

Terms of Reference

Development of Good Governance Toolkit Consisting of Reference and Learning Materials to Guide the Mainstreaming of Good Governance Principles and Elements in the Key Processes in the National Economic and Development Authority (NEDA)

I. Background/Rationale

Under NEDA's organizational rationalization, the Governance Staff (GovS) was created and lodged under the National Development Office for Policy and Planning. The key responsibilities of the GovS are the following:

1. Develop guidelines and provide technical staff support in the preparation, monitoring and assessment of the governance framework of the national development plan
2. Conduct policy reviews on governance and institutions development
3. Conduct studies on translating universal governance concepts of accountability, transparency into practical terms more suitable to the Philippine setting
4. Develop/Enhance governance indicators to better keep track of plan and policy implementation and gauge agency performance
5. Conduct short term assessment or rapid appraisal of governance-related issues/concerns in the public sector and suggesting concrete measures to address them
6. Conduct policy-oriented research in order to come up with recommendations to change/modify existing policies or programs or adopt other interventions
7. Provide technical assistance in terms of preparing think papers, position papers and policy advice on emerging governance issues
8. Provide representation to the various councils, technical working groups and inter-agency committees concerned with the governance sector
9. Provide technical and secretariat support to the Inter-agency Committee on Development Administration / Planning Committee on Good Governance and the Rule of Law

The organizational set-up of the GovS was generally completed by the first quarter of 2014, when the key officials and officers were put in place. To ensure a common and clear direction for the GovS, aligned with expectations and priorities of NEDA management, the Staff conducted its Strategic and Operational Planning Workshop last August 2014. To lay down the foundation for GovS strategic direction, it defined the scope of good governance (public sector governance) and agreed on a set of principles of good governance, which shall moor and guide GovS in defining its strategic goals, key tasks and key activities over the next three years. The agreed set of principles is the following:

1. **Rule of Law and Fairness** - Adherence and promotion of human rights and the rule of law is the foundation for human well-being, social justice and equitable socioeconomic development. Institutions must ensure that laws and policies are supportive of international human rights norms, standards and commitments, equally and consistently enforced, and independently adjudicated.
2. **Inclusiveness** - Development needs to be both inclusive and sustainable. Achieving these will require institutions to create enabling, gender-responsive, non-discriminatory and unbiased environments which will provide equitable opportunities for everyone to contribute in a meaningful way and equally benefit from inclusive growth and socioeconomic development.

3. **Participation, Openness and Transparency** - The Philippine Constitution espouses the right to effective and reasonable participation in all levels, as well as the public's right to information on matters of public concern. Public participation and stakeholder engagement builds trust and credibility and a sense of ownership and collective responsibility for decisions made. Institutions maximize public participation and stakeholder engagement by creating enabling mechanisms for dialogue and collaboration. Through timely and appropriate disclosure, ease of access to relevant information and user-friendly mechanisms for public scrutiny and effective feedback, institutions ensure an engaged and well-informed citizenry.
4. **Performance-Orientation** - High performing public sector organizations are results-based and outcomes-focused. They ensure effective, efficient and responsive implementation of programs, projects and initiatives. They foster innovation, promote continuous learning and change, embed appropriate tracking, assessment, knowledge and experience-sharing mechanisms and processes.
5. **Leadership and Stewardship** - Effective leadership is the cornerstone of good governance. Institutions require leaders with strategic vision who will steer and drive organizational performance, inspiring a sense of purpose and direction. They set the climate for continuous improvement, adaptive and collaborative management. Leading by example, they encourage lawful and prudent use of power, proper and judicious use of resources to uphold and promote public interest and well-being.
6. **Ethics and Probity** - Upholding public trust and confidence is a key accountability of public sector institutions. Everyone must act with honesty, integrity, impartiality and uprightness; his/her behavior must embody and exemplify ethical principles, standards and positive values.
7. **Service-Orientation and Accountability** - Meeting client needs, interests and concerns, and serving them with utmost responsibility, loyalty and efficiency is the essence of public service. Public office is a public trust. It demands answerability for actions and decisions made. Institutions must create and sustain a culture characterized by high degree of client-focus, ethical professionalism, gender and cultural sensitivity for maximum client satisfaction. They need to develop robust and appropriate systems, mechanisms and processes to ensure timely, adequate and high quality service, as well as conformance with legal and regulatory requirements. Across institutions, alignment, coherence, and synergies should be promoted and maintained.

