

# Eligibility Documents

## 1. Eligibility Criteria

- 1.1. The following entities shall be allowed to participate in the bidding for this Consulting Services:
  - (a) Sole proprietorships;
  - (b) Partnerships duly organized under the laws of the Philippines and of which at least 60 percent of the interest belongs to citizens of the Philippines;
  - (c) Corporations duly organized under the laws of the Philippines and of which at least 60 percent of the outstanding capital stock belongs to citizens of the Philippines;
  - (d) Cooperatives duly organized under the laws of the Philippines, and of which at least 60 percent interest belongs to citizens of the Philippines; or
  - (e) Entities forming themselves into a joint venture (JV), *i.e., a group of two (2) or more 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 60 percent. For this purpose, Filipino ownership or interest shall be based on the contributions of each of the members of the JV as specified in their JV Agreement (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 (EOI) allows participation of foreign consultants, prospective foreign bidders may be eligible subject to the qualifications stated in the **EDS**.
- 1.4. Government corporate entities 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 dependent agencies of the Government of the Philippines (GPH) or the Procuring Entity.

## 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, Clause 5 and the **EDS** for purposes of determining eligibility of prospective bidders/proponents:

(a) Class "A" Documents –

Legal Documents

- (i) Registration certificate from the Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives, or any proof of such registration as stated in the EDS;
- (ii) Valid Mayor's permit issued by the city or municipality where the principal place of business of the prospective bidder/proponent is located;
- (iii) Valid Tax Clearance Certificate (TCC) per Executive Order (EO) No. 398, Series of 2005, reviewed and approved by the Bureau of Internal Revenue (BIR);

Technical Documents

- (iv) Statement of the prospective bidder/proponent of all its ongoing and completed government and private contracts (properly labeled), including contracts awarded but not yet started, if any, whether similar, relevant or not similar/relevant in nature and complexity to the contract to be bid as defined in the EDS, within the relevant period provided in the EDS. The statement shall, for each contract, include, but not limited to, the following:
  - (iv.1) complete name/title and location of the contract;
  - (iv.2) date of award of contract (in day-month-year);
  - (iv.3) brief description of the project including the type/nature of the scope of works;
  - (iv.4) consultant's role (whether main consultant, subcontractor, or partner in a JV), including a detailed discussion/description of such role
  - (iv.5) total project/contract cost;
  - (iv.6) approximate amount of the consulting services rendered;
  - (iv.7) contract duration for the services rendered (in month and year); and
  - (iv.8) certificate of completion / satisfactory service / final payment, or equivalent/similar document, specified in the EDS issued by the client, in the case of a completed

contract (with the date of issuance of such certificate indicated);

- (v) Statement of the bidder/proponent 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 updated curricula vitae (CVs) that show, at the very least, the consultant's educational background, related training and relevant experience (in months and years with detailed description/discussion on the nature and scope of works/services rendered).

#### Financial Document

- (vi) The bidder's/proponent's audited financial statements, showing, among others, the consultant's total and current assets and liabilities, stamped "received" by the BIR, or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid/proposal submission.

#### (b) Class "B" Document –

Valid JVA, in case a JV is already in existence. In the absence of a JVA, duly notarized statements from all the potential JV partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid/proposal is successful, shall be included in the bid/proposal. Failure to enter into a JV in the event of a contract award shall be ground for the forfeiture of the Bid/Proposal Security. Each JV partner shall submit the legal Eligibility Documents. The submission of Technical and Financial Documents by any of the JV partners constitutes compliance.

- 2.2. In the case of foreign entities, the foregoing eligibility requirements under Class "A" Documents may be substituted by the appropriate equivalent documents, if any, issued by the foreign entity's country.
- 2.3. 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. A translation of the documents in English certified by the appropriate embassy or consulate in the Philippines must accompany the eligibility requirements under Classes "A" and "B" Documents if they are in other foreign language.
- 2.4. Prospective bidders/proponents 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,



subcontractors may only participate in the bid of one (1) shortlisted 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.

- 2.5. If a prospective bidder/proponent has previously secured a certification from NEDA to the effect that it has previously submitted the Legal and Financial Class "A" and, Class "B" Documents, said certification may be submitted in lieu of the requirements enumerated in Clause 2.1 above, provided that the documents covered by the certification are still valid.

