

# **PHILIPPINE BIDDING DOCUMENTS**



**REPUBLIC OF THE PHILIPPINES  
BANGSAMORO PLANNING AND DEVELOPMENT  
AUTHORITY  
BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO  
COTABATO CITY, BARMM**



## **CONSULTING SERVICES FOR THE CONDUCT OF A TECHNICAL ASSESSMENT AND FEASIBILITY STUDY FOR THE IMPROVEMENT OF THE BONGAO WATER SUPPLY SYSTEM PHASE 2**

**PUBLIC BIDDING NO.:  
PB-IB-2024-03-01**

**PART I**

**Fifth Edition  
August 2016**

# Preface

These Philippine Bidding Documents (PBDs) for the procurement of Consulting Services through Competitive Bidding have been prepared by the Government of the Philippines (GoP) for use by all branches, agencies, departments, bureaus, offices, or instrumentalities of the Government, including government-owned and/or -controlled corporations (GOCCs), government financial institutions (GFIs), state universities and colleges (SUCs), local government units (LGUs), and autonomous regional government. The procedures and practices presented in this document have been developed through broad experience, and are for mandatory use in projects that are financed in whole or in part by the GoP or the World Bank or any foreign government/foreign or international financing institution in accordance with the provisions of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act 9184 (R.A. 9184).

The Bidding Documents shall clearly and adequately define, among others: (a) the objectives, scope, and expected outputs and/or results of the proposed contract; (b) the minimum eligibility requirements of bidders, such as track record to be determined by the Head of the Procuring Entity; (c) the expected contract duration, delivery schedule and/or time frame; and (d) the obligations, duties, and/or functions of the winning bidder.

In order to simplify the preparation of the Bidding Documents for each procurement, the PBDs groups the provisions that are intended to be used unchanged in Section II. Eligibility Documents of Part I; and Section II. Instructions to Bidders (ITB) and Section IV. General Conditions of Contract (GCC) of Part II. Data and provisions specific to each procurement and contract should be included in Section III. Eligibility Data Sheet (EDS) of Part I, Section III. Bid Data Sheet (BDS), and Section V. Special Conditions of Contract (SCC) of Part II. The forms to be used are provided in the attachments.

Care should be taken to check the relevance of the provisions of the Bidding Documents against the requirements of the specific Consulting Services to be procured. The following general directions should be observed when using the documents:

- (a) All the documents listed in the Table of Contents are normally required for the procurement of Consulting Services. However, they should be adapted as necessary to the circumstances of the particular Project.
- (b) These PBDs are divided into Part I and Part II, which shall be both made available from the time the Request for Expression of Interest is first advertised/posted until the deadline for the submission and receipt of bids
- (c) Specific details, such as the “name of the Procuring Entity” and “address for proposal submission,” should be furnished in the EDS, BDS, and SCC. The final documents should contain neither blank spaces nor options.
- (d) This Preface and the footnotes or notes in italics included in the Request for Expression of Interest, EDS, BDS, SCC, Terms of Reference, and Appendices are not part of the text of the final document, although they contain instructions that the Procuring Entity should strictly follow. The Bidding Documents should contain no footnotes except Section VII. Bidding Forms of Part II since these provide important guidance to Bidders.

- (e) The criteria for evaluation and the various methods of evaluation in the ITB should be carefully reviewed. Only those that are selected to be used for the procurement in question should be retained and expanded, as required in the BDS. The criteria that are not applicable should be deleted from the BDS.
- (f) The cover should be modified as required to identify the Bidding Documents as to the names of the Project, Contract, and Procuring Entity, in addition to date of issue.
- (g) If modifications must be made to bidding procedures, they can be presented in the BDS. Modifications for specific Project or Contract should be provided in the SCC as amendments to the Conditions of Contract. For easy completion, whenever reference has to be made to specific clauses in the EDS, BDS, or SCC these terms shall be printed in bold type face on Section II. Eligibility Documents, Section I. Instructions to Bidders, and Section III. General Conditions of Contract, respectively.

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# ***Section I. Request for Expression of Interest***

## **Notes on Request for Expression of Interest**

The Request for Expression of Interest provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The Request for Expression of Interest shall be:

- (a) Posted continuously in the Philippine Government Electronic Procurement System (PhilGEPS) website and the website of the Procuring Entity concerned, if available, and the website prescribed by the foreign government/foreign or international financing institution, if applicable, seven (7) calendar days starting on the date of advertisement; and
- (b) Posted at any conspicuous place reserved for this purpose in the premises of the Procuring Entity concerned for seven (7) calendar days, as certified by the head of the Bids and Awards Committee (BAC) Secretariat of the Procuring Entity concerned.
- (c) Advertised at least once in a newspaper of general nationwide circulation which has been regularly published for at least two (2) years before the date of issue of the advertisement, subject to Sections 21.2.1(c) of the IRR of R.A. 9184;

Apart from the essential items listed in the Bidding Documents, the Request for Expression of Interest should also indicate the following:

- (a) The date of availability of the Bidding Documents, the place where it may be secured and the deadline for submission of the Expression of Interest (EOI) together with the application for eligibility;
- (b) The set of criteria and rating system for short listing of prospective bidders to be used for the particular contract to be Bid, which shall consider the following, among others:
  - (i) Applicable experience of the consultant and members in case of joint ventures, considering both the overall experiences of the firms or, in the case of new firms, the individual experiences of the principal and key staff, including the times when employed by other consultants;
  - (ii) Qualification of personnel who may be assigned to the job vis-à-vis extent and complexity of the undertaking; and
  - (iii) Current workload relative to capacity;
- (c) The number of consultants to be short listed and the procedure to be used in the evaluation of Bids of short-listed consultants, *i.e.*, QBE or QCBE; and if QCBE, the weights to be allocated for Technical and Financial Proposals.



**REPUBLIC OF THE PHILIPPINES**  
**BANGSAMORO PLANNING AND DEVELOPMENT AUTHORITY**  
**BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO**  
**COTABATO CITY, BARMM**



**REQUEST FOR THE EXPRESSION OF INTEREST**

1. The Bangsamoro Planning and Development Authority (BPDA-BARMM), through the **General Appropriations Act of the Bangsamoro FY 2024**, intends to apply the sum of **Three Million Four Hundred Ninety One Thousand Two hundred Sixty-Four Pesos (Php3,491,264.00)**, being the Approved Budget (ABC) to payments under the contract for Consultancy Services for the Conduct of a Technical Assessment and Feasibility Study for the Improvement of the Bongao Water Supply System Phase 2 (**Contract No. PB-IB-2024-03-01**). Bids received in excess of the ABC shall be automatically rejected at the opening of the financial proposals.
2. The BPDA-BARMM now calls for the submission Expression of Interest (EOI) and eligibility requirements for the above Consultancy Services. Eligibility documents of interested Consultants must be duly received by the BPDA-BARMM Special Bids and Awards Committee (BPDA-SBAC) Secretariat on or before **March 27, 2024 8:30 A.M.** at the following address:  
  
**MR. DATUALI U. IBRAHIM**  
Head SBAC Secretariat  
Bangsamoro Planning and Development Authority  
Bangsamoro Government Center, Cotabato City  
Telephone Nos. 557-2795  
<https://bpda.bangsamoro.gov.ph/>
3. Interested Consultants may obtain further information from **BPDA-SBAC** and acquire a complete set of Proposal Documents at the address given above from **Mondays to Fridays, 8:00 A.M. to 5:00 P.M., starting March 18, 2024** upon payment of the applicable fee for the Proposal Documents in the amount of **Php5,000.00**. The Bidding/Proposal Documents may also be downloaded free of charge from the Philippine Government Electronic Procurement System (PhilGEPS), provided that Consultants shall pay the applicable fee for the Bidding/Proposal Documents not later than the submission of their proposals.
4. A Pre-Proposal/Pre-Bid Conference will be held on **April 3, 2024, 9:00 A.M.** at the **BPDA Conference Hall 2, Bangsamoro Government Center, Cotabato City**. Representative/s should bring a letter addressed to the BPDA-SBAC Chairperson certifying that the representative/s has/have authority to speak for and in behalf of the Consultant.

