

TERMS OF REFERENCE:
**Engagement of Services of a 3rd Party for the Conduct of the JHMC Customer
Satisfaction Measurement for CY 2023**

I. BACKGROUND

1. JHMC, a subsidiary of the Bases Conversion and Development Authority (BCDA), is mandated to transform and develop Camp John Hay (CJH) into a sustainable premier tourist and investment destination while protecting and conserving the environment.
2. JHMC, as the estate manager of CJH and the regulatory body within the John Hay Special Economic Zone (JHSEZ), is committed to providing excellent, efficient, and responsive services towards total stakeholders' satisfaction.
3. Under GCG Memorandum Circular (M.C.) No. 2012-07 or the *Code of Corporate Governance for GOCCs*, a GOCC like JHMC are required to:
 - (a) Ensure integrity and honesty in dealings with customers and operate a highly effective and efficient organization, focused on meeting customer objectives with the aim of providing services which give fair value and consistent quality, reliability and safety in return for the price paid for the same; and,
 - (b) Operate policies of continuous improvement, of both processes and the skills of the staff, to take best advantage of advances in all aspect of society in order to ensure that it continues to add value to its customers' businesses.
4. Under R.A. No. 10149¹, the Performance Evaluation System (PES) established by the GCG sets the process of appraising the accomplishments of GOCCs in a given fiscal year based on the set performance criteria, targets, and weights.

One of the measures in determining the rating in the PES is the overall satisfaction of the clients for the services availed in a GOCC.

5. To ensure GOCCs are able to satisfy these requirements, the GCG made it mandatory for GOCCs to conduct an annual Customer Satisfaction Survey (CSS) as one of the strategic measures under the PES, implemented pursuant to GCG M.C. Nos. 2013-02 (Re-issued)² and 2017-02³.

¹ An Act to Promote Financial Viability and Fiscal Discipline in Government-Owned or –Controlled Corporations and to Strengthen the Role of the State in its Governance and Management to Make Them More Responsive to the Needs of Public Interest and for Other Purposes, otherwise known as the “GOCC Governance Act of 2011”.

² Performance Evaluation System (PES) for the GOCC Sector dated 14 June 2004.

³ Interim Performance Evaluation System (PES) for the GOCC Sector dated 30 June 2017.

The CSS serves as one of the monitoring tools to measure how GOCCs relate with their customers as this provides tangible and verifiable data on how GOCCs deliver their services.

6. The annual conduct of the CSS is also tied to an agency's incentive system, in that failure to conduct the survey and report the result to GCG or the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting Systems (Administrative Order No. 25 s. 2011), and/or the Anti-Red Tape Authority (ARTA), government entities cannot avail of the Performance-Based Bonus (PBB).
7. Considering the diverse function of the government offices, it was found difficult to measure and compare the service performance of government agencies. In addition, the CSS have been conducted through different methodologies by the government agencies and have been submitted to different government bodies.
8. Last year, the ARTA M.C. No. 2022-05⁴ was issued to promote the adoption of a harmonized and standardized framework in measuring client satisfaction across all levels of the government to ensure continuous improvement and enhancement of service towards a more meaningful client-centered Citizen's Charter.
9. Early this year, the GCG M.C. No. 2023-01⁵ was issued to provide the updated framework for setting the organizational targets of a GOCC.

Section 7 requires that the requisite quarterly monitoring reports (PES Form 4) for the 1st to 3rd quarter and its supporting documents should be submitted to the GCG and uploaded in the GOCC's website within thirty (30) calendar days from the close of each quarter.

Section 8 requires that each GOCC shall submit to GCG the fully accomplished Monitoring Report and its supporting documents beginning every 1st working day of March but not later than the last working day of April of the immediately succeeding calendar year.

10. Using the Performance Scorecard as a governance and management tool, it aims to facilitate the achievement of breakthrough results and performance through the effective and efficient monitoring and coordination of the strategic objectives of the GOCC.

SM No. 5 of the GCG-JHMC approved Performance Scorecard 2023 is the CSS of at least 'Satisfactory', with a weight of 10%.

⁴ **Annex A** - Guidelines on the Implementation of the Harmonized Client Satisfaction Measurement dated 20 September 2022.

⁵ Performance Evaluation System (PES) for the GOCC Sector dated 19 January 2023.

