

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 or 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, and of which at least sixty percent (60%) interest belongs to citizens of the Philippines; or
 - (e) Entities forming themselves into a joint venture, *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 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 (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 (GOP) or NEDA.

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 bidders:

FOR FIRMS

- (a) Class "A" Documents –

Legal Documents

- (i) Registration certificate from 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) Mayor's permit issued by the city or municipality where the principal place of business of the prospective bidder is located;
- (iii) Valid Tax Clearance Certificate 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 of its nominated consultant's 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:
 - (iv.1) the name and location of the contract;
 - (iv.2) date of award of the contract (in months and years);
 - (iv.3) type and brief description of consulting services;
 - (iv.4) consultant's role (whether main consultant, subcontractor, or partner in a JV)
 - (iv.5) amount of contract;
 - (iv.6) contract duration (in months and years); and
 - (iv.7) certificate of satisfactory completion or equivalent document specified in the **EDS** issued by the client, in the case of a completed contract;
- (v) Statement of the bidder specifying the nationality of its nominated consultant and confirming that its nominated consultant is a registered professional authorized by the appropriate regulatory body to practice those professions and allied professions, in accordance with Clause 1.2, including his/her respective **curricula vitae (CV)** as specified in the **EDS**.

Financial Document

- (vi) The consultant'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 submission.
- (b) Class "B" Document –

Valid joint venture agreement (JVA), in case a joint venture is already in existence. In the absence of a JVA, duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful, shall be included in the bid. Failure to enter into a joint venture in the event of a contract award shall be ground for the forfeiture of the bid security. Each partner of the joint venture shall submit the legal eligibility documents. The submission of technical and financial documents by any of the joint venture partners constitutes compliance.

FOR INDIVIDUALS

- a. Valid Tax Clearance Certificate or equivalent;
 - b. PhilGEPS Online Registration Number;
 - c. CV as specified highlighting all completed and ongoing contracts regardless of relevance/similarity to the subject undertaking within the last five (5) years including the pertinent information enumerated above for firms (items iv) and in the **EDS**; and
 - d. At least one (1) Certificate of Project Completion and Acceptance or equivalent Certification from their previous related studies/projects within the past five (5) years.
- 2.2. In the case of foreign consultants, the foregoing eligibility requirements (under Class "A" Documents in the case of firms) may be substituted by the appropriate equivalent documents, if any, issued by the foreign consultant's country except for the registration with the SEC and/or any agency authorized by the laws of the Philippines pursuant to Section 24.3.3 of the Revised Implementing Rules and Regulations of Republic Act No. 9184.
- 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/documents if they are in other foreign language.

- 2.4. Prospective bidders may obtain a full range of expertise by associating with other consultants or entities through a JV or subcontracting arrangements, as appropriate. However, subcontractors may only participate in the bid of one 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 has previously secured a certification from the NEDA to the effect that it has previously submitted the above-enumerated Class “A” Documents, the said certification may be submitted in lieu of the requirements enumerated in Clause 2.1 above.

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, 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 bidder.
- 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. Unless otherwise indicated in the **EDS**, prospective bidders shall enclose their original eligibility documents described in Clause 2.1, in a sealed envelope marked “ORIGINAL – ELIGIBILITY DOCUMENTS”. Each copy of 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, which will then be enclosed along with the Original Technical Proposal and Financial Proposal Envelopes in an outer envelope marked “ORIGINAL PROPOSAL”.
- 4.2. Each Participating Consultant should submit one (1) original and four (4) copies of its eligibility documents. The original and the number of copies of the eligibility documents as indicated in the **EDS** shall 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 shall:
 - (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 NBAC-CS specified in the **EDS**;
- (d) bear the specific identification of this 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, unless such is allowed to be submitted in advance as indicated in the Request for EOI.

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

5. Deadline for Simultaneous Submission of Eligibility Documents and Proposals

Eligibility documents and technical and financial 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 **EDS**.

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 NEDA.

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 NEDA 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 NBAC-CS. 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 and proposals after it has 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 and proposals.

