUPPORT Data Impact Assessment and Data Privacy Manual, compliant to the Data Privacy Law.	30 days
Finalize the Manual	Action: Consultant to finalize the manual based on the comments/ inputs from DSWD, particularly from STB and ICTMS Document: Final Data Privacy Manual	15 days

6. In consideration with the consultancy services required, payment of the consultant shall be made in accordance with following schedule:

Tranches	Documents/ Reports	Time Frame	Time Frame for Approval	% of the Contract Price
First	Draft Privacy Impact Assessment and Data Privacy Manual	45 days	15 days	50%
Second	Final Privacy Impact Assessment and	15 days	15 days	50%



	Data Privacy Manual approved by the Cluster Head			
Total:				100%

7. This project shall be procured using Section 53.9 (Negotiated Procurement-Small Value Procurement) of the 2016 Implementing Rules and Regulations of Republic Act No. 9184 or the Government Procurement Reform Act and pursuant to the following criteria and qualification:

Criteria	Point System	Points
Education: Bachelor's or Advanced Degree(s) in fields highly relevant to the nature of the consultancy (e.g. social work, governance, law, public administration and management, organizational management, and other related fields).	Doctoral Degree: 30% Master's degree: 28% Bachelor's Degree: 25%	30%
Experience: Minimum of one (1) year experience in formulating guidelines/policies, systems analysis, data impact assessment and/or manual development.	More than 5 years' experience: 35% 2-4 years' experience: 33% At least 1 year experience: 30%	35%
Success Rate: At least one (1) sample of written work related in formulating guidelines/policies, systems analysis, data impact assessment and manual development.	More than 5 outputs presented: 35% 2-4 outputs presented: 33% 1 output presented: 30%	35%
Total		100%

***Passing rate is 85%.** Failure to meet any of the minimum requirements per criteria stated above will automatically be given a zero (0%) rating.

8. The DSWD now invites interested consultants to submit:

- a. Expression of Interest (Application) highlighting the personal attributes, qualities, skills, knowledge and significant outcomes with the qualification requirements;
- b. Comprehensive Curriculum Vitae (CV);
- c. Financial Proposal Form (Annex A);
- d. Omnibus Sworn Statement (Annex B);
- e. BIR Certificate of Registration;
- f. PhilGEPS Registration Number;
- g. At least one (1) sample of written work related in formulating guidelines/ policies, systems analysis, data impact assessment, and manual development



9. The required documents shall be submitted at the address below or through email at quotations@dswd.gov.ph not later than **05:00 p.m. of 26 October 2020**. The total amount of contract is **One Hundred Fifty Thousand Pesos (PhP 150,000.00)** and **will be engaged for two (2) months from receipt of Notice to Proceed (NTP)**.

THE CHAIRPERSON

Bids and Awards Committee
c/o BAC Secretariat
Ground Floor Matapat Building,
DSWD Central Office,
IBP Road, Constitution Hills, Quezon City
Facsimile No.: (02) 8951-7116
Trunkline No.: (02) 8931-8101 local 121 and 123

Very truly yours,



RENE GLEN O. PAJE

Undersecretary and
Bids and Awards Committee Chairperson



Annex A

Financial Proposal

DSWD NNP No.: 20-GOP-SVC-009

Lot No.	Particulars	Quantity	Total Contract Price <i>(including all applicable taxes, amount in Philippine Peso)</i>
1	Hiring of Consultant for the Development of Data Impact Assessment and Data Privacy Manual for the Project Link: Family Tracing and Reunification (FTR) System	1-lot	

Name of Consultant: _____

Signature: _____

Date: _____

**Annex B****OMNIBUS SWORN STATEMENT**

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, _____ (*name of affiant*), of legal age,
_____ (*civil status*), _____ (*nationality*) and residing at
_____ (*address*), after having been duly sworn in accordance
with law, do hereby depose and state that:

1. As individual consultant, I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid/proposals, and to sign and execute the ensuing contract/purchase order for _____ (*name of project*) of the Department of Social Welfare and Development (DSWD);
2. That I am not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board;
3. Each of the documents submitted in satisfaction of the requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
4. That I am authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;
5. That I am not related to the Head of the Procuring Entity (HOPE), members of the Bids and Awards Committee (BAC), the Technical Working Group (TWG), and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;
6. That I shall comply with existing labor laws and standards;
7. That I am aware of and has undertaken the following responsibilities:
 - a. Carefully examine all of the Notice of Negotiated Procurement;
 - b. Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract/Purchase Order;
 - c. Made an estimate of the facilities available and needed for the project, if any; and
 - d. Inquire or secure Supplemental/Bid Bulletin(s) issued for the _____ (*name of project*).
8. That I did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.



IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of _____, 2020 at _____, Philippines.

(Authorized Representative/Signatory)

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2020 at _____, Philippines. Affiant is personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant exhibited to me his/her _____ [insert type of government identification card used], with his/her photograph and signature appearing thereon, with No. _____ and his/her ID No. _____ issued on _____ at _____.

Witness my hand and seal this ___ day of _____, 2020.

NAME OF NOTARY PUBLIC

Serial No. of Commission _____
Notary Public for _____ until _____
Roll of Attorneys No. _____
PTR No. _____
IBP No. _____

Doc. No. _____
Page No. _____
Book No. _____

Series of 2020