After agreeing on a set of core principles for good governance, the GovS defined its strategic goals and corresponding key tasks over the next three years. This was based on NEDA's strategic objectives and major final outputs (MFOs); existing mandates and work assignments (mostly carried over from Legal Staff and Management Staff); emerging governance challenges, issues, and priorities; and staff complement of the GovS. The resulting strategic goals and their corresponding strategic intent are the following:

1. Strengthen performance management and accountability across key sectors and institutions
 - a. Establish the National Government Indicators System
 - b. Mainstream good governance principles and elements in development planning, program/project review, monitoring and evaluation as well as strengthen linkages and alignment of planning and budgeting
2. Fully engage and mobilize key stakeholders and development partners involved in good governance and anti-corruption initiatives
 - a. Maximize stakeholder engagement and inter-agency collaboration in good governance initiatives for the public sector

- b. Enhance synergies between and among bilateral/ multilateral development partners and the GovS
 - c. Provide technical assistance and support to NEDA-relevant government programs and initiatives related to anti-corruption
- 3. Contribute to creating an enabling legal, regulatory and policy environment favorable to inclusive growth and sustainable development
 - a. Ensure that laws, policies, rules and regulations integrate governance dimensions and address strategic governance issues or challenges
 - b. Institutionalize a robust Regulatory Impact Assessment system
 - c. Strengthen good governance arrangements, processes and practices in key priority sectors and institutions

To complete the strategic plan, the key tasks for each strategic intent were defined within a time-frame of the next three years. The key tasks were the basis in formulating the 2015 work program of the GovS.

Based on the strategic plan, an overarching responsibility of the GovS now is to mainstream good governance principles and elements in NEDA's key processes: development planning, policy development, project development and investment programming, and monitoring and evaluation. To properly implement this responsibility, there is a need to develop a set of reference and learning materials to guide GovS and NEDA as a whole in ensuring that the principles of good governance are mainstreamed within its key processes. To facilitate this, the development of a good governance toolkit is being proposed. Since this would require a level of expertise and attention that is beyond GovS's in-house capability, the services of an individual Consultant will be procured.

II. Scope of Work and Job Specifications

The Consultant will render his/her services leading to the development of a Good Governance Toolkit for NEDA with the level of effort of two (2) person-months, and undertake the following key activities and tasks:

Key Activity/Task	Preferred Methodology
Prepare and submit one (1) Inception Report, including Work Plan	
Develop an over-all framework for the Good Governance Toolkit based on the good governance principles and NEDA's key processes and major final outputs	Consultative discussions with GovS management
Facilitate one(1) Design and Development Workshop for 15 GovS personnel to define the good governance elements, activities, and indicators per principle for each of the major NEDA processes (including preparatory activities)	Lecture / Interactive class discussion / group work
Conduct one (1) mini-workshop with the NEDA Governance Movers, composed of 27 representatives from the Staffs of the NEDA Central Office, to formulate and come up with the working draft toolkit	Interactive discussion with the NEDA Governance Movers
Present the draft Toolkit in one (1) meeting of the NEDA Management Committee (ManCom), composed of around 30 officials in the NEDA Central Office, for the purpose of validating the good governance elements, activities and indicators of the major NEDA processes	Roundtable discussion with the NEDA officials in the Central Office
Finalize the toolkit based on inputs from the NEDA	

Key Activity/Task	Preferred Methodology
ManCom	

III. Timeframe and Deliverables

The consultancy service shall be completed within five (5) months, commencing from the issuance of the Notice to Proceed (NTP). The Consultant shall submit the final deliverable (Good Governance Toolkit) at the end of the fifth month, after which he/she shall be released from the consultancy engagement not more than two weeks upon acceptance of said Toolkit.