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

8. Opening and Preliminary Examination of Eligibility Documents

- 8.1. NBAC-CS 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 shall present a written authority signed by the head of their firm 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 and the envelopes containing the corresponding withdrawn eligibility documents and proposals shall be returned unopened to the withdrawing prospective bidder. If the withdrawing prospective bidder'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. If no representative is present, the eligibility documents shall be returned unopened.
- 8.3. A prospective bidder 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 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 signifies his intent to file a request for reconsideration, in the case of a prospective bidder 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;
 - (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 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 REI, 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 NBAC-CS 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 NBAC-CS shall mark the set of eligibility documents of the prospective bidder concerned as “ineligible.” In either case, NBAC-CS 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, and relevant to the contract to be bid as provided in the **EDS** shall be considered for short listing.
- 9.2. NBAC-CS 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. Shortlisted consultants shall be notified of their shortlisting and the subsequent opening of Technical Proposals through a notice to be issued by the NBAC-CS.
- 9.4. Only proposals from shortlisted consultants shall be opened and considered for award of contract.

Eligibility Data Sheet (EDS)

Eligibility Documents	
1.2	Not applicable.
1.3	Preference will be given to local consultants
2.1.a (i)	No additional requirements.
2.1.a (iv)	The statement of all ongoing and completed government and private contracts within the last five (5) years prior to the deadline for the submission and receipt of eligibility documents. Use attached Form A & Form B.
2.1.a (iv.7)	Certificate of Satisfactory Service or Project Completion and Acceptance or equivalent Certification from at least one (1) client for the last five (5) years.
2.1.a (v)	<p>The updated curricula vitae should show, at the very least, the key/organic personnel's:</p> <ul style="list-style-type: none"> • Educational background • Relevant work experience (in months and years with detailed description/discussion on the nature and scope of works/services rendered) • Related training (as trainor/resource person and as trainee) • Completed study and/or research on agriculture/ agribusiness • Contracts undertaken involving the study of agriculture/ agribusiness • Briefings, discussions, workshops or seminars conducted and facilitated for government agencies, civil society organizations, or the private sector • Current workload <p>Use attached Form C.</p>
4.1	No additional requirements.
4.2	Each prospective bidder shall submit one (1) original and four (4) properly tabbed/labeled copies of its eligibility documents.
4.3(c)	See Item 5 below
4.3(d)	Consulting Services for the for the Conduct of a Study on the Governance Framework for the Agribusiness Subsector towards Rapid, Inclusive and Sustainable Growth for the Philippines
5	<p>The address for submission of eligibility documents and proposals is:</p> <p>Hon. Ruben S. Reinoso, Jr. Assistant Director-General and Chairman NEDA Bids and Awards Committee for Consulting Services (NBAC-CS) 4/F NEDA-sa-Pasig Bldg. No. 12 Saint Josemaria Escriva Drive Ortigas Center, Pasig City, 1605</p> <p>The deadline for simultaneous submission of eligibility documents and proposals is on 30 June 2016, 12:00 PM.</p>

8.1	<p>The place of opening of eligibility documents is: OADG-IP Conference Room 4th Floor NEDA-sa-Pasig Building No. 12 Saint Josemaria Escriva Drive Ortigas Center, Pasig City.</p> <p>The date and time of opening of eligibility documents is: 30 June 2016, 1:00 PM.</p>
9.1	Please see Annex A of the Terms of Reference.

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 One (1) Client (Separate Sheet)

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 five (5) years**. Contracts that are similar to the project being bid in terms of nature and amount shall be prioritized in inclusion in the list.

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

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 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.

Format of Curriculum Vitae (CV)

Proposed Position: _____

Name of Firm: _____

Name of Staff: _____

Profession: _____

Date of Birth: _____

Years with Firm/Entity: _____ Nationality: _____

Membership in Professional Societies: _____

Detailed Tasks Assigned: _____

Key Qualifications:

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

Education:

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

Employment Record:

[Starting with 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 years (in months and years), also give types of activities performed and client references, where appropriate.]

Languages:

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

Certification:

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

[Signature of staff member and authorized representative of the firm]

Date: _____
Day/Month/Year

Full name of staff member: _____

Full name of authorized representative: _____