OPERATIONS AND POLICY GUIDELINES FOR THE MANAGEMENT AND OPERATIONS OF THE DOST-PEZA OPEN TECHNOLOGY BUSINESS INCUBATOR (DOST-PEZA OPEN TBI)

DOST ADMINISTRATIVE ORDER NO. 006, August 20, 2009

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Pursuant to the provisions of the Memorandum of Agreement (MOA) executed on September 04, 2008 by the Department of Science and Technology (DOST) and the Philippine Economic Zone Authority (PEZA), which covers the establishment of the DOST-PEZA Open Technology Business Incubator (DOST-PEZA Open TBI), and the Memorandum of Agreement (MOA) executed on September 11, 2008, by the DOST, the Advanced Science and Technology Institute (ASTI), and the Technology Resource Center (TRC) on the establishment and operation of the DOST-PEZA Open TBI, the following operations and policy guidelines are hereby adopted for the effective and efficient management and operations of the DOST-PEZA Open TBI.

I. COVERAGE

The management and operations of the DOST-PEZA OPEN TBI shall be in accordance with the goals, objectives, policies, management structure, and procedural guidelines set herein.

II. GOALS

The establishment and operations of the DOST-PEZA Open TBI shall: (1) encourage the creation and growth of innovation and technology-based ICT entrepreneurs; (2) promote the adoption and commercialization of open technologies; and (3) provide a medium for industry-academe-government collaboration and synergy.

III. OBJECTIVES

The objectives in the establishment and operations of the DOST-PEZA Open TBI are: (1) to admit and successfully graduate at least ten (10) self-sustaining ICT entrepreneurs every five (5) years; (2) effectively provide a holistic support system for the incubatees that shall cover their technology, management and business-related requirements; and (3) operate and maintain the TBI towards sustainability.

IV. BUSINESS MODEL

This TBI shall be a specialized business incubator, which shall focus on open technologies and target the ICT-based and ICT-related sector with offerings of leasable space, tangible services, non-tangible services (technical, management, financial, counseling/coaching, etc.), to resident incubatees as well as virtual services to non-resident incubatees.

V. IMPLEMENTORS

The implementers of the TBI shall be the following:

- Department of Science and Technology (DOST);

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- Philippine Economic Zone Authority (PEZA);
- University of the Philippines System (UP);
- Advanced Science and Technology Institute (ASTI), DOST; and
- Technology Resource Center (TRC), DOST.

VI. MANAGEMENT STRUCTURE

A. There shall be a Steering Committee (SC), to be created by the DOST Secretary, and which shall provide the policy direction and oversight of the overall management and operations of the TBI.

The SC shall be composed of eleven (11) members, to wit:

- From the government sector (one seat per agency): DOST, PEZA, UP System, Small Business Corporation (SBC), Quezon City Local Government Unit, ASTI, and TRC; and
- From the private sector (four seats).

B. The TBI shall have a Project Management Office (PMO) organized and run by the TRC, which shall be in-charge of the day-to-day operations to ensure that its objectives and targets are met.

It shall have a marketing, administrative and finance, and support services arm.

The PMO shall also provide the Secretariat support to the SC.

C. There shall be a Technical Services Group under ASTI which shall serve as the technology consultants of the TBI. It shall provide technical consultancy advice to the SC, the PMO, and the incubatees.

VII. OPERATING POLICIES

A. Incubatee Recruitment, Screening and Admission

1. The PMO shall ensure the promotion and marketing of leasable area.

2. The applicant shall be a technology or potential technology entrepreneur preferably involved, but not limited, to the following areas:

- Software development;
- Hardware development;
- Solutions and applications development;
- Content development; and
- Other related businesses.

3. Priority shall be given to applicants adopting open technologies.

4. The applicant shall express his interest in writing and submit to the PMO the required documents.

5. Applicants shall initially be assessed by the PMO based on the following: applicant’s business sense and entrepreneurial competencies, knowledge of and quality of the business plan/idea, and character background. Further technical, marketing and business assessments shall also be undertaken by the PMO.

6. All applications evaluated by the PMO shall be submitted to the SC for their consideration and decision.

7. Applicant’s proposed technology shall undergo review or verification by ASTI, which shall then forward a recommendation to the PMO.

B. Leaseable Space, Services and Fees

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1. The minimum and maximum leasable space per incubatee shall be 20sq.m. and 80 sq.m., respectively. Requests for additional space shall be subject of the evaluation and recommendation of the PMO and approval of the SC.

2. Maximum lease period shall be between 3-5 years as determined by the SC based on the nature of incubatee's business and other consideration.

3. The applicable monthly lease rate per square meter shall be PhP350.00 from effectivity date of this policy up to three (3) years. After that period, the said rate shall be subject to review.

