**TERMS OF REFERENCE**

**FOR THE PROCUREMENT OF TECHNICAL AND ADMINISTRATIVE SUPPORT PERSONNEL FOR PROJECTS, AND ALL OTHER ACTIVITIES, TO BE UNDERTAKEN BY THE PHILIPPINE PORTS AUTHORITY, PORT MANAGEMENT OFFICE OF ZAMBOANGA DEL NORTE, PORT OF DAPITAN, DAPITAN CITY**

**FOR THE PERIOD MARCH 1, 2017 TO DECEMBER 31, 2017.**

**INTRODUCTION**

The current rationalization efforts to streamline functions and operations in the government corporate sector pursuant to Executive Order No. 366 has shifted focus towards the current trend of outsourcing manpower requirements from reputable private manpower agencies to provide general support services needed in the implementation of priority government projects.

In the case of the Philippine Ports Authority, the development, design, and implementation of port infrastructure construction projects, and the nationwide computerized of port management system, including other similar port maintenance activities, will require substantial manpower augmentation which cannot be provided by existing positions in the PPA personnel plantilla.

It is in this light that PPA seeks to enter into an outsourcing agreement with private manning agencies for the supply and provision of competent, technical and administrative support personnel required by the Port Management Office of Zamboanga del Norte, Port of Dapitan, Dapitan City through competitive bidding in accordance with provisions of R.A. No.9184 and its Implementing Rules and Regulations (IRR).

**RATIONALE**

1. The procurement of various technical and administrative support manpower requirements from private sources under comprehensive manpower service contract or Memorandum of Agreement will enable PPA to strictly comply with DBM and CSC guidelines and policies prohibiting the direct hiring of temporary support and technical personnel during an extended period of time while PPA is on staggered filling-up of personnel under the GCG Approved Rationalization Plan.
2. A valid manpower service contract acquired through competitive public bidding conducted in accordance with provisions of R.A. No.9184 and its IRR will assure a steady supply of competent technical and administrative support personnel to the Port Management Office of Zamboanga del Norte, Port of Dapitan, Dapitan City where manpower augmentation and support is required.
3. With manpower requirements sourced from private Manpower Service Providers/Contractors, the Port Management Office of Zamboanga del Norte, Port of Dapitan, Dapitan City will be free from labor and service liabilities which shall be borne by the contracted private manpower provider.

**OBJECTIVES**

1. PPA, PMO-Zamboanga del Norte, Port of Dapitan, Dapitan City will be able to immediately address the urgent need for manpower support services which cannot be provided in the restructured PPA personnel plantilla.
2. PPA, PMO-Zamboanga del Norte, Port of Dapitan, Dapitan City will cease to be bound by any employer-employee relationship with the technical and administrative support personnel to be provided by the winning Manpower Service Provider/Contractor.
3. PPA, PMO Zamboanga del Norte, Port of Dapitan, Dapitan City shall be able to avail the services of competent and proficient technical and administrative support personnel, who shall be provided by the winning manpower service provider/contractor.
4. The winning Manpower Service Provider/Contractor shall have sole responsibility to supply the necessary technical and administrative support personnel required by PMO Zamboanga del Norte, Port of Dapitan, Dapitan City per positions specified under ANNEX “A” hereof and shall further ensure that all personnel to be deployed under the contract shall meet the requirements on experience and professional/technical qualifications of each position.

**OBLIGATIONS AND RESPONSIBILITIES**

1. After determining the lowest and most responsive bid in the competitive bidding to be

conducted for this purpose, PPA PMO- Zamboanga del Norte, Port of Dapitan, Dapitan City shall grant and award to the winning manpower service provider/contractor, the contract to provide the necessary Manpower Support Personnel as prescribed in ANNEX “B”, hereof, effective for a period of ten (10) months beginning **March 1, 2017 to December 31, 2017.**