5. The BPDA-SBAC shall draw up the short list of consultants from those who have submitted Expression of Interest, including the eligibility documents, and have been determined as eligible in accordance with the provisions of Republic Act 9184 (RA 9184), otherwise known as the “Government Procurement Reform Act”, and its Implementing Rules and Regulations (IRR). The short list shall consist of three (3) to six (6) prospective bidders who will be entitled to submit bids. The criteria and rating system for shortlisting are:

<b>Criteria/Particulars</b>	<b>Firm</b>
<b>I. Experience and Capability of the Firm</b>	<b>50 points</b>
a. Years in Consulting Services b. Related Experience/Previous Engagements <ol style="list-style-type: none"> <li>i. Similar Experience</li> <li>ii. Relevant Experience</li> </ol>	
<b>II. Qualification of Personnel who may be assigned to the Study*</b>	<b>30 points</b>
a. Education b. Relevant Training c. Related Experience	
<b>III. Financial/Job Capacity**</b>	<b>20 points</b>
<b>Grand Total</b>	<b>100 points</b>

*Note: The Firm must get a total of at least 70 points from the above criteria to be shortlisted. Breakdown and evaluation parameters are presented below*

\* Non-organic personnel may be nominated for the purpose of eligibility and shortlisting provided that he/she should submit a signed written commitment stating that he/she shall work for the Study once awarded the contract. The personnel to be proposed/nominated under the technical proposal (of shortlisted consultants) may also be non-organic and may not be the same personnel nominated in the shortlisting. The Team Leader may only be nominated by one (1) firm.

$$\text{**Financial Capacity} = \frac{\text{Current Assets} - \text{Current Liabilities} - 2 \text{ months of all ongoing contracts}}{2 \text{ months of Reimbursable Expense}}$$

6. The selection process will be conducted through open competitive bidding procedures using non-discretionary “pass/fail” criterion as specified in the IRR of RA 9184. This procurement activity is restricted to Consultants with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, subject to the conditions for eligibility provided in the IRR of RA 9184.
7. The Procuring Entity shall evaluate bids using the *Quality-Cost Based Evaluation/Selection (QCBES)* procedure at a weight ratio of 80% for the Technical Proposal and 20% for the Financial Proposal. The criteria and rating system for the evaluation of proposals shall be provided in the Instructions to Proponents/Bidders.
8. The contract shall be completed within four (4) months.

9. The **BPDA-BARMM** reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.
10. For further information, please contact the BPDA-SBAC Secretariat:

**MR. DATUALI U. IBRAHIM**  
Head SBAC Secretariat  
Bangsamoro Planning and Development Authority  
Bangsamoro Government Center, Cotabato City  
Telephone Nos. 557-2795  
<https://bpda.bangsamoro.gov.ph/>

**March 15, 2024**

Sgd.  
**ENGR. KADIL A. SULAIK JR., PME, MPA**  
Chairperson, BPDA-SBAC



## ***Section II. Eligibility Documents***

### **Notes on the Eligibility Documents**

This Section provides the information necessary for prospective bidders to prepare responsive Eligibility Documents in accordance with the requirement of the Procuring Entity.

The provisions contained in this Section are to be used unchanged. Additional information or requirements specific to each procurement shall be specified in the EDS.

## 1. Eligibility Criteria

1.1. The following persons/entities shall be allowed to participate in the bidding for Consulting Services:

- (a) Duly licensed Filipino citizens/sole proprietorships;
- (b) Partnerships duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the interest belongs to citizens of the Philippines;
- (c) Corporations duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the outstanding capital stock belongs to citizens of the Philippines;
- (d) Cooperatives duly organized under the laws of the Philippines; or
- (e) Persons/entities forming themselves into a joint venture, *i.e.*, a group of two (2) or more persons/entities that intend to be jointly and severally responsible or liable for a particular contract: Provided, however, That Filipino ownership or interest thereof shall be at least sixty percent (60%). For this purpose, Filipino ownership or interest shall be based on the contributions of each of the members of the joint venture as specified in their JVA.

1.2. When the types and fields of Consulting Services involve the practice of professions regulated by law, those who will actually perform the services shall be Filipino citizens and registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions specified in the EDS.

1.3. If the Request for Expression of Interest allows participation of foreign consultants, prospective foreign bidders may be eligible subject to the conditions stated in the EDS.

1.4. Government owned or –controlled corporations (GOCCs) may be eligible to participate only if they can establish that they (a) are legally and financially autonomous, (b) operate under commercial law, and (c) are not attached agencies of the Procuring Entity.

## 2. Eligibility Requirements

2.1. The following eligibility requirements, together with the Eligibility Documents Submission Form, shall be submitted on or before the date of the eligibility check specified in the Request for Expression of Interest and Clause 5 for purposes of determining eligibility of prospective bidders:

- (a) **Class “A” Documents –**

### Legal Documents

- (i) PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR, except for foreign bidders participating in the procurement by a Philippine Foreign Service Office or Post, which shall submit their

eligibility documents under Section 24.1 of the IRR, provided, that the winning Consultant shall register with PhilGEPS in accordance with Section 37.1.4 of the IRR;

Technical Documents

- (ii) Statement of the prospective bidder of all its ongoing and completed government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, within the relevant period provided in the **EDS**. The statement shall include, for each contract, the following:
  - (ii.1) the name and location of the contract;
  - (ii.2) date of award of the contract;
  - (ii.3) type and brief description of consulting services;
  - (ii.4) consultant's role (whether main consultant, sub-consultant, or partner in a JV)
  - (ii.5) amount of contract;
  - (ii.6) contract duration; and
  - (ii.7) certificate of satisfactory completion or equivalent document specified in the **EDS** issued by the client, in the case of a completed contract;
- (iii) Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions in accordance with Clause 1.2, including their respective curriculum vitae.

(b) **Class "B" Document** –

If applicable, the Joint Venture Agreement (JVA) in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners in accordance with Section 24.1(b) of the IRR of RA 9184.

- 2.2. The eligibility requirements or statements, the bids, and all other documents to be submitted to the BAC must be in English. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in foreign language other than English, it must be accompanied by a translation of the documents in English. The documents shall be translated by the relevant foreign government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service

establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. The English translation shall govern, for purposes of interpretation of the bid.

- 2.3. Prospective bidders may obtain a full range of expertise by associating with individual consultant(s) and/or other consultants or entities through a JV or subcontracting arrangements, as appropriate. However, subconsultants may only participate in the bid of one short listed consultant. Foreign Consultants shall seek the participation of Filipino Consultants by entering into a JV with, or subcontracting part of the project to, Filipino Consultants.

### **3. Format and Signing of Eligibility Documents**

- 3.1. Prospective bidders shall submit their eligibility documents through their duly authorized representative on or before the deadline specified in Clause 5.
- 3.2. Prospective bidders shall prepare an original and copies of the eligibility documents. In the event of any discrepancy between the original and the copies, the original shall prevail.
- 3.3. The Eligibility Documents Submission Form shall be signed by the duly authorized representative/s of the Bidder. Failure to do so shall be a ground for the rejection of the eligibility documents.
- 3.4. Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialed by the duly authorized representative/s of the prospective bidder.

