

NEGOTIATED PROCUREMENT REQUIREMENTS

1. Eligibility Criteria

- 1.1 Only duly licensed Filipino citizens shall be allowed to participate.
- 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 **DS**.

2. Eligibility Requirements

- 2.1 The following eligibility requirements shall be submitted on or before the date of the eligibility check specified in the Request for EOI and Clause 5 for purposes of determining eligibility of prospective individual Consultants:
 - (a) Valid Tax Clearance Certificate per Executive Order (EO) No. 398, Series of 2005, reviewed and approved by the Bureau of Internal Revenue (BIR);
 - (b) PhilGEPS Online Registration Number;
 - (c) Curriculum Vitae (as specified in the **DS**) highlighting all completed and ongoing similar/relevant contracts to the subject undertaking within the last ten (10) years. The statement shall include, for each contract, the following:
 - i. the name and location of the contract;
 - ii. date of award of the contract (in months and years);
 - iii. type and brief description of consulting services;
 - iv. consultant's role (whether main consultant, subcontractor, or partner);
 - v. amount of contract; and
 - vi. contract duration (in months and years);
 - (d) Copies of Certificate of project completion/acceptance of work from previous clients as provided in the **DS**; and
 - (e) Sample of published studies/papers related to the project works.
- 2.2 The eligibility requirements or statements and all other documents to be submitted to the NEDA Bids and Awards Committee for Consulting Services (NBAC-CS) must be in English.

3. Technical Proposal

3.1. Consultants shall submit their Technical Proposal, comprised of the following documents, together with their eligibility documents but in separate envelopes (as provided in the **DS**) for negotiations::

- (i) Bid security in the form of:
 - a. A Bid Securing Declaration as provided for under Section 27.5 of the Revised IRR of RA 9184 (format as provided in the **DS**);
 - b. A bank draft/guarantee or an irrevocable Letter of Credit issued by a foreign bank (equivalent to 2% of the ABC), which shall be accompanied by a confirmation from a Universal or Commercial Bank; or
 - a. A surety bond (equivalent to 5% of ABC) accompanied by a certification coming from an authorized Insurance Commission that a surety or insurance company is authorized to issue such instrument.
- (ii) A concise, complete, and logical description of how the Consultant shall carry out the services to meet all requirements of the TOR as provided in the **DS**.
- (iii) A work plan showing in graphical format (bar chart) the timing of major activities, anticipated coordination meetings, and deliverables such as reports required under the TOR as provided in the **DS**.
- (iv) A Time Schedule indicating clearly the estimated duration in terms of person-months (shown separately for work in the field and in the home office). The schedule shall also indicate when the expert is working in the project office and when he/she is working at locations away from the project office. Please refer to **DS**.
- (v) An organization chart indicating relationships amongst the Consultant and any partner and/or subcontractor, the Procuring Entity, the Funding Source and the GOP, and other parties or stakeholders, if any, involved in the project.
- (vi) Comments, if any, on the TOR to improve performance in carrying out the Project. Innovativeness shall be appreciated, including workable suggestions that could improve the quality/effectiveness of the Project. In this regard, unless the Consultant clearly states otherwise, it shall be assumed by the Procuring Entity that work required to implement any such improvements, are included in the inputs shown on the Consultant's Schedule. Please refer to the **DS**.
- (vii) A list of facilities requested by the Consultant to be provided by the Procuring Entity in addition to those shown on the Data Sheet that may include support facilities such as: counterpart staff, office space, local

transportation, equipment, domestic administrative support, etc. that would be needed to carry out the project.

- (viii) The name, age, nationality, background employment record, and professional experience of the Consultant including ongoing projects, with particular reference to the type of experience required for the tasks should be presented in the CV format prescribed.
- (ix) The Procuring Entity requires that the Consultant confirm that the content of his/her CV is correct and the Consultant himself/herself should sign the certification of the CV. In addition, the Consultant should submit a signed written commitment stating that he/she shall work for the Project once awarded the contract.
- (x) Sworn statement in accordance with Section 25.2(b)(iv) of the IRR of RA 9184 and using the form prescribed in **DS**.

3.2. Only prospective bidders whose submitted contracts are similar in nature and complexity to the contract to be bid as provided in the **DS** shall be considered.

4. Financial Proposal

- 4.1 Consultants shall submit their Financial Proposal, simultaneously with their eligibility documents and technical proposal as provided for in the **DS**.
- 4.2 All information provided in a **Consultant's** Financial Proposal shall be treated as confidential. The Financial Proposal must be submitted in hard copy using the format shown in **Error! Reference source not found..**
- 4.3 As provided in the **DS**, the Financial Proposal requires completion of three (3) forms, particularly, FPF 1, FPF 2, and FPF 3.
- 4.4 should form the covering letter of the Financial Proposal. Form FPF 2. Summary of Costs.FPF 3. Breakdown of Price per Activity.
- 4.5 The **Consultant/s**, and corresponding inputs, identified in **Error! Reference source not found..**, must match the respective inputs shown in **Error! Reference source not found..**
- 4.6 The **Consultant** shall be subject to Philippine taxes on amounts payable by the **NEDA** under the contract through mandated withholding by local tax authorities of specified percentages of such amounts or otherwise. The **NEDA** shall withhold the applicable withholding taxes as implemented under existing revenue regulations.
- 4.7 The Financial Proposal should clearly estimate, as a separate amount, the local taxes (including social security), duties, fees, levies, and other charges imposed under the applicable law, on the **Consultants**, the subcontractors, and its personnel (other than Philippine Nationals or permanent residents of the Philippines).

