

MEMORANDUM OF AGREEMENT

This MEMORANDUM OF AGREEMENT is made and entered into this 20th day of October 2017 by and between:

The **TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA)**, a national government agency created and existing under and by virtue of Republic Act No. 7796 with principal address at TESDA Complex, East Service Road, South Luzon Expressway, Taguig City, Metro Manila, Philippines, represented herein by its Director General/Secretary, **GUILING A. MAMONDIONG** and hereinafter referred to as the "**FIRST PARTY**";

- and -

TUV SUD PSB PHILIPPINES INC., a private business entity, registered under the laws of the Republic of the Philippines with business address at Unit 1808, The Orient Square Building, F. Ortigas Jr. Road, Ortigas Center, Pasig City, herein represented by its General Manager, **MS. FEMELYN S. LATI**, and hereinafter referred to as the "**SECOND PARTY**".

- WITNESSETH -

WHEREAS, the **FIRST PARTY** through its Bids and Awards Committee (BAC) issued and posted a Request for Expression of Interest in in two (2) newspapers of general circulation namely the Philippine Star and the Philippine Daily Inquirer and in the Philippine Government Electronic Procurement System (PhilGEPS) on 02 August 2017 in compliance with Section 21 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act, for the Procurement of Certification Services for ISO 9001:2015 Re-Certification / Upgrading – Re-Bidding;

WHEREAS, during the submission of eligibility documents, only TUV SUD PSB Philippines Inc. passed the preliminary eligibility requirements and was short listed;

WHEREAS, upon careful examination, validation and verification of all the technical and financial proposals submitted by the **SECOND PARTY**, the bid of the **SECOND PARTY** amounting to **One Million Seven Hundred Twenty Thousand Eight Hundred Eighty Pesos (Php1,720,880.00)** has satisfactorily passed the legal, financial and technical requirements set forth by Republic Act No. 9184 and the bidding documents;

WHEREAS, after post-qualification prescribed by Section 34 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, the bid offered by the **SECOND PARTY** has been found to be the highest rated responsive bid;

NOW, THEREFORE, for and in consideration of the foregoing, this Agreement is entered by and between the **FIRST PARTY** and the **SECOND PARTY** with the following covenants, to wit:

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Section I

SCOPE OF WORK AND RESPONSIBILITIES OF THE PARTIES

A. The SECOND PARTY shall conduct audit which will cover the following processes of the FIRST PARTY:

1. Core Processes
 - a.) Program Registration (UTPRAS)
 - b.) Assessment and Certification (PTCACs)
 - c.) Development of Training Regulations (TRs)
 - d.) Development of Competency Assessment Tools (CATs)
2. Support Services
 - a.) Human Resource
 - b.) Purchasing/Procurement
 - c.) Infrastructure
 - d.) Work Environment
3. Quality Procedures
 - a.) Control of Documents - QP-01
 - b.) Control of Records - QP-02
 - c.) Internal Quality Audit - QP-03
 - d.) Control of Nonconforming Service and Corrective Action Procedure - QP-04
4. Central/Regional/Provincial Customer Satisfaction Management
5. National/Regional Quality Management Committee Review

B. The following are the areas/sites to be covered by the application for ISO 9001:2015 Certification:

1. Central Office
 - Program Registration;
 - Assessment and Certification;
 - Development of TRs and CATs; and
 - Support Services
2. Regional/Provincial Offices
 - NCR
 - Regional Office
 - District Office - CaMaNaVa
 - District Office - Manila
 - District Office - MuntiParLasTaPat
 - District Office - PaMaMariSan
 - District Office - Pasay/Makati
 - District Office - Quezon City

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- CAR
 - Regional Office
 - Provincial Office - Abra
 - Provincial Office - Apayao
 - Provincial Office - Benguet
 - Provincial Office - Ifugao
 - Provincial Office - Kalinga
 - Provincial Office- Mountain Province

- CARAGA
 - Regional Office
 - Provincial Office - Agusan del Norte
 - Provincial Office - Agusan del Sur
 - Provincial Office - Dinagat Islands
 - Provincial Office - Surigao del Norte
 - Provincial Office - Surigao del Sur