### **4. Sealing and Marking of Eligibility Documents**

- 4.1. Prospective bidders shall enclose their original eligibility documents described in Clause 2.1, in a sealed envelope marked "ORIGINAL – ELIGIBILITY DOCUMENTS". Each copy thereof shall be similarly sealed duly marking the envelopes as "COPY NO. \_\_ - ELIGIBILITY DOCUMENTS". These envelopes containing the original and the copies shall then be enclosed in one single envelope.
- 4.2. The original and the number of copies of the eligibility documents as indicated in the **EDS** shall be typed or written in ink and shall be signed by the prospective bidder or its duly authorized representative/s.
- 4.3. All envelopes shall:
  - (c) contain the name of the contract to be bid in capital letters;
  - (d) bear the name and address of the prospective bidder in capital letters;
  - (e) be addressed to the Procuring Entity's BAC specified in the **EDS**;
  - (f) bear the specific identification of this Project indicated in the **EDS**; and

- (g) bear a warning “DO NOT OPEN BEFORE...” the date and time for the opening of eligibility documents, in accordance with Clause 5.

4.4 Eligibility documents that are not properly sealed and marked, as required in the bidding documents, shall not be rejected, but the bidder or its duly authorized representative shall acknowledge such condition of the documents as submitted. The BAC shall assume no responsibility for the misplacement of the contents of the improperly sealed or marked eligibility documents, or for its premature opening.

## **5. Deadline for Submission of Eligibility Documents**

Eligibility documents must be received by the Procuring Entity’s BAC at the address and on or before the date and time indicated in the Request for Expression of Interest and the **EDS**. In case the deadline for submission of bids falls on a non-working day duly declared by the president, governor, or mayor or other government official authorized to make such declaration, the deadline shall be the next working day.

## **6. Late Submission of Eligibility Documents**

Any eligibility documents submitted after the deadline for submission and receipt prescribed in Clause 5 shall be declared “Late” and shall not be accepted by the Procuring Entity. The BAC shall record in the minutes of submission and opening of eligibility documents, the Bidder’s name, its representative and the time the eligibility documents were submitted late.

## **7. Modification and Withdrawal of Eligibility Documents**

7.1. The prospective bidder may modify its eligibility documents after it has been submitted; provided that the modification is received by the Procuring Entity prior to the deadline specified in Clause 5. The prospective bidder shall not be allowed to retrieve its original eligibility documents, but shall be allowed to submit another set equally sealed, properly identified, linked to its original bid marked as “ELIGIBILITY MODIFICATION” and stamped “received” by the BAC. Modifications received after the applicable deadline shall not be considered and shall be returned to the prospective bidder unopened.

7.2. A prospective bidder may, through a letter of withdrawal, withdraw its eligibility documents after it has been submitted, for valid and justifiable reason; provided that the letter of withdrawal is received by the Procuring Entity prior to the deadline prescribed for submission and receipt of eligibility documents.

7.3. Eligibility documents requested to be withdrawn in accordance with this Clause shall be returned unopened to the prospective bidder concerned. A prospective bidder that withdraws its eligibility documents shall not be permitted to submit another set, directly or indirectly, for the same project. A prospective bidder that acquired the eligibility documents may also express its intention not to participate in the bidding through a letter which should reach and be stamped by the BAC before the deadline for submission and receipt of eligibility documents.

## 8. Opening and Preliminary Examination of Eligibility Documents

- 8.1. The BAC will open the envelopes containing the eligibility documents in the presence of the prospective bidders' representatives who choose to attend, at the time, on the date, and at the place specified in the **EDS**. The prospective bidders' representatives who are present shall sign a register evidencing their attendance.

In case the submitted eligibility envelopes cannot be opened as scheduled due to justifiable reasons, the BAC shall take custody of the said envelopes and reschedule the opening on the next working day or at the soonest possible time through the issuance of a Notice of Postponement to be posted in the PhilGEPS website and the website of the Procuring Entity concerned.

- 8.2. Letters of withdrawal shall be read out and recorded during the opening of eligibility documents and the envelope containing the corresponding withdrawn eligibility documents shall be returned unopened to the withdrawing prospective bidder.
- 8.3. The eligibility documents envelopes and modifications, if any, shall be opened one at a time, and the following read out and recorded:
- (h) the name of the prospective bidder;
  - (i) whether there is a modification or substitution; and
  - (j) the presence or absence of each document comprising the eligibility documents vis-à-vis a checklist of the required documents.
- 8.4. The eligibility of each prospective bidder shall be determined by examining each bidder's eligibility requirements or statements against a checklist of requirements, using non-discretionary "pass/fail" criterion, as stated in the Request for Expression of Interest, and shall be determined as either "eligible" or "ineligible." If a prospective bidder submits the specific eligibility document required, he shall be rated "passed" for that particular requirement. In this regard, failure to submit a requirement, or an incomplete or patently insufficient submission, shall be considered "failed" for the particular eligibility requirement concerned. If a prospective bidder is rated "passed" for all the eligibility requirements, he shall be considered eligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "eligible." If a prospective bidder is rated "failed" in any of the eligibility requirements, he shall be considered ineligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "ineligible." In either case, the BAC chairperson or his duly designated authority shall countersign the markings.

## **9. Short Listing of Consultants**

- 9.1. Only prospective bidders whose submitted contracts are similar in nature and complexity to the contract to be bid as provided in the **EDS** shall be considered for short listing.
- 9.2. The BAC shall draw up the short list of prospective bidders from those declared eligible using the detailed set of criteria and rating system to be used specified in the **EDS**.
- 9.3. Short listed consultants shall be invited to participate in the bidding for this project through a Notice of Eligibility and Short Listing issued by the BAC.

## **10. Protest Mechanism**

Decision of the Procuring Entity at any stage of the procurement process may be questioned in accordance with Section 55 of the IRR of RA 9184.

# ***Section III. Eligibility Data Sheet***

## **Notes on the Eligibility Data Sheet**

This Section is intended to assist the Procuring Entity in providing the specific information and requirements in relation to corresponding clauses in the Eligibility Documents, and has to be prepared for each specific procurement.

The Procuring Entity should specify in this Section the information and requirements specific to the circumstances of the Procuring Entity, the processing of the eligibility, and the rules that will apply in the determination and evaluation of eligibility.

In preparing this Section, the following aspects should be checked:

- (a) Information that specifies and complements provisions of the Eligibility Documents must be incorporated.
- (b) Amendments and/or supplements, if any, to provisions of the Eligibility Documents as necessitated by the circumstances of the specific procurement, must also be incorporated.



# Eligibility Data Sheet

<b>Eligibility Documents</b>	
1.2	<i>Not applicable.</i>
1.3	<i>No further instructions.</i>
2.1(a)(ii)	The statement of all ongoing and completed government and private contracts shall include all such contracts within the last <b>twenty (15) years</b> prior to the deadline for the submission and receipt of eligibility documents.
2.1(a)(ii.7)	Copies of Certificate of project completion/acceptance of work from at <b>least two (2) previous clients for the last 10 years.</b>
4.2	Each prospective proponent/bidder shall submit <b>one (1) original and four (4) copies of eligibility documents which are properly tabbed and labeled.</b>
4.3(e)	<b>Bangsamoro Planning and Development Authority - Special Bids and Awards Committee (BPDA-SBAC)</b>  Bangsamoro Government Center, Cotabato City Telephone Nos. 557-2795
4.3(f)	<b>CONSULTING SERVICES FOR THE CONDUCT OF A TECHNICAL ASSESSMENT AND FEASIBILITY STUDY FOR THE IMPROVEMENT OF THE BONGAO WATER SUPPLY SYSTEM PHASE 2</b>
5.0	The address for submission of eligibility documents is:  <b>ENGR. KADIL A. SULAIK JR., PME, MPA</b> <b>Chairperson, BPDA-SBAC</b> <b>Bangsamoro Planning and Development Authority</b> <b>Bangsamoro Government Center, Cotabato City</b> <b>Telephone Nos. 557-2795</b>  The deadline for submission of eligibility documents is on <b>March 27, 2024 8:30 A.M.</b>
8.0	The place of opening of eligibility documents is:  <b>BPDA-BARMM, CONFERENCE HALL 2</b> <b>BANGSAMORO GOVERNMENT CENTER, COTABATO CITY</b>  The date and time of opening of eligibility documents is on <b>March 27, 2024 9:00 A.M.</b>
9.1	Refer to the Terms of Reference (TOR).

