

**TERMS OF REFERENCE:  
Engagement of Services of a 3<sup>rd</sup> Party for the Conduct of the JHMC Customer  
Satisfaction Measurement for CY 2024**

**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) and the John Hay Reservation Area (JHRA), is committed to providing excellent, efficient, and responsive services towards total stakeholders' satisfaction.
3. Pursuant to Section 20 of the Republic Act (R.A.) No. 11032<sup>1</sup> of the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, which amended and renumbered Section 10 of R.A. NO. 9485<sup>2</sup> or the *Anti-Red Tape Act of 2007* to Section 20, a feedback mechanism shall be established in all government agencies covered under Section 3 of R.A. No. 11032.
4. Section 3(b), Rule IV of the Implementing Rules and Regulations (IRR) of R.A. No. 11032 also states that *“all agencies shall embed feedback mechanisms and client satisfaction measurement in their process improvement efforts. The agency shall report to the Anti-Red Tape Authority (ARTA) the results of the Client Satisfaction Survey for each service based on the guidelines issued by the Authority.”*
5. Consistent with Section 3(b), Rule IV of the IRR of R.A. 11032, the ARTA issued the ARTA Memorandum Circular (M.C.) No. 2022-05 or the Guidelines on the Implementation of the Harmonized Client Satisfaction Measurement.
6. R.A. No. 10149<sup>3</sup>, otherwise known as the GOCC Governance Act of 2011, created the Governance Commission for GOCCs (GCG) as the central policy-making and regulatory body mandated to safeguard the State's ownership rights and ensure that the operations of GOCCs are transparent and responsive to the needs of the public.

---

<sup>1</sup> An Act Promoting Ease of Doing Business and Efficient Delivery of Government Services, Amending for the Purpose Republic Act No. 9485, Otherwise Known as the Anti-Red Tape Act of 2007 and for the Other Purposes, approved 28 May 2018.

<sup>2</sup> An Act to Improve Efficiency in the Delivery of Government Service to the Public by Reducing Bureaucratic Red Tape, Preventing Graft and Corruption, and Providing Penalties Therefor, approved 02 June 2007.

<sup>3</sup> 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”, approved 06 June 2011.

7. In the exercise of its mandate, the GCG adopted GCG M.C. No. 2012-07<sup>4</sup> or the *Code of Corporate Governance for GOCCs*. Under Section 37 of the GCG M.C. No. 2012-07, GOCC Governing Boards 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.
8. Under R.A. No. 10149, the Performance Evaluation System (PES) established by the GCG sets the process of appraising the accomplishment of GOCCs in a given fiscal year based on the set performance criteria.
- 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.
9. 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).
10. 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.
11. Last year, the ARTA M.C. No. 2022-05<sup>5</sup> 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.
12. Recently, the GCG and ARTA Joint M.C. No. 1 series of 2023<sup>6</sup> was issued to provide supplemental guidance to GOCCs regarding compliance to GCG M.C. No. 2023-01

---

<sup>4</sup> Code of Corporate Governance for GOCCs, approved 28 November 2012.

<sup>5</sup> **Annex A** - Guidelines on the Implementation of the Harmonized Client Satisfaction Measurement dated 20 September 2022.

<sup>6</sup> **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.

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 percentage<sup>7</sup> of 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.

13. In the ARTA M.C. No. 2023-05 series of 2023 dated 08 June 2023, the amendment to the ARTA M.C. No. 2022-005, providing the amendments to the CSM Questions and the corresponding English Version, Tagalog Version, and CSM Outline Report. These templates should strictly be followed in the conduct of the CSM.
14. Thus, in compliance with the abovementioned, there is a need to engage the services of a 3<sup>rd</sup> Party, an independent body, that is capable to administer, generate and interpret the CSM for CY 2024 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.
15. The procurement of consulting service for this purpose shall be made in accordance with Republic Act 9184 and it's 2016 Revised Implementing Rules and Regulations (IRR).

## **II. OBJECTIVES**

The procurement aims to engage the services of a 3<sup>rd</sup> Party, an independent body, that is capable to administer, generate and interpret the JHMC Customer Satisfaction Measurement for CY 2024 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 3<sup>rd</sup> Party for the Conduct of the JHMC Customer Satisfaction Measurement (CSM) is based on the as reflected

---

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

amount for this purpose in the approved JHMC CY 2024 Corporate Operating Budget (COB).

Pending the approved COB 2024, the proposed amount is **Five Hundred Thousand Pesos (PhP 500,000.00)**, *inclusive of all applicable taxes and fees*.

#### IV. TERMS OF ENGAGEMENT

The engagement of the **3<sup>RD</sup> 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, the GCG-ARTA Joint M.C. No. 1 series of 2023 dated 12 April 2023, and the ARTA M.C. No. 2023-05 series of 2023 dated 08 June 2023 and subsequent related issuances.