- Region I
 - Regional Office
 - Provincial Office - Ilocos Norte
 - Provincial Office - Ilocos Sur
 - Provincial Office - La Union
 - Provincial Office - Pangasinan

- Region II
 - Regional Office
 - Provincial Office - Batanes
 - Provincial Office - Cagayan
 - Provincial Office - Isabela
 - Provincial Office - Nueva Vizcaya
 - Provincial Office - Quirino

- Region III
 - Regional Office
 - Provincial Office - Aurora
 - Provincial Office - Bataan
 - Provincial Office - Bulacan
 - Provincial Office - Nueva Ecija
 - Provincial Office - Pampanga
 - Provincial Office - Tarlac
 - Provincial Office - Zambales

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- Region IV-A
 - Regional Office
 - Provincial Office - Batangas
 - Provincial Office - Cavite
 - Provincial Office - Laguna
 - Provincial Office - Quezon
 - Provincial Office - Rizal

- Region IV-B
 - Regional Office
 - Provincial Office - Marinduque
 - Provincial Office - Occidental Mindoro
 - Provincial Office - Oriental Mindoro
 - Provincial Office - Palawan
 - Provincial Office - Romblon

- Region V
 - Regional Office
 - Provincial Office - Albay
 - Provincial Office - Camarines Norte
 - Provincial Office - Camarines Sur
 - Provincial Office - Catanduanes
 - Provincial Office - Masbate
 - Provincial Office - Sorsogon

- Region VI
 - Regional Office
 - Provincial Office - Aklan
 - Provincial Office - Antique
 - Provincial Office - Capiz
 - Provincial Office - Guimaras
 - Provincial Office - Iloilo
 - Provincial Office - Negros Occidental

- Region VII
 - Regional Office
 - Provincial Office - Bohol
 - Provincial Office - Cebu
 - Provincial Office - Negros Oriental
 - Provincial Office - Siquijor

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- Region VIII
 - Regional Office
 - Provincial Office - Biliran
 - Provincial Office - Eastern Samar
 - Provincial Office - Leyte
 - Provincial Office - Northern Samar
 - Provincial Office - Samar
 - Provincial Office - Southern Leyte

- Region IX
 - Regional Office
 - Provincial Office - Sibugay
 - Provincial Office - Zamboanga del Norte
 - Provincial Office - Zamboanga del Sur

- Region X
 - Regional Office
 - Provincial Office - Bukidnon
 - Provincial Office - Camiguin
 - Provincial Office - Lanao del Norte
 - Provincial Office - Misamis Occidental
 - Provincial Office - Misamis Oriental

- Region XI
 - Regional Office
 - Provincial Office - Compostela Valley
 - Provincial Office - Davao del Norte
 - Provincial Office - Davao del Sur
 - Provincial Office - Davao Oriental

- Region XII
 - Regional Office
 - Provincial Office - North Cotabato
 - Provincial Office - Sarangani
 - Provincial Office - South Cotabato
 - Provincial Office - Sultan Kudarat

- ARMM
 - Regional Office
 - Provincial Office - Basilan
 - Provincial Office - Maguindanao
 - Provincial Office - Sulu
 - Provincial Office - Tawi-Tawi
 - Provincial Office - Lanao del Sur

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Sampling shall be utilized during the actual conduct of the audit in the identified sites.

Moreover, the details of the activities, deliverables and timelines are specified in the attached GANNT chart hereto attached as Annex "A" and shall become an integral part of this Agreement.

C. The expected outputs of the SECOND PARTY shall be as follows:

1. Certification Audit and Surveillance Audit Plans and Audit Schedules;
2. Certification Audits, Stage I and Stage II conducted;
3. Audit Reports for Stage I and Stage II;
4. Surveillance conducted during the 3-year period;
5. Surveillance Audit Reports; and
6. ISO 9001:2015 **main certificate** which shall be awarded to TESDA Central Office and **sub-certificates which shall be issued to the other one hundred four (104) audit sites** covered.

D. The FIRST PARTY shall:

1. Provide furnished working space for the SECOND PARTY during the audit period;
2. Provide access and use of the facilities necessary for the rendition of services of the SECOND PARTY; and
3. Provide funding for payment of the services rendered by the SECOND PARTY subject to the government accounting and auditing rules and regulations.