9.2	<p>Shortlisting will be based on applicable experience of the firm, qualifications of key personnel who may be assigned to the job, and job capacity. Job capacity will be measured in terms of financial capacity using the following formula:</p> $FC = \frac{\text{Current Assets} - \text{Current Liabilities} - 2 \text{ months of all ongoing contracts}}{2 \text{ months of Reimbursable Expense}}$ <p>The minimum score required to be shortlisted is <b>70 points/100 points</b>.</p>
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## ELIGIBILITY DOCUMENT SUBMISSION FORM

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*[Date]*

*[Name and address of the Procuring Entity]*

Ladies/Gentlemen:

In connection with your Request for Expression of Interest dated *[insert date]* for *[Title of Project]*, *[Name of Consultant]* hereby expresses interest in participating in the eligibility and short listing for said Project and submits the attached eligibility documents in compliance with the Eligibility Documents therefor.

In line with this submission, we certify that:

- a) *[Name of Consultant]* is not blacklisted or barred from procurement/bidding by the GOP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, and that each of the documents submit; and
- b) Each of the documents submitted herewith is an authentic copy of the original, complete, and all statements and information provided therein are true and correct.

We acknowledge and accept the Procuring Entity's right to inspect and audit all records relating to our submission irrespective of whether we are declared eligible and short listed or not.

Yours sincerely,

Signature  
Name and Title of Authorized Signatory  
Name of Consultant  
Address

**FORM A. STATEMENT OF COMPLETED CONTRACTS**

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**Statement of Completed Contracts**

This is to certify that \_\_\_\_\_ has the following completed contracts for the period CY \_\_\_\_\_.

Name and Location of the Contract	Date of Award of the Contract	Type and Brief Description of Consulting Services	Consultant's Role (Main Consultant, Sub-Contractor, Partner in a JV, etc.)	Amount of Contract	Contract Duration	Proof/Certificate of Satisfactory Completion or Equivalent Document Issued by at Least Two (2) Clients (Separate Sheet)
			<b>Note:</b> Include description of the activities conducted /undertaken by the consultant.		<b>Note:</b> Include month/s and year/s for studies	

\_\_\_\_\_  
Name and Signature of Authorized Representative

\_\_\_\_\_  
Date

**Instructions:**

- a) Cut-off date: The day before the deadline of submission of eligibility documents.
- b) State completed contracts for the last twenty (20) years. Contracts that are similar/relevant to the project being procured/bid in terms of nature and amount shall be prioritized in inclusion in the list.

**FORM B. STATEMENT OF ONGOING AND AWARDED BUT NOT YET STARTED CONTRACTS**

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**Statement of Ongoing and Awarded But Not Yet Started Contracts**

This is to certify that \_\_\_\_\_ has the following ongoing and awarded but not yet started contracts:

Name and Location of the Contract	Date of Award of the Contract	Type and Brief Description of Consulting Services	Consultant's Role (Main Consultant, Sub-Contractor, Partner in a JV, etc.)	Amount of Contract	Contract Duration	Remarks
			<b>Note:</b> Include description of the activities conducted /undertaken by the consultant.		<b>Note:</b> Include month/s and year/s for studies	

\_\_\_\_\_  
Name and Signature of Authorized Representative

\_\_\_\_\_  
Date

**Instructions:**

- a) State all ongoing contracts including those awarded but not yet started (government and private contracts which may be similar or not similar to the project called for procurement/bidding) as of the day before the deadline of submission of eligibility documents.
- b) If there is no ongoing contract including awarded but not yet started as of the aforementioned period, state none or equivalent term.

## FORM C. FORMAT OF CURRICULUM VITAE (CV)

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Proposed Position: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Name of Staff: \_\_\_\_\_

Profession: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Years with Firm/Entity: \_\_\_\_\_

Nationality: \_\_\_\_\_

Membership in Professional Societies: \_\_\_\_\_

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Detailed Tasks Assigned: \_\_\_\_\_

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### **Key Qualifications:**

*[Give an outline of staff member's experience and training most pertinent to tasks on project (in months and years with detailed description/discussion on the nature and scope of work). Describe the degree of responsibility held by the staff member on relevant previous projects and give dates and locations.]*

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### **Education:**

*[Summarize college/university and other specialized education of staff members, giving names of schools, dates attended, and degrees obtained.]*

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### **Employment Record:**

*[Starting with the present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of projects. For experience in last twenty-five years (in man-months), also indicate role played and types of activities performed and client references, where appropriate. Failure to indicate details of role and duration shall merit zero points.]*

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### **Trainings Attended:**

*[Summarize trainings/seminars attended as participant indicating topic and specific duration (in hours/days). Failure to indicate details shall merit zero points.]*

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**Languages:**

[For each language, indicate proficiency: excellent, good, fair, or poor in speaking, reading, and writing. ]

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**Certification:**

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe me, my qualifications, and my experience.

\_\_\_\_\_ Date: \_\_\_\_\_  
*[Signature of staff member and authorized representative of the firm]* *Day/Month/Year*

Full name of staff member: \_\_\_\_\_

Full name of authorized representative: \_\_\_\_\_

# *Section V. Terms of Reference*

## TERMS OF REFERENCE

### Consultancy Services for the Conduct of a Technical Assessment and Feasibility Study for the Improvement of the Bongao Water Supply System Phase 2

#### 1. BACKGROUND

##### 1.1. Contracting Authority

The Contracting Authority (CA) shall be the **Bangsamoro Planning and Development Authority (BPDA)**, through the **General Appropriations Act for the Bangsamoro (GAAB) FY 2024 financing facility**.

The BPDA Office is the Executing Office (EO) and will be the head of the oversight committee. The **Bongao Water District (BWD)** is the Implementing Office (IO) and will have overall responsibility in project coordination and implementation.

##### 1.2. Context

The Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) has recorded a significant Access to clean water is essential for human health, environment, industries, and agriculture. Consequently, this access significantly influences the overall growth of a specific area including its economic sector. Based from the Annual Poverty Indicators Survey (PSA, 2022), the percentage of households that are classified under basic in terms of service level of drinking water has increased from 73.3% to 87.8% from 2020 to 2022 in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). Despite this notable improvement, the government plans to continue its infrastructure development within the water sector. Level I source, also known as point source, still heavily dominates the regional landscape with approximate 85% coverage based from the Philippine Water Supply and Sanitation Master Plan (PWSSMP).

To sustain the continued growth in the region, the BARMM plans to spur infrastructure development in the water sector through interventions backed by robust investments, which will benefit households that do not have access to safe water.

Considering the above, the MPW through the funding support from SDF with the technical assistance from a Consulting Firm intends to expand its existing water supply system with the end view of servicing additional households in its municipality.



The term “Consultant” shall refer to the firm providing such consulting services for the purpose of this Terms of Reference (TOR).