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

The **3<sup>RD</sup> 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 **3<sup>RD</sup> PARTY PROVIDER'S** employees while in the performance of their duties and responsibilities in connection with this engagement.

#### V. DUTIES AND RESPONSIBILITIES OF THE PARTIES

A. The **3<sup>RD</sup> PARTY PROVIDER** shall:

1. Administer the Customer Satisfaction Measurement for both internal and external services to JHMC's identified stakeholders strictly in accordance with the **ARTA M.C. No. 2022-05 dated 20 September 2022, the GCG-ARTA Joint M.C. No. 1 series of 2023 dated 12 April 2023, ARTA M.C. No. 2023-05 series of 2023 dated 08 June 2023** and the subsequent issuances by GCG and/or ARTA with respect to the conduct of the CSS/CSM for 2024 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;
6. Ensure that all information shared by JHMC under this engagement will remain confidential even after the termination of the contract; and,
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.

**B. The JHMC shall:**

1. Work closely with the **3<sup>RD</sup> 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 **3<sup>RD</sup> 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 for Preparation and/ or Submission	Due date	Percentage of Payment
Identification of Eligible Respondents and Data Gathering	<ul style="list-style-type: none"> <li>● Survey Instrument</li> <li>● Stimulus Materials</li> </ul>	n/a	n/a
Training	<ul style="list-style-type: none"> <li>● Survey Instrument</li> <li>● Stimulus Materials</li> <li>● Training Manual</li> <li>● Training report</li> </ul>	n/a	



Project Kick-off / Start-off	<ul style="list-style-type: none"> <li>● Survey Instrument</li> <li>● Stimulus Materials</li> <li>● Observation Report</li> <li>● Clearing/ Debriefing report</li> </ul>	n/a	n/a
Project Implementation	<ul style="list-style-type: none"> <li>* Supervision / Observation report</li> <li>* Fieldwork Progress Report</li> </ul>		
Back-checking and Spot-checking	*Back-checking and Spot Checking Report of the Annual CSM Results	<b>n/a</b>	n/a
Data Processing	<ul style="list-style-type: none"> <li>*Spot Checking Report for Data Processing</li> <li>*Data Quality Control Report</li> </ul>		
Quarterly Reports	*Submission of the Q1 2024 collated CSM responses, including responses for discussion and improvement purposes.	<b>15 April 2024</b>	20% of the total awarded contract price
Quarterly Reports	*Submission of the Q2 2024 collated CSM responses, including responses for discussion and improvement purposes.	<b>15 July 2024</b>	20% of the total awarded contract price

Quarterly Reports	*Submission of the Q3 2024 collated CSM responses, including responses for discussion and improvement purposes.	<b>15 October 2024</b>	20% of the total awarded contract price
Analysis	Final Report	<b>31 January 2025</b>	40% of the total awarded contract price

**VII. PAYMENT TERMS**

The **3<sup>RD</sup> 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 made within fifteen (15) working days upon JHMC’s acceptance of the final report submitted by the **3<sup>RD</sup> PARTY PROVIDER**.

Miscellaneous expenses of **3<sup>RD</sup> PARTY PROVIDER** personnel relative to the conduct of customer satisfaction survey activities such as but not limited to transportation, accommodation, meals, snacks, etc. shall be shouldered by the **3<sup>RD</sup> 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 31 January 2025 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 (OCBE).

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

<b>Evaluation Criteria</b>	<b>Weight</b>
<b>Technical Proposal</b>	
<p><i>a. Applicable experience and Track Record (At least 1 from the survey)</i></p> <ol style="list-style-type: none"> <li>1. No. of Years of experience – 20%</li> <li>2. Similar Projects conducted for government and / or private institutions within the last two (2) years – 10%</li> <li>3. Client Feedback – 10%</li> </ol>	40%
<p><i>b. Qualification of the Consultant</i></p> <ol style="list-style-type: none"> <li>1. Members with solid hands-on experience in the administration of Customer Satisfaction Surveys or Measurements – 10%</li> <li>2. Members with relevant public sector-specific experience and/or similar or related nature to JHMC Operations (Public Administration; Regulatory Agency) – 10%</li> <li>3. Members have a minimum of two (2) year’s survey experience– 10%</li> <li>4. Educational Attainment / Applicable accreditation of audit team members – 10%</li> </ol>	40%
<b>Financial Proposal</b>	20%
<b>TOTAL</b>	<b>100%</b>



---

**XI. MODE OF PROCUREMENT**

The mode of procurement under the approved JHMC Indicative Annual Procurement Plan (APP) CY 2024 is **Small Value Procurement under Section 53.9** of the R.A. 9184 Implementing Rules and Regulations (IRR).