Activities/Milestones	Deliverables/Outputs	Timeline
<i>Inception Report</i> <ul style="list-style-type: none"> • Consultation with GovS • Firming Up of the Approach and Methodology for the Development of Good Governance Toolkit 	Inception Report, including Work Plan	Within one (1) week after issuance of NTP
<i>Design and Development Workshop</i> <ul style="list-style-type: none"> • Submission of workshop design • Conduct of one (1) workshop • Submission of workshop completion report and overall framework of the toolkit 	Completion Report of the Design and Development Workshop and the Overall Framework of the Good Governance Toolkit	Two (2) months after issuance of NTP
<i>Draft Good Governance Toolkit</i> <ul style="list-style-type: none"> • Consultation with GovS • One (1) mini-workshop with the NEDA Governance Movers • Submission of draft Toolkit 	First Draft of the Good Governance Toolkit	Three and a half (3-1/2) months after issuance of NTP
<i>Final Good Governance Toolkit</i> <ul style="list-style-type: none"> • Presentation of draft Toolkit in Mancom meeting or circulation of draft for comments of concerned NEDA Central Office staffs • Revision of draft based on NEDA comments • Submission of final Toolkit 	Final Good Governance Toolkit	Five(5) months after issuance of NTP

Annex A provides further details of the timelines of the consultancy engagement.

IV. Implementation Arrangements

1. The NEDA-GovS will be the executing Staff for the consultancy service and will be responsible for the overall management, supervision and activity directions. Coordination meetings between the Consultant and GovS will be conducted in accordance with the schedule stated in item III above. Specifically, the NEDA-GovS shall:
 - a. Provide the Consultant with pertinent information/documents needed to undertake the required activity
 - b. Review and approve the overall framework, workshop design (for the design and development workshop), and Good Governance Toolkit

- c. Undertake the procurement of venue and provide the equipment, supplies, transportation, food and accommodation of the Consultant during the workshop, mini-workshop and meetings
 - d. Arrange for the physical, administrative and logistic requirements needed for the conduct of the workshop, mini-workshop and meetings
 - e. Facilitate the release of payment of the Consultant's fee based on the approved payment scheme and schedule
2. The Consultant shall be responsible for timely delivery of outputs as indicated in Item III and undertake the following:
 - a. Firm up and finalize, in consultation with GovS, the approach and methodology for the development of the Good Governance Toolkit
 - b. Act as facilitator in one (1) Design and Development Workshop, one (1) mini-workshop and other meetings that will be conducted in relation to the engagement
 - c. Periodically consult and seek the approval of the GovS during the development of the framework, workshop design and the Good Governance Toolkit
 - d. Submit to GovS the deliverables in electronic copy and two (2) hard copies

V. Qualifications and Criteria for Selection

1. The service shall be undertaken by an individual Consultant whose qualifications are as follows:

	Qualifications	Requirements
Education	Educational attainment in economics, public administration, psychology, sociology or any related social sciences	At least a Bachelor's degree preferably in the area of specialization
Experience	<ul style="list-style-type: none"> With prior involvement in developing manuals or toolkits related to thematic or program areas, e.g., gender and development, governance, sustainable development 	Preferably with at least two (2) manuals or toolkits developed
	<ul style="list-style-type: none"> Experience in program/policy development for the public and private sectors 	Preferably with five (5) to ten (10) years of experience
Skills and competency	Capable of conducting or facilitating workshops for government agencies directed at formulating strategic/thematic/sectoral frameworks for socioeconomic development	Preferably with at least two (2) completed reports in related work, and at least five (5) workshops conducted

Selection of qualified candidates will be rated according to the criteria specified in Annex B. Prospective bidders are required to submit the following:

- a. Curriculum Vitae highlighting relevant work experience and credentials and indicating current workload/projects; and
- b. Sample of manuals or toolkits and workshop completion reports.

2. The Consultant shall be selected using the Quality-Cost Based Selection procedure under Republic Act No. 9184, or the Government Procurement Reform Act (GPRA), and its Revised Implementing Rules and Regulations (IRR) and evaluated according to the following:

- a. Technical Proposal : 80%
- b. Financial Proposal : 20%

VI. Fund Source and Approved Budget for the Contract (ABC)

1. Fund for this project shall be sourced from the NEDA Common Pool.
2. The ABC is four hundred forty thousand pesos (Php440,000.00) and is subject to all applicable government taxes and charges.
3. The consulting contract shall be a fixed price contract. Any extension of contract time shall not involve any additional cost to the Government.
4. All manuals, reports, materials, references, etc. acquired shall be turned over to NEDA at the conclusion of the consultancy service.