## **2. OBJECTIVES AND EXPECTED OUTPUTS**

### **2.1 Overall Objectives of the Project Study**

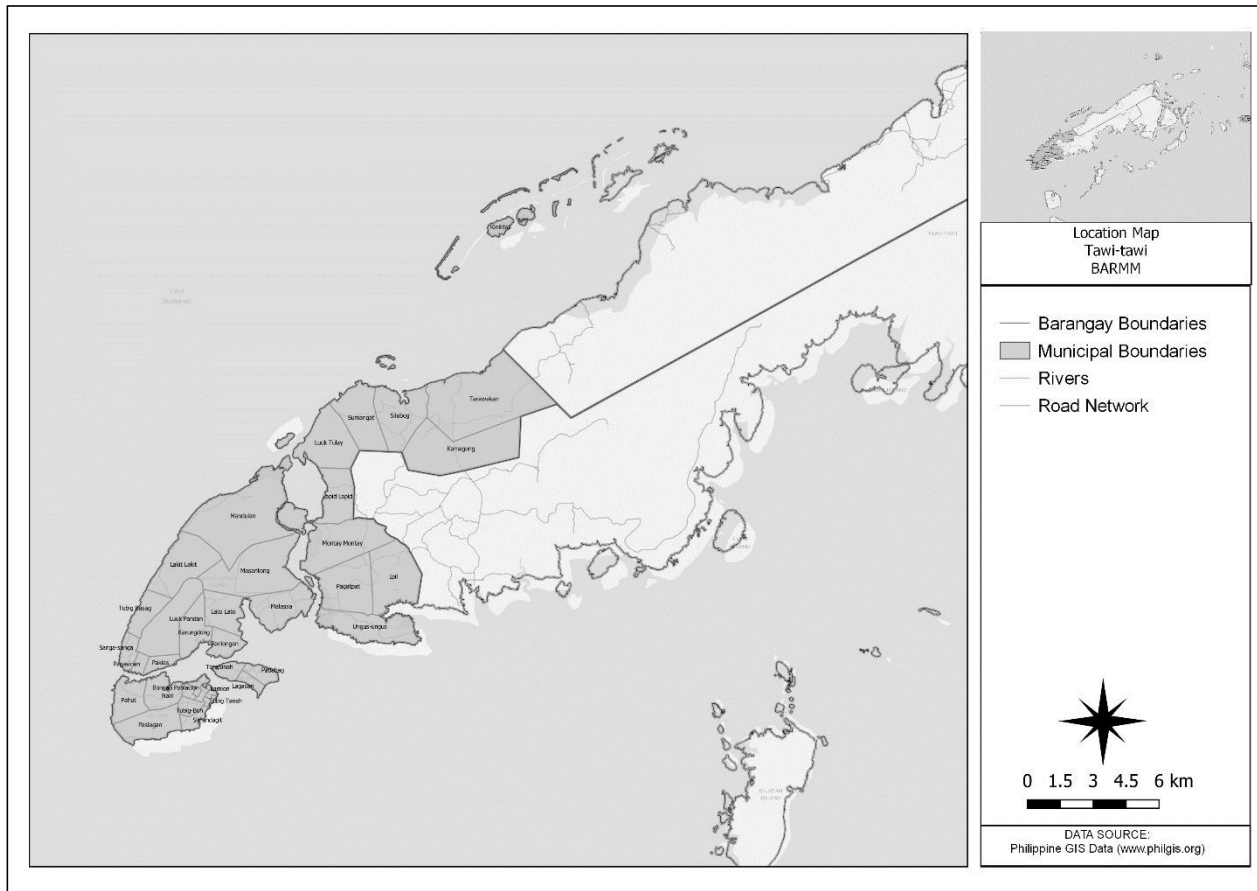
The consulting services to be procured under this Terms of Reference (TOR) is subdivided into two (2) Phases: (a) Phase 1 is focused on conducting a technical study for the replacement and upgrading of transmission lines, construction of steel pipe bridge, a centralized water treatment facility, and three (3) individual treatment plants; (b) Phase 2 will involve a comprehensive feasibility study to evaluate the potential expansion to currently underserved households by adding new pump stations to the transmission lines, upgrading transmission pipes, enhancing water storage capacity, and improving distribution lines.

Phase 1 proposed component for the Technical Study:

- Replacement of dilapidated main transmission line
- Upgrading of pipe sizes
- Construction of steel pipe bridges
- Construction of one (1) centralized water treatment plant and three (3) individual water treatment facilities

Phase 2 proposed component for the Feasibility Study:

- Construction of four (4) units of new water pumping stations and interconnection pumps to main transmission lines
- Construction of new 2-steel bolted water storage tanks.
- Replacement of 4,000 linear meter transmission pipes (14 ‘’ dia.) including appurtenances
- New distribution lines from main storage tanks to unserved households



## 2.2. Expected Outputs of the Study

By the end of the contract period under this TOR, the Consulting Firm is expected to deliver the following:

- A baseline condition assessment of the Study area;
- A technical study for the Phase 1 of the project which shall assess the technical viability and requirements of the proposed improvement; and
- A comprehensive feasibility study for the proposed Phase 2 improvement which shall include the technical requirements, investment costs, economic and financial viability, social and environmental acceptability, institutional arrangements, and project implementation.

## 3. SCOPE OF WORK

### 3.1. General Scope of Work

The scope of work of the Consulting Firm under this TOR shall include, but not necessarily be limited to the following:

**1) Defining the Planning Approach and Developing the Geospatial Documentation and Planning Solutions Platform**

- Alignment with national government (e.g., PDP, PWSSMP, etc.) and local government (e.g., RDP, MDP, CLUP, etc.) plans and programs;
- Coordination and collaboration with all relevant stakeholders;
- Setting design criteria and standards;
- Data gathering/baseline mapping and assessment; and
- Geospatial platform development; platform selection (GIS, Civil 3D, etc.), base map preparation, data population, modeling, analysis, and reporting.

**2) Consultative Meetings**

- Interaction with stakeholders is of critical importance during the consulting services. Consultation meetings shall be conducted to obtain/secure views, comments and recommendations, and other inputs from relevant agencies, LGUs, non-government organizations (NGOs), private sector, academe, investors and other concerned stakeholders (women, elderly, person with disabilities, indigenous peoples, etc.) for the formulation of the Feasibility Study.

**3) Baseline Condition Assessment**

- Provide a description of the study area (i.e., provincial, and municipal-level information) including description of the demography, economy, household income and expenditures, sanitation regulations, risks and hazards, existing and proposed land use plan, among other related information;
- Assess current water supply situation considering various initiatives proposed or being undertaken by various government agencies, private entities, non-government organizations, and aid agencies and financing institutions for the development of water supply services in the existing service areas;
- Assess the water supply condition in areas/barangays outside of JMWD and LGU-run systems service areas that can be covered for potential expansion. The assessment will include existing water supply facilities of barangay-level and/or private water service providers, if any, their service coverage and quality, operations, water rates, etc.; and
- Conduct an analysis of the projected water demand of the identified target service area per type of connection;

- Assess the existing and potential water resources and their conditions and environment - rock formation, terrain, possible source of contamination, and distance and relative elevation from the main service area;
- Conduct initial data gathering to develop a shortlist of potential sources, which involves (i) gathering data from relevant agencies and institutions such as NWRB, NIA, DENR-RBCO, MGB, and the LGU of Bongao, (ii) conducting review of related documents and reports, key informant interviews, and (iii) gathering of secondary data to establish the available water sources (i.e., surface and groundwater) for the Study Area, including their current and planned uses and classifications, existing water rights, identified pollution levels, and conditions of head water/watershed;

#### **4) Conduct of Technical Assessment Report**

This entails a technical assessment for the Phase 1 of the project involving the replacement of a deteriorating main transmission line, upgrading of pipe sizes, construction of a steel pipe bridge, and the establishment of one (1) centralized water treatment plant along with three (3) individual treatment facilities. The assessment aims to evaluate the technical feasibility of each component, including examining existing infrastructure, sizing and materials requirements, structural considerations for bridges, and location selection for water treatment facilities. The assessment will utilize a combination of field surveys, hydraulic modeling, and engineering analysis, culminating in a Technical Assessment Report with recommendations, cost estimates, and relevant technical data, to be completed within a specified timeframe and budget.