11. Recently, the GCG and ARTA Joint M.C. No. 1 series of 2023⁶ was issued to provide supplemental guidance to GOCCs regarding compliance to GCG M.C. No. 2023-01 and ARTA M.C. No. 2022-05. It also aimed to reduce the cost and burden of compliance of GOCCs with the CSM and CSS requirements.

Section 4.1 required all GOCCs to conduct their respective CSS as required by the GCG-approved Performance Scorecard in accordance with the prescribed Guidelines in the ARTA M.C. No. 2022-05.

Section 4.4 requires the submission of CSM report to the ARTA not later than April 15 of each year.

Section 4.7 states that the percentage⁷ or respondents that rate ‘Agree’ (4) and ‘Strongly Agree’ (5) for Service Quality Dimension 0: *“I am satisfied with the service that I availed”* shall be used for the CSS measure in the GOCC’s Performance Scorecard.

12. Thus, in compliance with the abovementioned, there is a need to engage the services of a 3rd Party, an independent body, that is capable to administer, generate and interpret the Customer Satisfaction Measurement for CY 2023 considering that these tasks are of such magnitude and scope as would require a high level of expertise, education and relevant experience or attention which, at present, are beyond the optimum in-house capability of JHMC personnel.
13. The procurement of consulting service for this purpose shall be made in accordance with Republic Act 9184 and its 2016 Revised Implementing Rules and Regulations (IRR).

II. OBJECTIVES

The procurement aims to engage the services of a 3rd Party, an independent body, that is capable to administer, generate and interpret the JHMC Customer Satisfaction Measurement for CY 2023 to ensure JHMC’s commitment to improving stakeholder satisfaction by integrating best practices for operational excellence.

III. APPROVED BUDGET FOR THE CONTRACT

The approved budget for the engagement of services of a 3rd Party for the Conduct of the JHMC Customer Satisfaction Measurement as reflected in the approved CY 2023

⁶ **Annex B** - Supplemental Guidelines to the ARTA M.C. No. 2022-05 or *The Guidelines on the Implementation of the Harmonized Client Satisfaction Measurement* Specific for GOCCs Covered by R.A. No. 10149 dated 12 April 2023.

⁷ Total number of respondents that rated ‘Agree’ (4) and ‘Strongly Agree’ (5) for the SQD0 over the Total Number of Respondents.

Corporate Operating Budget is **Four Hundred Fifty Thousand Pesos (PhP 450,000.00)**, *inclusive of all applicable taxes and fees.*

IV. TERMS OF ENGAGEMENT

The engagement of the **3RD PARTY PROVIDER** shall commence upon contract signing and terminates from the acceptance of JHMC of the final result/report of the Customer Satisfaction Measurement in accordance with the ARTA M.C. No. 2022-05 dated 20 September 2022 and the GCG-ARTA Joint M.C. No. 1 series of 2023 dated 12 April 2023 and subsequent related issuances.

It is understood that the Engagement does not create an employer-employee relationship between the **3RD PARTY PROVIDER** and **JHMC**; and that the former is not entitled to any benefits enjoyed by the regular personnel of JHMC.

The **3RD PARTY PROVIDER** shall not assign the contract or sub-contract any portions of it without the consent of JHMC.

JHMC shall not be liable for any injury, illness or death sustained by the **3RD PARTY PROVIDER'S** employees arising from the COVID-19 pandemic while in the performance of their duties and responsibilities in connection with this engagement.

V. DUTIES AND RESPONSIBILITIES OF THE PARTIES

A. The 3RD PARTY PROVIDER shall:

1. Administer the Customer Satisfaction Measurement to JHMC's identified stakeholders strictly in accordance with the **ARTA M.C. No. 2022-05 dated 20 September 2022 and the GCG-ARTA Joint M.C. No. 1 series of 2023 dated 12 April 2023**, and the subsequent issuances by GCG and/or ARTA with respect to the conduct of the CSS/ CSM for 2023 in the GOCC Sector.
2. Generate the necessary data;
3. Interpret and analyze the data generated;
4. Adhere to the deliverables and timeline. Any changes or modifications in the arrangements shall be with the prior consent of JHMC;
5. Treat all documents and information gathered with utmost confidence during the project implementation; and,
6. Ensure that all information shared by JHMC under this engagement will remain confidential even after the termination of the contract.

