

**TERMS OF REFERENCE FOR
ENGAGING THE SERVICES OF A CONSULTANT / CONSULTING FIRM
TO ASSIST THE TOURISM PROMOTIONS BOARD (TPB)
ON HOW IT MAY BETTER FULFILL ITS MANDATE**

DRAFT as of 07 January 2019

RATIONALE

The Tourism Act of 2009 (Republic Act No. 9593) was passed with the intention of overhauling the structure, mandate, and powers of the national tourism agencies, to make them more efficient and effective, yet accountable, in performing their respective functions. It granted broader powers and resources to the Philippine Tourism Authority (PTA), transforming it into the Tourism Infrastructure and Enterprise Zone Authority (TIEZA), and to the Philippine Convention and Visitors Corporation (PCVC), transforming it into the Tourism Promotions Board (TPB). It also redefined the powers and mandate of the Department of Tourism (DOT), not only as the lead agency of the national tourism administrative set-up, but also in relation to the need for stronger policy, planning and regulation.

Given that the Tourism Act, under Section 108 thereof, is to be reviewed by the Congressional Oversight Committee for Tourism every three years, and that the Oversight Committee's mandate under Section 103 expires ten years after the effectivity of the Act, the TPB seeks the services of a consultant to conduct a study to identify how the implementation of the Tourism Act can be further improved, to propose amendments if necessary, and supervise the process of pursuing such improvements or amendments.

CORE OBJECTIVES

1. To provide TPB with an in depth research work and study on the implementation of RA9593 identifying, if any, existing points of collaboration between the agencies, and points of competition and conflict especially with regard to policy direction, program implementation and funding;
2. To come up with action plans and strategies to enhance points of collaboration, and minimize or resolve points of competition and conflict to allow the TPB to better fulfill its mandate especially with regard to policy direction, program implementation and funding.

SCOPE OF WORK AND DELIVERABLES

1. Conduct and facilitate stakeholder consultations within TPB and with other tourism agencies, such as the DOT, TIEZA, Duty Free Philippines Corporation (DFPC), among others (collectively, the "National Tourism Agencies");
2. Conduct research on the interactions of the National Tourism Agencies, and providing comparisons with other national tourism agency structures in the Southeast Asian region, or in other parts of the world;

3. From the consultations and research, identify existing points of collaboration between the agencies, and points of competition and conflict and proposing strategies to enhance points of collaboration, and minimize or resolve points of competition and conflict;
4. Advise and assist the TPB Board of Directors and its senior officers in identifying and pursuing the appropriate course of action to allow the TPB to better fulfill its mandate, which may involve one or more of the following courses of action:
 - a. Consultation with senior officers and/or board of directors through the conduct of consultative meetings.
 - b. Assisting the TPB in the development and implementation of specific plans, programs or policies
 - c. Preparation of draft agreements with other tourism agencies or other government agencies
 - d. Preparation of draft implementing rules and regulations
 - e. Preparation of draft amendments to the Tourism Act of 2009 (Republic Act No. 9593)

DURATION OF WORK

The Consultant or consulting firm shall be engaged for six (6) months commencing from the issuance of Notice to Proceed (NTP).

SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENTS

Approved Budget for the Contract (ABC) is Seven Hundred Fifty Thousand Pesos (PHP 750,000.00) for six months (inclusive of VAT), subject to milestones / schedule of payment to be approved by TPB.

The Consultant is expected to report to TPB based on a schedule that is acceptable to both parties to discuss procedural and substantive aspects of the project.

QUALIFICATION OF CONSULTANT / CONSULTING FIRM

- The Consultant must have extensive and in-depth understanding of the principles and rationale of RA 9593 or the Tourism Act of 2009.
- The Consultant, either as an individual or the principals/senior officers of a firm, is expected to have academic training in one or more of these fields: tourism, public policy, law, economics, or business, with at least ten (10) years experience working specifically in the tourism sector, with significant exposure to tourism policy. For a firm, the credentials of up to three principals/senior officers may be submitted for consideration.

PROPOSAL

The Consultant / Consulting Firm will be expected to submit technical and financial proposals which include:

1. A brief profile and description of the Consultant / Consulting Firm demonstrating their understanding of the principles and rationale of RA 9593 or the Tourism Act of 2009 as can be indicated by the extent of exposure to and / or experience in the crafting and / or implementation of said law;
2. A brief profile of at least three personnel who will be assigned in the projects showing areas of specialization;
3. A copy of Certificate of Registration or Incorporation;
4. PhilGEPS Certificate;
5. A copy of Valid Tax Compliance Certificate (for local suppliers); and
6. Other documents as required under R.A. 9184.

OTHERS

1. Proposals shall be subject to Quality Cost Base Evaluation (QCBE).
2. Bidders, at the option of the end user, may be asked to make a presentation of their proposal.
3. Rating will be based on the attached rating sheet and the following percentage:

Technical 85%

Financial 15%