#### **5) Conduct of Feasibility Study Report**

The scope of work entails conducting a comprehensive feasibility study for the Phase 2 construction projects, including the construction of four new water pumping stations with interconnection pumps, two steel-bolted water storage tanks, the replacement of 4,900 meters of transmission pipes, and the installation of new distribution lines to unserved households. The study's primary objective is to assess the economic, technical, environmental, and social feasibility of these projects. Tasks include evaluating technical specifications, estimating project costs, and providing recommendations. The study will involve data collection, analysis, and consultations with stakeholders, culminating in a Feasibility Study Report to guide informed decision-making and project planning, with a specified timeframe and budget.

##### **a. Household Surveys**

- Conduct a field market survey to determine the willingness-to-connect and ability-to-pay of prospective consumers within the delineated service area.

##### **b. Engineering Design Development**

- Recommend plans/schemes that can be readily implemented to immediately establish and/or improve the water supply services in the Study Area;
- Prepare concept designs, cost estimates, implementation and construction plan of the recommended immediate plans/programs covering source development, treatment, transmission, and distribution.
- Prepare hydraulic analysis for the distribution lines to ensure reliable delivery of water to consumers.
- Design of Individual Water Treatment Plant (IWTP) for new water sources not meeting the water quality standards for potable water, if needed.
- Conduct geo-resistivity tests to pre-identified areas by BWD prior to drilling.

#### **c. Financial and Economic Assessment**

- Provide financial and economic analysis that will examine the project's financial viability and economic sustainability. This analysis will involve assessing the project's funding requirements, revenue projections, cost-benefit analysis, and financial risk factors. It will also include the evaluation of the project's impacts to the water tariff.
- Evaluate the broader economic impact of the project on the community and region, including potential job creation and increased economic activity.

#### **d. Institutional Assessment**

- Provide options for institutional and organizational setup of the operations and management of water supply and distribution systems in the context of possible concession/joint-venture agreement with a private proponent.

#### **e. Social and Environmental Assessment**

- The Consultant must verify the condition of the project area and carry out the environmental and social assessments in accordance with existing regulations. Social, and environmental benefits and damages brought about by the project (during construction and operation) in terms of both quantifiable and non-quantifiable short- and long-term effects "without" and "with" the project will be evaluated. The measures to minimize/offset the adverse impact, including the cost of implementing them, will be identified, and evaluated for each alternative to allow a full comparison of identified alternative.

## **4. TIMELINES AND DELIVERABLES**

### **4.1. Commencement Date and Period of implementation**

The feasibility Study shall be completed within a period of three and a half (3.5) months commencing from the date of receipt of the Notice of Proceed (NTP).

**Figure 1. Indicative Timeline of Implementation**

Tasks/Activities	Month 1				Month 2				Month 3				Month 4				Month 5				Month 6			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
A. Mobilization / Office Set-up	█																							
B. Data Baseline Collection and Review	█	█	█	█	█																			
C. Baseline Condition Assessment			█	█	█	█	█	█	█	█														
C.1 Assessment of Existing Water Supply Facilities			█	█	█	█																		
C.2 Assessment of Water Demand							█	█	█	█														
D. Conduct of Technical Assessment Report (Phase 1)									█	█	█	█	█	█	█									
E. Conduct of Feasibility Study (Phase 2)										█	█	█	█	█	█	█	█	█	█					
E.1 Household Survey											█	█	█	█										
E.2 Engineering Design Development										█	█	█	█	█	█									
E.3 Financial and Economic Assessment																█	█	█	█					
E.4 Institutional Assessment																█	█	█	█					
E.5 Social and Environmental Assessment																█	█	█	█					
Deliverables																								
Inception Report														█										
Interim Report															█									
Draft Technical Assessment Report																█								
Final Technical Assessment Report																				█				
Draft Feasibility Study Report																				█				
Final Feasibility Study Report																							█	
Client Review																		█	█	█	█	█	█	

**4.2 Table of Deliverables**

A detailed Work and Financial Plan shall be submitted by the Consulting Firm to the CA for review, monitoring, and payment processing purposes within ten (10) working days from the date of commencement as indicated in the Notice to Proceed (NTP).

The deliverables for the subject as enumerated below shall be submitted by the Consulting Firm in three (3) hard copies to the CA for review and payment processing. Electronic/ soft copies shall also be submitted to the CA as earlier stipulated in this TOR.

**Table 1. Schedule of Deliverables**

Deliverable	Timeline
Inception Report with WFP	Thirty (30) calendar days from receipt of NTP
Interim Report	Seventy-five (75) calendar days from receipt of NTP
Draft Technical Assessment	Four (4) months upon receipt of NTP

<b>Deliverable</b>	<b>Timeline</b>
Report	
Final Technical Assessment Report	Fifteen (15) calendar days after receipt of comments from EO and IO but not more than five (5) months upon receipt of NTP
Draft Feasibility Study Report	Five (5) months upon receipt of NTP
Final Feasibility Study Report	Fifteen (15) calendar days after receipt of comments from EO and IO but not more than six (6) months upon receipt of NTP

Client comments must be provided fifteen (15) calendar days after receipt of draft technical assessment and feasibility study reports. All submitted outputs/reports/documents/photos/maps under this contract, including but not limited to, estimates, digital information, computer model and data, specifications, investigations, and studies completed or partially completed, and inspection logs shall be the property of the Contracting Authority upon completion of the contract or termination of the Agreement. Copyrights will be governed by existing laws, rules, and regulations.

It is noted that while the commencement of activities is anchored on the receipt of NTP, a turnaround period on submission of deliverables is considered in the timeline.

- **The Inception Report** and Work and Financial Plan (WFP), which shall be submitted by the Consulting Firm to the EO and IO for review, comment, and approval, shall include the detailed work program for the scope of work, a detailed schedule for all work, including field work related to applicable tasks.
- **The Interim Report**, which shall be submitted by the Consulting Firm to the EO and IO for review, comment, and approval, shall include, among others, the indicative findings and results of the studies conducted during the baseline condition assessments.
- **The Draft Technical Assessment Report**, which shall be submitted by the Consulting Firm to the EO and IO for review, comment, and approval, shall include, among others, the technical findings of the proposed Phase 1 activities.
- **The Final Technical Assessment Report**, which shall be submitted fifteen (15) calendar days after the receipt of the comments on the Draft Technical Assessment from CA, incorporating all the actions taken by the Consulting Firm with regards to the comments from the CA.
- **The Draft F/S Report** to be submitted by the Consulting Firm to the CA for review, comment and approval shall include, among others, the identified short-term investment projects for implementation. The reports shall consider the technical, financial, and economic, social, and environmental analyses.

- **The Final F/S Report**, which shall be submitted fifteen (15) calendar days after the receipt of the comments on the Draft F/S from CA, incorporating all the actions taken by the Consulting Firm with regards to the comments from the CA. The Final Report shall be presented to CA, as well as related stakeholders.

## 5. EXPERTISE REQUIREMENT AND QUALIFICATIONS

The consulting firm must have demonstrated significant experience in the following areas in the preparation of plans for urban and rural water supply systems, FS for water infrastructure development with due consideration on; (i) urban planning and design of water supply systems; (ii) climate change resilience standards for water supply facility, (iii) water source development, pipelines, water treatment facility and reservoir, (iv) financial and economic analyses; and (v) National and Local standards for social and environmental safeguards, among others. Work experience in the BARMM is preferred.