1. PPA, PMO Zamboanga del Norte, Port of Dapitan, Dapitan City shall be obliged to pay the winning manpower service provider/contractor the quoted Monthly Billing Rates stipulated in said contract, subject to existing government auditing and accounting rules and regulations, for and in consideration of the services rendered by support personnel deployed by the winning Manpower Service Provider/Contractor and upon presentation of a Monthly Statement of Account with a certification that all wages and social security premiums due, including applicable taxes, have been settled.
2. PPA, PMO Zamboanga del Norte, Port of Dapitan, Dapitan City shall likewise be obligated to reimburse the winning manpower service provider/contractor any amount of additional expenses incurred by technical and administrative support personnel for necessary official travel to and from PPA work stations outside of PMO Zamboanga del Norte, Port of Dapitan, Dapitan City and overtime services rendered incidental to the performance of their respective duties and functions, provided such travel and rendition of time services shall have prior PPA approval pursuant to existing PPA policies.
3. PPA, PMO Zamboanga del Norte, Port of Dapitan, Dapitan City shall allocate the total amount of (**THREE MILLION SIX HUNDRED TWENTY TWO THOUSAND ONE HUNDRED EIGHTY-SEVEN PESOS AND 02/100) (Php3,622,187.02)**as the Approved Budget for this contract (ABC) to cover the payment of the services rendered by the technical and administrative support personnel deployed by the winning manpower service provider/contractor.
4. Pursuant to the terms and conditions of the contract granted by PPA, PMO Zamboanga del Norte, Port of Dapitan, Dapitan City, the winning Manpower Service Provider/Contractor shall provide all technical and administrative support personnel required for deployment in projects sites/work stations in Port Management Office of Zamboanga del Norte, Port of Dapitan, Dapitan City, its outports and terminals.
5. The winning manpower service provider/contractor shall agree to increase or decrease the number of technical administrative support personnel to be deployed under the contract, subject to actual manpower support requirements of the Port Management Office of Zamboanga del Norte, Port of Dapitan, Dapitan City during the effectivity of the contract.
6. The winning Manpower Service Provider/Contractor shall fully assume all official and legal responsibilities over all support personnel that shall be provided and deployed in the Port Management Office of Zamboanga del Norte, Port of Dapitan, Dapitan City under the contract and shall exercise sole administrative control and supervision over said support personnel, provided, however, the Manpower Service Provider/Contractor fully agrees to allow PPA to exercise full control and supervision over the functions and activities of support personnel deployed in PMO Zamboanga del Norte, Port of Dapitan, Dapitan City on any or all matters regarding their respective work assignments in PPA.
7. The winning Manpower Service Provider/Contractor fully guarantee the capabilities and competence of technical and administrative support personnel to be assigned in the Port Management Office of Zamboanga del Norte, Port of Dapitan, Dapitan City based on the work and experience qualifications specified in ANNEX “A” hereof, and agrees to any personnel changes that the authority may require in case the individual work performance of respective support personnel concerned fall below project/work activity expectations.
8. PPA, PMO Zamboanga del Norte, Port of Dapitan, Dapitan City reserves the right to reject any or all technical and administrative support personnel who shall be found unqualified and unfit to cope with PPA job requirements based on the personnel qualification credentials to be submitted by the winning Manpower Service Provider/Contractor and the initial screening to be conducted thereon by the Screening Committee of the PMO.
9. Manpower support personnel deployed by the winning Manpower Service Provider/Contractor in the Port Management Office of Zamboanga del Norte, Port of Dapitan, Dapitan City under the contract granted by PPA shall not, under any circumstance, be considered organic PPA personnel, nor will their respective deployment and assignment in the Port Management Office of Zamboanga del Norte, Port of Dapitan, Dapitan City establish an employee-employer relationship with PPA, and not considered as valid service in the government.
10. The services of the proposed personnel to be outsourced shall be automatically terminated after expiration of the contract.
11. The winning service provider shall maintain a staff based in Dapitan or Dipolog to facilitate administrative functions, including processing of payrolls, timesheets and other relevant documents pertinent to the administration of the services herein required. It should be understood; however, that no PPA outsourced (time, materials and supplies) shall be used by any personnel deployed by the service contractor for any function other than those assigned by PPA.

Approved by:

**(SGD)ENGR. SALVADOR L. DELINA**

Port Manager

Encl: **ANNEX A**: List of Positions with corresponding qualifications

including Job Description and Task Lists