### 3. Format and Signing of Eligibility Documents

- 3.1. Prospective bidders/proponents shall submit their Eligibility Documents through their duly authorized representative on or before the deadline specified in Clause 5 and the **EDS**.
- 3.2. Prospective bidders/proponents 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, except for unamended printed literature, shall be signed, and each and every page thereof should be initialed, by the duly authorized representative/s of the prospective bidder/proponent.
- 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/proponent.

### 4. Sealing and Marking of Eligibility Documents

- 4.1. Unless otherwise indicated in the **EDS**, prospective bidders/proponents shall enclose their original Eligibility Documents described in Clause 2.1, in a sealed envelope marked "ORIGINAL – ELIGIBILITY DOCUMENTS". Each copy of the Eligibility Documents 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 (1) single envelope. NEDA shall not assume responsibility for the misplacement, premature opening and/or tampering of unsealed documents, and shall not prejudice the conduct of the procurement process.
- 4.2. The original and the number of copies of the Eligibility Documents as indicated in the **EDS** should be typed or written in indelible ink and shall be signed by the prospective bidder or its duly authorized representative/s.
- 4.3. All envelopes should:
  - (a) contain the name of the contract to be bid in capital letters;

- (b) bear the name and address of the prospective bidder in capital letters;
- (c) be addressed to the Procuring Entity's BAC specified in the EDS;
- (d) bear the specific identification of the Project indicated in the EDS; and
- (e) bear a warning "DO NOT OPEN BEFORE..." the date and time for the opening of eligibility documents, in accordance with Clause 5.

5. Deadline for Submission of Eligibility Documents

Eligibility Documents 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 EDS.

6. Late Submission of Eligibility Documents

Eligibility Documents submitted after the deadline for submission and receipt prescribed in Clause 5 shall be declared "Late" and shall not be accepted.

7. Modification and Withdrawal of Eligibility Documents

- 7.1. The prospective bidder/proponent may modify its Eligibility Documents after it has been submitted; provided that the modification is received by NEDA prior to the deadline specified in Clause 5 and the EDS. The prospective bidder/proponent 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 NBAC-CS. Modifications received after the applicable deadline shall not be considered and shall be returned to the prospective bidder/proponent unopened.
- 7.2. A prospective bidder/proponent may, through a letter of withdrawal, withdraw its Eligibility Documents after they have been submitted, for valid and justifiable reason; provided, that the letter of withdrawal is received by NEDA prior to the deadline prescribed for submission and receipt of Eligibility Documents as specified in Clause 5 and the EDS.
- 7.3. Eligibility Documents requested to be withdrawn in accordance with this Clause shall be returned unopened to the prospective bidder/proponent concerned. A prospective bidder/proponent may also express its intention not to participate in the bidding through a letter which should reach and be stamped by the NBAC-CS before the deadline for submission and receipt of Eligibility Documents. A prospective bidder/proponent that withdraws its Eligibility Documents shall not be permitted to submit another set, directly or indirectly, for the same project.



## 8. Opening and Examination of Eligibility Documents

- 8.1. The NBAC-CS will open the envelopes containing the Eligibility Documents in the presence of the prospective bidders'/proponents' representatives who choose to attend, at the time, on the date, and at the place specified in the EDS. The prospective bidders'/proponents' representatives who are present shall sign a register evidencing their attendance.
- 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/proponent. If the withdrawing prospective bidder's/proponent's representative is present during the opening, the original Eligibility Documents and all copies thereof shall be returned to the representative during the opening of Eligibility Documents. If no representative is present, the Eligibility Documents shall be returned unopened by registered mail.
- 8.3. A prospective bidder/proponent determined as "ineligible" has seven (7) calendar days upon written notice or, if present at the time of the opening of Eligibility Documents, upon verbal notification, within which to file a request for reconsideration with the NBAC-CS: Provided, however, that the request for reconsideration shall not be granted if it is established that the finding of failure is due to the fault of the prospective bidder concerned: Provided, further, that the NBAC-CS shall decide on the request for reconsideration within seven (7) calendar days from receipt thereof. If a failed prospective bidder/proponent signifies his intent to file a request for reconsideration, in the case of a prospective bidder/proponent who is declared ineligible, the NBAC-CS shall hold the Eligibility Documents until such time that the request for reconsideration or protest has been resolved.
- 8.4. The Eligibility Documents envelopes and modifications, if any, shall be opened one at a time, and the following read out and recorded:
  - (a) the name of the prospective bidder/proponent;
  - (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.
- 8.5. The eligibility of each prospective bidder/proponent shall be determined by examining each bidder's/proponent's eligibility requirements or statements against a checklist of requirements, using non-discretionary "pass/fail" criterion, as stated in the Request for EOI, and shall be determined as either "eligible" or "ineligible". If a prospective bidder/proponent submits the specific Eligibility Document required, it 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/proponent is rated "passed" for all the eligibility requirements, it shall