- 4.8 Total calculated financial proposal prices, as evaluated and corrected for minor arithmetical corrections, such as computational errors, which exceed the approved budget for the contract (ABC), inclusive of all applicable government taxes and charges, professional fees, and other incidental and administrative costs which shall be paid on a reimbursement basis, shall not be considered.

5. Format and Signing of Documents/Proposals

- 5.1. Prospective Consultants shall submit their eligibility documents and technical and financial proposals through their duly authorized representative on or before the deadline specified in the **DS**.
- 5.2. Prospective Consultants shall prepare an original and copies of the eligibility documents and technical and financial proposals. In the event of any discrepancy between the original and the copies, the original shall prevail.
- 5.3. The eligibility documents, technical and financial proposals, except for unamended printed literature, shall be signed, and each and every page thereof shall be initialed, by the duly authorized representative/s of the prospective Consultant.
- 5.4. Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialed by the duly authorized representative/s of the prospective Consultant.

6. Sealing and Marking of Documents/Proposals

- 6.1. Unless otherwise indicated in the **DS**, prospective Consultants shall enclose their Eligibility Documents in one sealed envelope marked "ELIGIBILITY DOCUMENTS", technical proposal in another sealed envelope marked "TECHNICAL PROPOSAL", and the financial proposal in another sealed envelope marked "FINANCIAL PROPOSAL".
- 6.2. Each Participating Consultant should submit one (1) original and four (4) copies of the first, second, and third components of its proposals, equally sealed. The original and the number of copies of the proposals should be typed or written in indelible ink and should be signed by the proponent or its duly authorized representative/s.
- 6.3. All envelopes shall:
- (a) contain the name of the contract in capital letters;
 - (b) bear the name and address of the prospective Consultant in capital letters;
 - (c) be addressed to the NBAC-CS specified in the **DS**;
 - (d) bear the specific identification of this Project indicated in the **DS**; and

- (e) bear a warning “DO NOT OPEN BEFORE...” the date and time for the opening of eligibility documents and technical documents, unless such is allowed to be submitted in advance as indicated in the Request for EOI.

6.4. If the documents are not sealed and marked as required, NEDA will not assume any responsibility for its misplacement, premature opening or tampering.

7. Deadline for Submission of Proposals

Eligibility documents and proposals must be received by the NBAC-CS at the address and on or before the date and time indicated in the Request for EOI and the **DS**.

8. Opening and Preliminary Examination of Eligibility Documents and Technical Proposals

8.1. NBAC-CS will open the envelopes containing the eligibility documents and technical proposals in the presence of the prospective Consultants’ representatives who choose to attend, at the time, on the date, and at the place specified in the **DS**. The prospective Consultants’ representatives shall present a written authority signed by the Consultant and shall sign a register evidencing their attendance.

8.2. Letters of withdrawal shall be read out and recorded during the opening of eligibility documents/technical proposals and the envelope containing the corresponding withdrawn eligibility documents/technical proposals shall be returned unopened to the withdrawing prospective Consultant. If the withdrawing prospective Consultant’s representative is present during the opening, the original eligibility documents and proposals and all copies thereof shall be returned to the representative during the opening of eligibility documents/technical proposals. If no representative is present, the eligibility documents and proposals shall be returned unopened by registered mail.

8.3. The eligibility documents envelopes shall be opened one at a time, and the following read out and recorded:

- (a) the name of the prospective Consultant;
- (b) whether there is a modification or substitution; and
- (c) the presence or absence of each document comprising the eligibility documents vis-à-vis a checklist of the required documents.

8.4. Since this is a Negotiated Procurement, the NBAC-CS may waive any deficiency in the submissions until a final deadline for submission of best and final offer to be set/determined by the NBAC-CS during negotiations.

9. Negotiations with Consultants

- 9.1. Negotiations with Consultants shall commence upon completion of the review of the Technical Working Group of the initial eligibility documents and technical proposals of Consultants. Consultants will be informed of the dates for negotiations accordingly.
- 9.2. After negotiations, all prospective Consultants remaining in the proceedings will be requested to submit a best and final offer with respect to all aspects of their proposals.

10. Final Selection of Consultants

- 10.1. Best and final offers received after the deadline for submission of the same as set/determined by the NBAC-CS shall not be accepted. The eligibility documents envelopes, if any, and final technical proposals envelope shall be opened on the same date as the deadline for submission of best and final offers.
- 10.2. Only the final technical envelopes of eligible consultants as determined during the opening of the eligibility documents and technical proposals shall be opened. Ineligible consultants' final technical and financial proposals shall be returned unopened. The technical proposal shall carry a weight of 80%.
- 10.3. For the evaluation of technical proposals of eligible consultants, numerical ratings shall be used. In case of individual scoring by the technical evaluators and in order to eliminate bias in evaluating the proposals, the highest and lowest scores for each Consultant for each criterion shall not be considered in determining the average scores of the Consultants, except when the evaluation is conducted in a collegial manner.
- 10.4. Only the financial proposals of those consultants whose technical proposal met the hurdle rate of 70% shall be opened at a date to be set by the NBAC-CS. Financial proposals of consultants who did not meet the hurdle rate shall be returned unopened. The financial proposal shall carry a weight of 20%.
- 10.5. The NBAC-CS shall rank the Consultants in descending order based on the combined numerical ratings of their technical and financial proposals and identify the Highest Rated Proposal.
- 10.6. The Head Approving Authority of the NEDA shall approve or disapprove the recommendations of the NBAC-CS within two (2) calendar days after receipt of the results of the evaluation from the NBAC-CS.
- 10.7. The entire evaluation of the Eligibility Requirements, Technical and Financial Proposals, including the submission of the results thereof to the Approving Authority of the NEDA for approval, shall be completed in not more than twenty-one (21) calendar days after the deadline for receipt of proposals.