Section II

TERMS AND CONSIDERATIONS

The FIRST PARTY shall pay the SECOND PARTY the amount of **One Million Seven Hundred Twenty Thousand Eight Hundred Eighty Pesos (Php1,720,880.00)** for the actual services rendered by the SECOND PARTY, chargeable against Fund 101, subject to the following:

SCHEDULES	EXPECTED OUTPUTS PER PAYMENT	PROGRESS PAYMENT AS PER OUTPUT (IN PHILIPPINE PESO)
Year 1	Certification Audit: Stage I (2017) Stage II (2017)	834,466.00
Year 2	Surveillance Audit: (2018)	351,017.00
Year 3	Surveillance Audit: (2019)	351,017.00
	Taxes	184,380.00
	Total	1,720,880.00

Payment shall only take effect after actual rendition of the services as herein prescribed and acceptance by the FIRST PARTY of the output of the SECOND PARTY is made subject to government accounting and auditing rules and regulations.

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Section III

The following documents shall be deemed to form and be read and construed as part of this Agreement:

- (a) Bidding Documents of TUV SUD PSB Philippines Inc.;
- (b) BAC Resolution No. 49-2017 dated 29 September 2017;
- (c) Notice of Award dated 05 October 2017;
- (d) Performance Security; and
- (e) Notice to Proceed.

**Section IV
AMENDMENT CLAUSE**

No amendment, modification, or alteration of this Agreement shall be valid and binding on either Party unless expressed in writing and executed with the same formalities observed in this Agreement.

**Section V
EFFECTIVITY**

This Agreement shall be valid and effective upon signing of the Parties and may be terminated by either party subject to written notification to the other Party within thirty (30) calendar days prior to the intended date of termination subject to whatever obligations already incurred.

IN WITNESS whereof, the Parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year indicated above.

**TECHNICAL EDUCATION AND
SKILLS DEVELOPMENT AUTHORITY**

TUV SUD PSB PHILIPPINES INC.



GUILING "GENE" A. MAMONDIONG
Director General/Secretary



FEMELYN S. LATI
General Manager

SIGNED IN THE PRESENCE OF:



ROSANNA A. URDANETA
Deputy Director General
Policies and Planning



MARIA KRISTEL T. ORIARTE
Executive, MS Sales

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
MANILA) S.S.

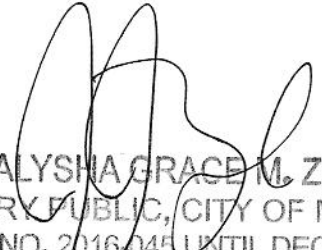
BEFORE ME, a Notary Public for and in the Province/City of
MANILA this _____ 2017 personally came and appeared:

NAME	GOVERNMENT ISSUED ID	ISSUED BY
GUILING "GENE" A. MAMONDIONG		
FEMELYN S. LATI	Passport EC8378507	DFA, Manila July 23, 2016

Known to me and to known to be the same persons who executed the foregoing instrument which they acknowledge before me as their free and voluntary act and deed.

WITNESS MY HAND AND SEAL this 24 day of OCT 2017 2017 at
MANILA

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Book No. 14
Series of 2017



ATTY. ALYSHA GRACE M. ZULUETA
NOTARY PUBLIC, CITY OF MANILA
COMM. NO. 2016-045 UNTIL DEC. 31, 2017
PTR NO. 5993403 1/3/2017 MLA
IBP LIFETIME-011076-6/19/12
ROLL NO. 60529
UNIT 7 0 7F, MEB CONDO. 1200
J. BOCOBO ST. ERMITA MLA
TIN NO. 243-897-485
MCLE V-0005228 1-6-15 PASIG CITY

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[Handwritten initials]



PSB Philippines

**Choose certainty.
Add value.**

TUV SUD PSB Philippines Inc – Unit 1808, The Orient Square Bldg. F. Ortigas Jr Ave., Ortigas Center, Pasig City, Metro Manila 1605, Philippines