7. Assume all related to its assigned CSM Team members, including their salaries, allowances, meals, field accommodations, transportation and/or logistical support, and other expenses necessary to perform the services throughout the duration of the engagement.
8. Assume the cost of any required testings and other related medical expenses for its CSM Team members in connection with the COVID-19 pandemic.

B. The JHMC shall:

1. Work closely with the **3RD PARTY PROVIDER** regarding the technical and administrative requirements of the activities;
2. Provide logistical requirements during the meetings, meeting venues, equipment (LCD projector, laptops, etc.), if necessary; and,
3. Provide location guides during the activities, if necessary.

VI. EXPECTED OUTPUT AND PAYMENT SCHEDULE

The **3RD PARTY PROVIDER** shall undertake the necessary activities to fully comply with all the requirements of this engagement and in strict adherence to the CSM Guidelines and Questionnaire and shall be paid in an output basis which is strictly in adherence to the CSM Report Outline.

Activity	Document Submission for	Due date	Percentage of Payment
Identification of Eligible Respondents and Data Gathering	<ul style="list-style-type: none"> Survey Instrument Stimulus Materials 	TBD	25% of the total awarded contract price
Training	<ul style="list-style-type: none"> Survey Instrument Stimulus Materials Training Manual Training report 	n/a	

Project Kick-off / Start-off	<ul style="list-style-type: none"> • Survey Instrument • Stimulus Materials • Observation Report • Clearing/ Debriefing report 	TBD	25% of the total awarded contract price
Project Implementation	* Supervision / Observation report * Fieldwork Progress Report		
Back-checking and Spot-checking	*Back-checking and Spot Checking Report	31 December 2023	25% of the total awarded contract price
Data Processing	*Spot Checking Report for Data Processing *Data Quality Control Report		
Analysis	Final Report	15 January 2024	25% of the total awarded contract price

VII. PAYMENT TERMS

The **3RD PARTY PROVIDER** shall be paid based on the output as specified in Section VI above, inclusive of all applicable taxes. The final payment shall be paid within fifteen (15) working days upon JHMC's acceptance of the final report submitted by the **3RD PARTY PROVIDER**.

Miscellaneous expenses of **3RD PARTY PROVIDER** personnel relative to the conduct of customer satisfaction survey activities such as but not limited to transportation, accommodation, meals, and snacks, etc. shall be shouldered by the **3RD PARTY PROVIDER**.

VIII. CONTRACT DURATION

The Contract shall remain in force and effect upon the signing of the contract until the full delivery of the requirements on or before 15 January 2024 and acceptance by the JHMC.

IX. SUBMISSION OF PROPOSALS

The interested proponent shall submit their respective proposal to JHMC through the Bids and Awards Committee (BAC) on or before the scheduled deadline of submission, in a sealed envelope containing the requisite documents in accordance with the RA 9184 and its IRR and as may be identified by BAC which will be reflected in the Request for Proposals (RFP) to be posted in the JHMC website.

X. EVALUATION CRITERIA

The proposals shall be evaluated based on Quality-Cost Based Evaluation (QCBE).

The criteria and rating system for the selection of the winning CB are as follows:

Evaluation Criteria	Weight
Technical Proposal	
a. <i>Applicable experience and Track Record (At least 1 from the survey)</i> 1. No. of Years of experience – 20% 2. Similar Projects conducted for government and / or private institutions within the last two (2) years – 10% 3. Client Feedback – 10%	40%

<i>b. Qualification of the Consultant</i> 1. Members with solid hands-on experience in the administration of Customer Satisfaction Survey or Measurement – 10% 2. Members with relevant public sector specific experience and / or similar or related nature to JHMC Operations (Public Administration; Regulatory Agency) – 10% 3. Members have minimum two (2) year's survey experiences– 10% 4. Educational Attainment / Applicable accreditation of audit team members – 10%	40%	
Financial Proposal	20%	
TOTAL	100%	

XI. MODE OF PROCUREMENT

The mode of procurement under the approved JHMC Annual Procurement Plan CY 2023 is **Small Value Procurement under Section 53.9** of the R.A. 9184 Implementing Rules and Regulations (IRR).