



## Bid Notice Abstract

### Request for Quotation (RFQ)

**Reference Number** 9449029  
**Procuring Entity** ANTI-MONEY LAUNDERING COUNCIL  
**Title** Subscription, Software Maintenance and Support of the Vulnerability Assessment Tool (Nessus Professional)  
**Area of Delivery** Metro Manila

<b>Solicitation Number:</b>	PR23-017	<b>Status</b>	<b>Active</b>
<b>Trade Agreement:</b>	Implementing Rules and Regulations	<b>Associated Components</b>	1
<b>Procurement Mode:</b>	Negotiated Procurement - Small Value Procurement (Sec. 53.9)	<b>Bid Supplements</b>	0
<b>Classification:</b>	Goods	<b>Document Request List</b>	2
<b>Category:</b>	Information Technology	<b>Date Published</b>	03/02/2023
<b>Approved Budget for the Contract:</b>	PHP 400,000.00	<b>Last Updated / Time</b>	03/02/2023 00:00 AM
<b>Delivery Period:</b>	30 Day/s	<b>Closing Date / Time</b>	08/02/2023 12:00 PM
<b>Client Agency:</b>			
<b>Contact Person:</b>	Ma. Charmaine Gloria BAC Secretariat (Bank Officer II) Rm 507, 5/F EDPC Bldg., BSP Complex Manila Metro Manila Philippines 1004 63-921-7121733  mgloria@amlc.gov.ph		
<b>Description</b>			
Please see attached TOR.			

**Created by** Ma. Charmaine Gloria  
**Date Created** 02/02/2023

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Republic of the Philippines  
**ANTI-MONEY LAUNDERING COUNCIL**

**TERMS OF REFERENCE**

Subscription, Software Maintenance and Support of the Vulnerability Assessment Tool  
(Nessus Professional) [Item No. 45 of Annual Procurement Plan for FY 2023],  
ABC=PHP400,000.00 (Purchase Request No. 23- 017)

**BRIEF DESCRIPTION**

1 Year Subscription of Nessus Professional

The Approved Budget for the Contract (ABC) is PHP400,000.00.

**INSTRUCTIONS TO SUPPLIERS**

*Form of Quotation:*

Suppliers<sup>1</sup> are required to submit its Quotation using the Prescribed Form (See Page 4) by the Anti-Money Laundering Council (AMLC).

*Documentary Requirements:*

The following documentary requirements should be submitted at the time of the submission of the Supplier's Quotation:

- Mayor's/Business Permit (BIR Certificate of Registration for individual supplier)
- PhilGEPS Registration Number/Certificate
- Omnibus Sworn Statement (for ABCs above PHP50,000.00) **and** if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative [Use AMLC Prescribed Form] (See Pages 5-8); **or** Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Supplier.

**GENERAL CONDITIONS**

*Quotation Price:*

Supplier's quotation shall be inclusive of 12% Value-Added Tax and other incidental expenses, including, but not limited to notarial expenses.

*Quotation Validity Period:*

Quotations shall be valid for 60 days from receipt by the BAC Secretariat.

*Delivery Period:*

The delivery period shall be within 30 calendar days from receipt of the Purchase Order.

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<sup>1</sup> Or Service Providers (for procurement of services).

*Subscription/Contract Period:*

The subscription/contract period shall commence within 30 calendar days from the date of receipt of the Purchase Order.

*Liquidated Damages:*

- A delay by the Supplier in the full delivery of the goods/services shall render the Supplier liable for liquidated damages, which shall be deducted by the AMLC from each payment or total contract price in case of a one-time payment.
- Liquidated damages shall be equal to one-tenth (1/10) of one percent (1%) of the total contract price for every day of delay.

*Payment:*

- Payments shall be made only upon the issuance of the **Inspection and Acceptance Report (IAR)**<sup>2</sup> by the IAC.
- No payment shall be made for supplies and materials not yet delivered or services not yet rendered.
- The Supplier's request for payment shall be made in writing, accompanied by an invoice describing, as appropriate, the goods delivered and/or services performed, and by documents submitted pursuant, and upon fulfillment of other obligations stipulated in these Terms of Reference.
- Payments shall be made promptly by the AMLC within thirty (30) days from issuance of the IAR by the IAC.
- The currency in which payment is to be made shall be in Philippine Pesos.

*Warranty:*

- The Supplier warrants that the goods supplied are new, unused, of the most recent or current models, and that they incorporate all recent improvements in design and materials. The Supplier also warrants that all goods supplied shall have no patent or latent defect, arising from design, materials, or workmanship or from any act or omission of the Supplier that may develop under normal use of the supplied goods in the conditions prevailing in the country of final destination. The Supplier further warrants that the goods supplied is fit for the use for which it was intended.
- The obligation for the warranty shall be covered by a warranty security in the form of retention money in an amount equivalent to five percent (5%) of every progress payment, or total contract price in case of one-time payment
- The AMLC shall promptly notify the Supplier in writing of any claims arising under the warranty. Upon receipt of such notice, the Supplier shall, within 15 days and

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<sup>2</sup> Certificate of Acceptance (for Consultancy Services).

with all reasonable speed, repair or replace the defective goods or parts thereof, without costs to the AMLC. If the Supplier, having been notified, fails to remedy the defects within the period specified in the contract, the AMLC may proceed to call upon the warranty security, without prejudice to any other rights which it may have against the Supplier under these Terms of Reference and under the applicable law.