VII. Payment Scheme

Payment to the Consultant shall be made according to the following schedule and subject to the usual government accounting and auditing requirements:

Deliverables	Payment Allocation and Amount
Upon acceptance of Inception Report, including work plan	20% P88,000.00
Upon acceptance of the design and development workshop and overall framework for the Good Governance Toolkit	40% P176,000.00
Upon acceptance of first draft of the Toolkit	20% P88,000.00
Upon acceptance of the final Toolkit	20% P88,000.00
TOTAL	100% P440,000.00

IX. Liquidated Damages

1. Where the Consultant refuses or fails to satisfactorily complete the work within the specified contract time, plus any time extension duly granted and is hereby in default under contract, the Consultant shall pay NEDA for liquidated damages, and not by way of penalty, an amount, as provided in the conditions of contract, equal to one tenth (1/10) of one (1) percent of the cost of the unperformed portion for every day of delay. The maximum deduction shall be ten percent (10%) of the amount of contract. Once the cumulative amount of liquidated damages reaches ten percent (10%) of the amount of the contract, NEDA shall at its own discretion terminate the contract without prejudice to any further action it may take to recover whatever losses incurred due to non-performance of the Consultant.

ANNEX A. TIMELINES

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Activities and Milestones	Outputs/ Deliverables	Unit Responsible	Month					
			July	Aug	Sept	Oct	Nov	Dec
Issuance of Notice to Proceed	Notice to Proceed	NBAC, Consultant	Wk 2					
Inception Report								
One consultation meeting	Inception Report, including work plan	Consultant, GovS	Wk 3					
Firming up of the approach and methodology for the development of the Good Governance Toolkit		Consultant	Wk 3					
Design and Development Workshop								
One consultation meeting	Workshop Design	Consultant, GovS	Wk 4					
Submission of workshop design		Consultant		Wk 1				
Review and approval of workshop design		GovS		Wk 2				
Conduct of workshop	Workshop Completion Report and overall framework of the Good Governance Toolkit	Consultant, GovS		Wk 3-4				
Submission of completion report and overall framework		Consultant			Wk 1			
Review and acceptance of completion report		GovS			Wk 2			
Draft Good Governance Toolkit								
One consultation meeting	Draft Good Governance Toolkit	Consultant, GovS			Wk 3			
One mini- workshop with the NEDA Governance Movers		Consultant, Governance Movers			Wk 4			
Writing of draft Toolkit		Consultant				Wk 1-2		
Submission of draft Toolkit		Consultant				Wk 3		
Review and acceptance of draft Toolkit		GovS				Wk 4		
Final Good Governance Toolkit								
Presentation of draft Toolkit in Mancom meeting or circulation of draft for comments of concerned NEDA Central Office staffs	Final Good Governance Toolkit	Consultant					Wk 1-2	
Revision of draft Toolkit based on NEDA comments		Consultant					Wks 3-4	
Submission of final Toolkit		Consultant						Wk 1
Review and acceptance of final Toolkit		GovS						Wk 2

ANNEX B. CRITERIA FOR SELECTION

Evaluation of Technical Proposal

Rating Factor		Points/Weight
A	Education <ul style="list-style-type: none"> Degree/s obtained Area of Specialization: economics, public administration, psychology, sociology or any related social sciences 	10%
B	Length of Experience in Program/Policy Development <ul style="list-style-type: none"> Experience in program/policy development for the public and private sectors 	20%
C	Actual Experience in Manual/Toolkit Development <ul style="list-style-type: none"> Prior involvement in developing manuals or toolkits related to thematic or program areas, e.g., gender and development, governance, sustainable development 	30%
D	Skills and Competency <ul style="list-style-type: none"> Facilitation of workshops for government agencies directed at formulating strategic/ thematic/sectoral frameworks for socioeconomic development 	30%
E	Job Capacity <ul style="list-style-type: none"> Current workload and number of pending projects 	10%
TOTAL		100%

Minimum Score: **50%**

Qualifying Score: **70%**

Evaluation of Financial Proposal

Table of Rating for Bidding		Subtotal	Points/Weight	Rating
A	Technical Proposal		80%	
B	Financial Proposal The formula below shall be observed: $\text{Rating point} = (\text{Lowest Financial Proposal} / \text{Financial Proposal}) * 100 * 20\%$		20%	
GRAND TOTAL			100%	