4. The following Schedule of Fees for the DOST-PEZA Open TBI shall be enforced accordingly.

PARTICULARS

RATE (Inclusive of 12% R-VAT)

PAYMENT TERMS

- Reservation and Processing fee (non refundable & deductible from lease/rental and with one-month validity)

P5,000.00/application

Payable upon application submission

- Basic Lease Service

- Monthly lease/sq.m (inclusive of basic Internet service, gym usage,security and janitorial services)

P350.00

Monthly (first 5 days of month following billed month)

- Advance Rent

Equivalent to two (2) months' rent

Payable upon the signing of the lease contract

- Security Deposit

Equivalent to one month's rent

-do-

- Utilities

- Electricity

Sub-meter based

Monthly (on due date)

- Water

Free

- Rental Service

- Computer unit

P1,500.00/unit

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Monthly

- Server/Data Facility

Based on actual usage

Monthly

- Conference room

P200.00 for the first hour and P100 for each succeeding hour or fraction thereof

- ASTI Training Room

Prevailing ASTI rates

- Gym (for non-residents)

P30.00/hr.

- Support services (Accountant, Secretary, Accounting Clerk, Office clerk)

Negotiable with monthly minimum of P1,000.00 and maximum of P4,000.00

Monthly

- Business/Professional Services (marketing, technical, management, others)

By arrangement

Per project basis

- Packaged Services

- All-in resident package (except those covered under discounts)

Total basic fees excluding electric consumption + rental fees) less 10%

- Non-resident virtual services package

(Technical + management consultancy/coaching fees) less 10%

- Discounts

-UP Faculty and students, subject to recommendation by UP-OVCRD

10% of lease fees for space only

5. Sub-leasing shall not be allowed

C. Incubatee's Residency

1. Incubatee shall use exclusively the leased premises for purposes duly approved by the SC.

2. Incubatees shall use properly and maintain the leased premises and any and all TBI assets therein in good order and condition.

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3. Incubatees shall pay all monthly fees and any amount due to the PMO in Philippine currency within the first five (5) days of the month after the billed month at the PMO or such other place as the PMO may otherwise designate.

4. All payments shall be made without the necessity of any previous notice or demand.

5. A monthly interest rate of one per cent (1.0%) shall be imposed on the total amount due, for any late payment/s. In this case, the incubatee may also be forced to exit the TBI, as the case may be, as determined by the SC.

6. Incubatees shall be subject to regular actual performance review and evaluation by the PMO, the results of which shall be submitted to the SC. For this purpose, the incubatees are required to submit the necessary reportorial documents.

D. Incubatee's Exit and Graduation

1. Incubatees shall graduate or exit from the TBI based on a positive evaluation by the PMO and approval by the SC.

2. Incubatees who fail to pay their lease, fees and other amounts for three (3) consecutive months or habitually fail to make on time payments shall be recommended to the SC by the PMO for exit.

3. The PMO shall obtain SC approval of exit of incubatees for such other reasons, as the case may be.

4. Incubatees wishing to pre-terminate their lease inside the TBI shall formally request, and also indicate the reason/s for such request, to the PMO at least thirty (30) days before intended date of lease termination.

5. The PMO shall evaluate and recommend for SC approval all requests for lease pre-termination.

6. The PMO shall issue a clearance certificate to incubatees who shall exit or graduate from the TBI.

7. Parties in receipt of confidential information should restrict the use of such information for the purpose for which it is disclosed. Concerned parties should safeguard and protect confidentiality of information by using degree of care as they would use to protect their own information of like nature to prevent unauthorized disclosure.

VIII. OFFICIAL LOGO

The following official logo, which was created by Miguel B. dela Peña, shall be adopted.

> [See logo on original document: NAR Vol. 20 No. 3 July-September, P. 1294]

The explanation for the logo is as follows:

> The design of the DOST-PEZA Open TBI logo is inspired by the geometric patterns that, collectively, form the impression of a beehive. The beehive serves as a cultivating environment for the industrially-natured bees. Built upon the same principle, the DOST-PEZA Open TBI serves as a nurturing environment for the technology entrepreneurs. As a matter of simplicity, only two basic colors are applied to the logo, these are light blue and red. The red color draws the attention to the word TBI which emphasizes the nature of the project.

IX. PENALTY CLAUSE

A. Any violation of the provision of this Operations and Policy Guidelines by an incubatee shall be a ground in rescinding the lease contract without prejudice to the filing of appropriate cases before the regular courts of

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competent jurisdiction.

B. Any government official or employee who, by neglect or connivance, has in any manner aided or abetted in the violation or circumvention of the provisions of the Operations and Policy Guidelines, shall be punished in accordance with existing rules and regulations without prejudice to the filing of civil and criminal cases as warranted.

X. EFFECTIVITY

This Order shall be effective immediately and shall remain in force until modified or expanded by the Steering Committee that shall be constituted.

Adopted: 20 Aug. 2009

(SGD.) ESTRELLA F. ALABASTRO
Secretary

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