- The warranty security shall only be released after the lapse of one (1) year after issuance by the End-user of the CFA of the delivered Goods.
- After the lapse of the period, and upon request by the Supplier, the AMLC shall release the warranty security, Provided, that the goods supplied are free from patent and latent defects and all conditions imposed under the Terms of Reference have been fully met.

**TECHNICAL SPECIFICATIONS:**

Item	Specification	Units	Delivery Schedule
1	Nessus Professional with installation; unlimited IT assessments, 1 Year Subscription	1	The delivery period shall be within 30 calendar days from receipt of the Purchase Order.
2	Nessus Professional 1-Year Subscription, Software Maintenance, and Support including version releases and patches		
3	Local Standard Technical Support, which shall include unlimited phone and e-mail support during normal business hours within a 4-hour response time, Monday to Friday, 8:00 am to 5:00 pm, excluding holidays		The subscription/ contract period shall commence within 30 calendar days from the date of receipt of the Purchase Order.


**OTHER REQUIREMENTS/CONDITIONS (IF ANY):**

The supplier shall submit the Certificate / Proof of Entitlement of Nessus Professional Subscription, deliver, and implement within 30 calendar days from the date of receipt of the Purchase Order.

*Suppletory Application of the Civil Code and the Procurement Law:*

In the absence of an express provision in these Terms of Reference, the mandatory provisions of the New Civil Code and the Government Procurement Reform Act shall have suppletory application in the contract between the AMLC and the winning Supplier.

**The Purchase Order, together with the Purchase Request, these Terms of Reference, Supplier’s Quotation, and Notice of Award, shall constitute the Agreement between the AMLC and the winning Supplier to which the contract will be awarded.**

  
**Keyan A. Pangilinan**  
 End-User Representative

## QUOTATION FORM

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Date: \_\_\_\_\_

RFQ No.: \_\_\_\_\_

To: **BIDS AND AWARDS COMMITTEE**  
Anti-Money Laundering Council  
Room 507, 5/F, EDPC Building, BSP Complex  
Malate, Manila

Gentlemen:

Having examined the Request for Quotation, including the attached Terms of Reference (TOR), the receipt of which is hereby duly acknowledged, the undersigned, on behalf of the Supplier, offers to the following Quotation:

Item/Brand/Model	Units	Technical Specifications	Quotation Price

We agree to abide by this Quotation for the Quotation Validity Period specified in TOR and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

Until a Purchase Order is received by the Supplier, this Quotation, together with your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Calculated Quotation or any Quotation you may receive.

The Supplier certifies/confirms that it agrees and complies with the requirements and conditions under the Terms of Reference.

Dated this \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
*[signature over printed name]*

\_\_\_\_\_  
*[in the capacity of]*

Duly authorized to sign Bid for and on behalf of \_\_\_\_\_

## Omnibus Sworn Statement (Revised)

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REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF \_\_\_\_\_ ) S.S.

### AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. *[Select one, delete the other:]*

*[If a sole proprietorship:]* I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

*[If a partnership, corporation, cooperative, or joint venture:]* I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. *[Select one, delete the other:]*

*[If a sole proprietorship:]* As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

*[If a partnership, corporation, cooperative, or joint venture:]* I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. [Name of Bidder] is 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, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. *[Select one, delete the rest:]*

*[If a sole proprietorship:]* The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, 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;

*[If a partnership or cooperative:]* None of the officers and members of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, 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;

*[If a corporation or joint venture:]* None of the officers, directors, and controlling stockholders of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, 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;

7. *[Name of Bidder]* complies with existing labor laws and standards; and
8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
  - a. Carefully examining all of the Bidding Documents;
  - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
  - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
  - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.
9. *[Name of Bidder]* 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.
10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.**

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_, 20\_\_ at \_\_\_\_\_, Philippines.

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Bidder's Representative/Authorized Signatory

**SUBSCRIBED AND SWORN** to before me on \_\_\_\_\_ at \_\_\_\_\_, Philippines. Affiant/s is/are 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/s 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 Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_.

Witness my hand and seal on \_\_\_\_\_.

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**Secretary's Certificate**

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I, \_\_\_\_\_, of legal age, [*single/married*], Filipino and with address at after having being sworn in accordance with law, do hereby CERTIFY that:

1. I am the incumbent and duly designated Corporate Secretary of [*business/company name*], organized and existing in accordance with law, with principal office address at [*business/company address*];
2. As Corporate Secretary, I am the custodian of the corporate books and records, including the Minutes of Meetings and Resolutions of the Board of Directors;
3. The Board of Directors issued Board Resolution No. \_\_\_\_\_ dated \_\_\_\_\_, authorizing **Mr./Ms. [*name of representative*]**, whose signature and initial appears below, to have full power and authority **to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [*Name of the Project*] of the Anti-Money Laundering Council;**

\_\_\_\_\_  
Signature of Representative

\_\_\_\_\_  
Initial of Representative

4. That the above-cited authorization has not been amended, modified and/or superseded and is therefore still in full force and effect;
5. This certification is being issued to attest to the truth of the foregoing.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s on \_\_\_\_\_ at

\_\_\_\_\_.

\_\_\_\_\_  
Corporate Secretary

**SUBSCRIBED AND SWORN** to before me on \_\_\_\_\_ at \_\_\_\_\_, Philippines. Affiant/s is/are 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/s 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 Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_ at \_\_\_\_\_.

Witness my hand and seal on \_\_\_\_\_.

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