### Key Experts

Proposing entities will determine the number and the nature of experts they will require to achieve the objectives of the contract, and the duration (in person months) of their inputs, in accordance with their proposed approach and methodology. However, the CA requires the following minimum key experts' positions as shown below:

Position	Requirements
Water Supply Planning Specialist/ Team Leader	<ul style="list-style-type: none"> <li>• Advanced degree in engineering or other relevant fields</li> <li>• Minimum 10 years of professional experience related to preparation of master plans, feasibility studies, and detailed engineering design of water supply facilities</li> <li>• Minimum 10 years of professional experience as Project Manager/Team Leader for development studies of environmental infrastructure systems</li> </ul>
Water Supply Engineer / Hydraulics Modeler	<ul style="list-style-type: none"> <li>• Advance degree in engineering or other related technical discipline</li> <li>• Minimum 10 years of professional experience related to water supply engineering design</li> </ul>
Water Treatment Specialist	<ul style="list-style-type: none"> <li>• Advance degree in engineering or other related technical discipline</li> <li>• Minimum 10 years of professional experience related to water and treatment systems planning and design</li> </ul>
Hydrogeologist	<ul style="list-style-type: none"> <li>• Advance degree in geology and/or engineering or other related technical discipline</li> <li>• Minimum 10 years of professional experience related to water resources planning and design</li> </ul>
Electro-Mechanical Engineer	<ul style="list-style-type: none"> <li>• Licensed Mechanical, Electrical, or Electronic Communication Engineer</li> <li>• At least 5 years of relevant experience</li> </ul>
Civil / Structural Engineer	<ul style="list-style-type: none"> <li>• Must have at least a Bachelor's Degree in Civil Engineering or related technical discipline</li> <li>• At least 5 years cumulative experience in structural engineering, having involved in the design of dams and conveyance structures either for water supply, hydropower, or transportation</li> </ul>



<b>Position</b>	<b>Requirements</b>
Cost Engineer	<ul style="list-style-type: none"> <li>• Must have at least a Bachelor's Degree in Civil Engineering or related technical discipline</li> <li>• Minimum 5 years of professional experience in performing quantity/cost estimates for infrastructure projects</li> </ul>
Environmental Specialist	<ul style="list-style-type: none"> <li>• Advanced degree in environmental engineering related technical discipline</li> <li>• Minimum 5 years of professional experience related to preparation and implementation of environmental plans for water supply systems.</li> </ul>
Social and Gender Specialist	<ul style="list-style-type: none"> <li>• Must have at least a Bachelor's Degree in Community Development, Development Study, Sociology or related discipline</li> <li>• Minimum 5 years of professional experience related to preparation and implementation of social and gender plans for water supply and sanitation systems.</li> </ul>
Institutional and Organizational Development Specialist	<ul style="list-style-type: none"> <li>• Must have at least a Bachelor's Degree in Public Policy, Public/Business Administration, Political Science, Management, or related discipline</li> <li>• Minimum 10 years of professional experience related to undertakings on institutional development or governance</li> </ul>
Economic and Financial Specialist	<ul style="list-style-type: none"> <li>• Advanced degree in Economics and Finance or related discipline</li> <li>• Minimum 10 years of professional experience related to preparation of financial and economic analysis of water supply infrastructure projects</li> </ul>

### **Non-Key Experts**

In addition to the above mandatory key experts, shortlisted firms are required to provide non-key experts to ensure all aspects of the work can be undertaken and all deliverables and reports prepared. All non-key experts will have adequate qualifications and experience in a relevant field with 3 years of experience. These experts must be included and budgeted for in the financial proposal and consistent with the person-month allocation proposed by the firm.

### **Support Staff**

The Consulting Firm may also hire, as it deems necessary and at its own expense, additional experts to ensure the quality and timely delivery of the scope of work of the consultancy service, and/or support staff to undertake administrative and/or logistical functions, as well as research work, technical writing and/or review and editing activities, among others, provided that the total contract cost does not exceed the approved budget for the contract.

## **6. SELECTION CRITERIA FOR SHORTLISTING**

Prospective bidders shall follow the guidelines in the preparation of eligibility requirements as stipulated in Sections 24.1 and 24.2 of the Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, otherwise known as the Government Procurement Reform Act (GPRA).

Participating consultancy firms shall be shortlisted based on the following:

- Experience<sup>1</sup> and capability of the Firm;
- Qualification of officers and/or key organic personnel who may be assigned to the undertaking, including non-organic personnel<sup>2</sup>; and
- Job capacity<sup>3</sup>.

Proposals/bids submitted by the shortlisted Consulting Firms shall be evaluated using the Quality-Cost Based Evaluation/Selection (QCBE/S) procedure under RA No. 9184/GPRA and its IRR at 80% for the Technical Proposal and 20% for the Financial Proposal.

## **7. INSTITUTIONAL SET-UP / RESPONSIBILITIES**

### **7.1 Executing Office (EO) / BPDA Office**

- Shall serve as the Procuring/Executing Entity (i.e., representative of the BARMM in the Contract Agreement with the Consulting Firm);
- Shall, through its Special Bids and Awards Committee (SBAC), be responsible for facilitating the bidding and tendering of the consultancy services in compliance with RA 9184 and its IRR with the Implementing Agency as end-user;
- Shall be responsible for the disbursement of the fund once the contract becomes executed; and
- Shall provide all available data, studies, reports, and other documents that can be used in the conduct of the study. It shall also aid in the access to relevant offices and/or agencies and participate in the discussion/meetings/conferences/visits during the study;

### **7.2 Implementing Office (IO) / Bongao Water District (BWD)**

- Shall be the beneficiaries/end-users of the consultancy services;

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<sup>1</sup> Similar experience refers to previous accomplishments/contracts with scope of works involving the formulation of a feasibility study and/or related studies/services pertaining to water supply, sewerage, and sanitation infrastructure development, including social and environmental studies, disaster resiliency, inclusiveness, and sustainability management; while relevant experience refers to previous accomplishments/contracts with scope covering the formulation of development plans in other infrastructure (e.g., irrigation, drainage) or economic sectors (e.g., industries, commercial services).

<sup>2</sup> The Key Experts are required to indicate 1) their role in a specific project, 2) the exact duration that they have worked on the project, 3) a brief description of the tasks that they have carried out. In the case of a nominated consultant, he/she should submit a signed written commitment stating that he/she shall work for the Study once awarded the contract.

<sup>3</sup> This will be based on the balance sheet/audited financial statement of the Firm. The difference of current assets and current liabilities, or net current assets, of the Firm should be able to support minimum two (2) months of operating expenses for the conduct of the Study. In case of winning bidder with zero rating as for financial capacity, the same will be required to put up an amount, whether in cash or irrevocable letter of credit, equivalent to two (2) months of operating expenses as will be defined under the contract.

- Shall be responsible for contract implementation and management, including ensuring the quality of output, the monitoring, and evaluation of the progress of the study and approval of reports to ensure delivery of outputs as specified in Sections 2, 3, and 4 of this TOR;
- Shall aid in the coordination with other concerned offices/agencies/entities in the conduct of the study, such as securing the required permits(s) and data/information, among others;
- Shall provide reasonable technical assistance to personnel of the Consulting firm with respect to incidents related to the conduct of the study;
- Shall provide, upon the request of the Consulting Firm, available information/data and if available, copies of previous related studies subject to the execution of the Confidentiality and Non-Disclosure Agreement (CNDA), if necessary;
- Shall evaluate all request for payments/billings and endorse to the EO upon determination of the acceptability/correctness of the same;
- Shall report to the EO the physical progress of the study monthly; and
- Shall adhere to the timeline and ensure that the deliverables are timely and effectively met;