Tesda Sampling Matrix

Year 1 – Recertification Audit

- HQ (TESDA Central Office) TESDA Admin Bldg., East Service Road, South Superhighway, Taguig City 1630
- NCR (Taguig) - Building 15, TESDA Gate 2, TESDA Complex, East Service Rd., South Superhighway, Taguig City 1630
- Quezon City - Bituan Street cor. Bayani Rod. Brgy. Dona Imelda G. Araneta Ave., Quezon City 1113
- CAR (Baguio) - 32 Magsaysay Drive, Loakan Proper, Baguio City 2600
- Ilocos Sur - Gov. A. Reyes., Brgy. 8, Vigan City, Ilocos Sur 2700
- Region 5 Legaspi - Regional Center, Rawis, Legaspi City 4511
- Albay - City Motorpool, Airport Road, Crusada, Legaspi City 4511
- Region 6 Iloilo - TESDA Regiona Office, Zamora St., Iloilo City 5000
- Aklan - Cor Burgos-Veterans Street, Kalibo, Aklan 5600
- Region 10 (Cagayan de Oro) - P. Chavez Jupiter Street, Macasandig, Cagayan de Oro City 9000
- Bukidnon - Kapitan Juan Melende Street, Malaybalay City 8700
- Region XI Davao - 616 Int. 2 Rimas Street, Aquino Subdivision, J.P. Laurel Avenue, Davao City
- Compostela Valley - JP Laurel Blvd., Purok 9 Poblacion, Nabunturan, Compostela Valley 8803
- CARAGA Office - G/F Balibrea Bldg., Pili Drive, Butuan City 8600
- Agusan del Norte - Capitol Compound, Butuan City 8600

Year 2 – Surveillance Audit

- HQ (TESDA Central Office) TESDA Admin Bldg., East Service Road, South Superhighway, Taguig City 1630
- Pasay-Makati - TESDA Gate 2, TESDA Complex, East Service Rd., South Superhighway, Taguig City 1630
- Region I San Fernando - Quezon Avenue, Catabangan, City of San Fernando, La Union 2500
- Cagayan - Carig Norte, Tuguegarao City, Cagayan 1300
- Zambales - Bo., Palanginan, Iba Zambales 2201
- Batangas - Batangas TESDA Provincial Office, P. Herrera St., Batangas City 4200

SEC Registration No.: CS200805614
TIN: 007-012-676-000 VAT
HSBC (Ortigas Branch)
PHP Acct. #: 003-146149-040
USD Acct. #: 004-073805-130
Swift Code: HSBCHMM

Femelyn S. Lati
General Manager

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TUV SUD PSB Philippines Inc
Unit 1808, The Orient Square Bldg.
F. Ortigas Jr. Ave
Ortigas Center, Pasig City
Metro Manila 1605



PSB Philippines

- Region IV-B - Luna Bldg. III, Gov. Infantado St., Calapan City, Oriental Mindoro 5200
- Oriental Mindoro - Marinez Bldg., Lumangbayan, Calapan City, Oriental Mindoro 5200
- Bohol - B. Inting St., Cogon District, Tagbilaran City 6300
- Region 9 Pagadian - San Roque, Zamboanga City 7121
- Zamboanga del Sur - Dao, Pagadian City, Zamboanga del Sur 7016

Year 3 – Surveillance Audit

- HQ (TESDA Central Office) TESDA Admin Bldg., East Service Road, South Superhighway, Taguig City 1630
- Region 2 Tuguegarao - Carig, Tuguegarao, Cagayan 3500
- Occidental Mindoro - Three Kids Bldg., San Jose, Occidental Mindoro 5100
- Masbate - PEO Compound, Capitol Road, Masbate City 5400
- Catanduanes - Moonwalk Calatagan, Virac, Catanduanes 4800
- Negros Oriental - Old Engr Bldg., Capitol Site, Dumagueta City 6200
- Region 8 Tacloban - TESDA Compound, Abucay, Tacloban City 6500
- Misamis Oriental - Palaez Sports Center, A. Vele Street, Cagayan de Oro City 9000
- Davao del Norte - Energy Park Apokon, Davao del Norte 8100
- Region 12 Koronadal, Gen. San - 2nd Floor Duremdes Bldg., Gen. Santos Drive, Koronadal City 9506
- South Cotabato - 809 GH DD Pilar Street, Koronadal City 9506