be considered eligible to participate in the bidding, and the NBAC-CS shall mark the set of Eligibility Documents of the prospective bidder/proponent concerned as "eligible." If a prospective bidder/proponent is rated "failed" in any of the eligibility requirements, said bidder/proponent shall be considered ineligible to participate in the bidding/selection process, and the NBAC-CS shall mark the set of Eligibility Documents of the prospective bidder/proponent concerned as "ineligible." In either case, the NBAC-CS Chairperson, or his duly designated authority, shall countersign the markings.

9. Shortlisting of Consultants

- 9.1. The NBAC-CS shall draw up the shortlist of not more than five (5) prospective bidders/proponents from those declared eligible using a detailed set of criteria and rating system.
- 9.2. Shortlisted firms shall be invited to participate in the bidding/selection process for the procurement undertaking listed in the **EDS** through a Letter of Invitation to Bid issued by the NBAC-CS. Participating shortlisted firms shall be required to purchase Bidding/Proposal Documents.
- 9.3. Only proposals from shortlisted firms that have purchased Bidding/Proposal Documents shall be opened and considered for award of contract. These shortlisted firms, whether single entities or JVs, should confirm in their proposals that the information contained in the submitted Eligibility Documents remains correct as of the date of submission.

## Eligibility Data Sheet (EDS)

Eligibility Documents	
1.2	Professional Regulations Commission (PRC), if applicable.
1.3	Foreign Events Management Firms may be eligible to participate provided they are registered with the Securities and Exchange commission (SEC) and/or any agency authorized by the laws of the Philippines.
2.1	Please see <b>Reference to Section 5 of this EDS.</b>
2.1(a)(i)	No additional requirements.
2.1(a)(iv)	<p><b>Similar contracts</b> are those for the conduct of similar grand launch activities/events with at least 300 participants per event and the positive impact of each event is demonstrated by metrics set by the client (i.e., sales, client feedback, web hits, viewership, etc.).</p> <p>The Events Management Firm and its partner/s must have been in existence for at least five (5) years, and must have undertaken a similar activity within the last five (5) years, with an aggregate cost of at least 50 percent of the Approved Budget for the Contract (ABC) for this procurement activity.</p> <p>Proof/s of the similar launch activity undertaken by the firm within the last five (5) years should be submitted together with the proposal, including the appropriate metrics (i.e., sales performance, client feedback, etc.).</p>
2.1(a)(iv.8)	Certificate of completion / satisfactory service / final payment, or equivalent/similar document, for all submitted completed contracts within the last five (5) years.
3.1	Please see <b>Reference to Section 5 of this EDS.</b>
4.1	No additional requirements.
4.2	Each prospective bidder/proponent shall submit one (1) original and four (4) properly tabbed/labeled copies of its eligibility documents.
4.3(c)	<p><b>Hon. Ruben S. Reinoso, Jr.</b>  Assistant Director-General and Chairman  NEDA Bids and Awards Committee for Consulting Services (NBAC-CS)</p>
4.3(d)	Consulting Services for the Planning and Event Management of a Multi-Stakeholder Assembly/Summit cum Press Briefing for the National Long-Term Vision (AmBisyon Natin 2040)



5	<p>The address for submission of Eligibility Documents is:</p> <p>Office of the Assistant Director-General for Investment Programming 4/F NEDA-sa-Pasig Building #12 Saint Josemaria Escriva Drive, Ortigas Center, Pasig City 1605</p> <p>The <u>deadline for submission of eligibility documents</u> is <b>05 May 2016 (Thursday), 12:00 P.M.</b></p>
7.1	Please see <b>Reference to Section 5 of this EDS.</b>
7.2	Please see <b>Reference to Section 5 of this EDS.</b>
8.1	<p>The place of opening of Eligibility Documents is:</p> <p>Office of the Assistant Director-General for Investment Programming Conference Room, 4/F NEDA-sa-Pasig Bldg., #12 Saint Josemaria Escriva Drive, Ortigas Center, Pasig City.</p> <p>The <u>date and time of opening of eligibility documents</u> is <b>05 May 2016 (Thursday), 1:00 P.M.</b></p>
9.1	Please see <b>Reference to Section 4.3(d) of this EDS.</b>