### **7.3 The Consultancy Firm**

- Shall be responsible for the conduct of the study and the timely delivery of quality results/outputs as indicated under Sections 2, 3, and 4 of this TOR;
- Shall be responsible for the provision, if necessary, an office space within proximity to the Bangsamoro Government Center and the project site for their project staff as well as the Government's detailed personnel, including the necessary office equipment (i.e., computer, printers, office supplies, etc.) for the conduct of the study. All equipment procured for the development of the project shall be transferred to the EO by the end of the project;
- Shall shoulder all expenses required in the conduct of the study, including travel costs, travel insurance and lodging of detailed Government personnel during field visits, except for their salaries;
- Shall: (a) carry out the services with sound engineering theories and practices to ensure that the final works will provide the most economical and feasible development for the study; (b) accept full responsibility for the consulting services to be performed under this TOR for which the Consulting Firm is liable to the EO; (c) perform the work in an efficient and diligent manner and shall use its best effort to keep reimbursable costs down to the possible minimum without impairing the quality of services rendered; and (d) comply with, and strictly observe any laws regarding workmen's health and safety, workmen's welfare, compensation for injuries, minimum wage, hours of labor and other labor laws;

- Shall: (a) keep accurate and systematic records and accounts in respect of the services in such form and detail as is customary and sufficient to establish accurately that the costs and expenditures under this TOR have been duly incurred; and (b) permit the duly authorized representatives of the Government from time to time to inspect its records and accounts as well as to audit the same;
- Shall not assign nor sub-contract any part of the professional engineering services under this TOR to any person or firm, (except with the prior written consent of the EO). The approval by the Government to the assignment of any part of said services or to the engagement by the Consulting Firm of sub-contractors to perform any part of the same shall not relieve the Consulting Firm of any obligations under this TOR;
- During the term of the contract and after its termination, the Consultant and any entity affiliated with the Consultant, as well as any Subconsultant and any entity affiliated with such Subconsultant, shall be disqualified from providing goods, works, or consulting services for any project resulting from or closely related to the contract other than the services and any continuation thereof if the above mentioned parties are involved in the preparation of the Terms of Reference of such goods, works or consulting services and provided there is no current or future conflict;
- Shall not at any time communicate to any person or entity any information disclosed to them for the purpose of this services, nor shall the Consulting Firm make public any information as to the recommendations formulated during or because of the services, except with prior consent of the CA;
- Shall agree that nothing contained herein shall be construed as establishing or creating between the Government and the Consulting Firm, the relationship of employer and employee or principal and agent, it is understood that the position of the Consulting Firm and anyone else performing the services is that of an independent contractor; and
- Shall hold the Government free from all liabilities, suits, actions, demands, or damages arising from death or injuries to persons or properties, or any loss resulting from or caused by said personnel incident to or in connection with the services under this TOR. The Consulting Firm shall agree to indemnify, protect, and defend at its own expense the Government and its agents from and against all actions, claims and liabilities arising out of acts done by the Consulting Firm or its staff in the performance of the services, including the use of, or violation of any copyrighted materials, patented invention, article or appliance;

## **8. MODE OF PROCUREMENT AND APPROVED BUDGET FOR THE CONTRACT (ABC)**

The Mode of Procurement for the project is through competitive public bidding pursuant to RA 9184 and its IRR.

The ABC for the proposed feasibility study for **Phase 2** is **PhP 3,491,264.00**, inclusive of all applicable government taxes and charges, professional fees, and other incidental and administrative costs which shall be paid on a reimbursement basis (e.g., travel expenses, medical

tests, communication expenses, office supplies, office space, and other expenses deemed necessary for the project as certified by the Executing Office).

Note that this consulting contract shall be a fixed price contract. Any extension of contract time shall not involve any additional cost to the Government.

All equipment, materials, etc., acquired for the study shall be turned over to the Contracting Authority at the conclusion of the study.

## 9. PAYMENT SCHEME SCHEDULE

Billing for non-reimbursable items, including professional fees, shall be in accordance with the following delivery schedule, upon recommendation and endorsement of the EO and IO, subject to the usual government accounting and auditing requirements.

Payment for the Consultant's services shall be as follows:

**Table 3. Payment Schedule**

<b>Output</b>	<b>Payment Schedule</b>
Upon Acceptance of the Inception Report and WFP	15% of Total Amount
Upon Acceptance of the Interim Reports	25% of Total Amount
Upon Acceptance of the Draft Technical Assessment Report	25% of Total Amount
Upon Acceptance of the Final Technical Assessment Report and Draft FS Report	25% of Total Amount
Upon Acceptance of the Final Feasibility Study Report	10% of Total Amount

All payments will be subject to the usual government accounting and auditing rules & regulations. The Consultant is expected to be familiar with the Government Accounting and Auditing Manual (GAAM).

## 10. LIQUIDATED DAMAGES

If the Consultant fails to deliver any or all the Services within the period(s) specified in this Contract, the Procuring Entity shall, without prejudice to its other remedies under this Contract and under the Applicable Law, deduct from the contract price, as liquidated damages.

The Contracting Authority has the sole and exclusive right to determine and exercise when and how much liquidated damages shall be charged against the consultant/service provider. Such amount shall be deducted from any money due or which may become due the Service Provider under the contract and/or collect such liquidated damages from the retention money or other securities posted by the Service Provider whichever is convenient to the Contracting Authority.

## 11. CONFIDENTIALITY

Except with the prior written consent of the Procuring Entity, the Consultant and the Personnel shall not at any time communicate to any person or entity any confidential information acquired

in the course of the Services, nor shall the Consultant and the Personnel make public the recommendations formulated during, or because of, the Services. For purposes of this clause, “confidential information” means any information or knowledge acquired by the Consultant and/or its Personnel arising out of, or in connection with, the performance of the Services under this Contract that is not otherwise available to the public.

## **12. DISPUTE SETTLEMENT**

In the matter of dispute, should any dispute related to the Contract and/or rights of the parties arise, the same shall be submitted to mutual consultation, mediation, and arbitration, in the order of application. The venue of the proceedings shall be in the City of Cotabato, BARMM.



**BANGSAMORO PLANNING AND DEVELOPMENT AUTHORITY  
BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO  
COTABATO CITY, BARMM**



**SPECIAL BIDS AND AWARDS COMMITTEE**

**CHECKLIST OF REQUIREMENTS FOR ELIGIBILITY AND SHORT LISTING FOR BIDDERS**

**PROJECT: Consultancy Services for the Conduct of a Technical Assessment and Feasibility Study for the Improvement of the Bongao Water Supply System Phase 2**

**APPROVED BUDGET FOR THE CONTRACT: PHP 3,491,264.00**

**NAME OF COMPANY: \_\_\_\_\_**

**ENVELOPE 1-TECHNICAL COMPONENTS**

**A. ELIGIBILITY REQUIREMENTS UNDER SECTION 23 OF IRR OF R.A 9184**

Class "A" Documents Legal Documents	REMARKS	
	PASS	FAILED
i) Updated PhilGEPS Platinum Certificate of Registration; and / or combination of:		
ii) Valid SEC, DTI, or CDA Registration		
iii) Valid Mayor's / Business Permit		
iv) Valid Tax Clearance per EO 398 s. 2005		

Technical Documents		
i.	Eligibility Documents Submission Form	
ii)	Statement of the prospective bidder of all its ongoing and completed government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, within the last 3 years per. The statement shall include, for each contract, the following: <ul style="list-style-type: none"> <li>• the name and location of the contract;</li> <li>• date of award of the contract;</li> <li>• type and brief description of consulting services;</li> <li>• consultant's role (whether main consultant, subcontractor, or partner in a JV)</li> <li>• amount of contract;</li> <li>• contract duration; and</li> <li>• certificate of satisfactory completion issued by the client, in the case of a completed contract;</li> </ul>	

iii) Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions, including their respective curriculum vitae		
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Financial Documents

i) Audited financial statement stamped “received” by the BIR or its duly accredited and authorized institutions for the preceding calendar year, which should not be earlier than (2) years from bids submission		
ii) Computation of Net Financial Contracting Capacity (NFCC) or Credit Line Certificate. Amount: <u>Php</u>		

Class "B" Document

i) Valid joint venture agreement (JVA), if applicable		
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