



Republic of the Philippines
Office of the Solicitor General
134 Amorsolo St. Legaspi Village, Makati City

Technical Working Group for
Information and Communications Technology

708

TERMS OF REFERENCE

VIRTUALIZATION SOFTWARE

Shera

Background:

The Office of the Solicitor General is working on a transformative initiative to strengthen its current virtual assets and update its virtualization software to refresh its Virtual Machine capacity. With this endeavor, the OSG's physical servers and storage infrastructure will have more operational flexibility when managing various server operating systems (such as Linux and Windows). By managing virtual assets and embracing the benefits of virtualization, the OSG intends to boost operational performance, reduce hardware expenses, and simplify IT administration operations.

The OSG intends to use this upgrade to take advantage of virtual machines' capabilities to create virtualized environments that resemble actual hardware while supporting many operating systems simultaneously. The OSG hopes to simplify infrastructure management by merging many server operating systems into these virtual environments, allowing faster reactions to new issues and technology trends. This tactical decision illustrates the Office's commitment to staying on the cutting edge of technological breakthroughs in computing and virtualization, and it represents a significant advancement in the Office's technological capabilities.

Objective:

The Office of the Solicitor General (OSG) is seeking a winning service provider to deliver twelve (12) months of software maintenance and technical support services for its existing Virtualization software. This requirement underscores the OSG's commitment to ensuring the seamless operation and performance of its virtualized infrastructure, encompassing both server and storage systems. The selected provider will play a crucial role in ensuring the efficiency and reliability of the OSG's virtual assets throughout the designated maintenance period.

The allotted budget is intended to cover the costs associated with software maintenance, technical assistance, and potential enhancements, ensuring that the OSG's virtualization software remains up-to-date and fully functional, meeting the dynamic demands of its operations.

Terms:

1. *Scope.* - Renewal and Upgrade of Existing Virtualization Software.
2. *ABC.* - The Approved Budget for the Contract (ABC) is **Four Million Pesos (₱4,000,000.00)**, inclusive of all government taxes, charges, and other standard fees.

ICT SUBSCRIPTION			
ITEM	QTY	UNIT COST	TOTAL
1 Year Maintenance Renewal of existing Licenses of Virtualization Software and Upgrade with Implementation of 10 of 22 Software Analytics Advanced Edition with On-site Support Services (Coverage Date: 01-JAN-24 to 31-Dec-24)	1 Lot	4,000,000.00	4,000,000.00
TOTAL			₱ 4,000,000.00

3. *Schedule of Payment.* - To guarantee the performance by the winning bidder of its obligations under the contract, it shall post a performance security before the signing of the contract. The performance security shall be in an amount not less than the required percentage of the total contract price in any of the following forms and in accordance with the following schedule:

Form of Performance Security	Amount of Performance Security (Not less than the required % of the Total Contract Price)	Statement of Compliance
a) Cash or cashier's/ manager's check issued by a Universal of Commercial Bank.	5%	
b) Bank draft/ guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank; <i>however</i> , it shall be confirmed or authenticated by a Universal or Commercial Bank if issued by a foreign bank.	5%	

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c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.	30%	
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TERMS OF PAYMENT	Statement of Compliance
<p>All bid prices shall be considered as fixed prices and, therefore, not subject to price escalation during contract implementation.</p> <p>The supplier shall be paid in full, subject to deduction of applicable taxes, upon the issuance by the OSG of the corresponding Certificate of Acceptance as follows:</p> <ul style="list-style-type: none"> • Within thirty (30) days from completion of the delivery and issuance of the Inspection and Acceptance Report by the OSG and submission of all other required documents - 95% of the contract price. • One (1) year from the issuance of the Inspection and Acceptance Report by the OSG - 5% of the contract price. 	

4. *Similar Contract* - The bidder must have completed at least two contracts for virtual machine software, cloud-based virtual platform, Kubernetes, or any virtual containers within the last five years.

5. *Qualifications of the Supplier:*

- a. The bidder shall submit a valid and current Certificate of Distributorship/Dealership/Resellers of the product being offered, issued by the principal or manufacturer of the product (if the bidder is not the manufacturer). If not issued by the manufacturer, they must also submit a certification/document linking the bidder to the manufacturer.
- b. The bidder must have at least one manufacturer-certified engineer for the offered brand. A certificate is required as part of the technical component of the bid proposal.
- c. The bidder must have a main or satellite office in or around Metro Manila and/or nearby provinces.

6. Applicable provisions of the Government Procurement Reform Act (RA No. 9184) and its Revised Implementing Rules and Regulations (RIRR) shall form part of the Terms of Reference.