

**Terms of Reference (TOR) for the Formulation of the  
Manila Bay Sustainable Development Master Plan  
(MBSDMP)**

**1. RATIONALE**

The overarching objective of the Philippine Development Plan (PDP) 2017-2022 for the infrastructure sector in the medium-term is to accelerate infrastructure development and ensure that operations of infrastructure systems and facilities will be sustained. In support of the said objective, the government shall formulate master plans and roadmaps to ensure that the implementation of programs and projects are harmonized and well-coordinated. Toward this end, an Infrastructure Development Preparation (IDP) Fund was included in the 2017 General Appropriations Act (GAA), which will fund among others, the Manila Bay Sustainable Development Master Plan (MBSDMP).

Manila Bay is the transitional area (or delta) between the river-dominated catchments of Pampanga and Pasig rivers, and the open South China Sea. The use and environmental quality of Manila Bay is largely determined by the presence of Manila Metropolitan area in the coastal plain, its 25 million inhabitants and related economic activities. Successive changes in and around Manila Bay are largely due to the intertwining impacts of continued industrialization, unrelenting increase in population and the incessant human activities catering to the livelihood and habitation. Related industrial waste discharges and discharges of untreated domestic wastes from drainage and sewer outlets are directly degrading the overall environment of Manila Bay and those impacts are manifested in the continued deterioration of the water quality and ecology within the bay. Additional problems identified in Manila Bay include: coastal erosion and siltation; coastal flooding, salinity intrusion, overexploitation of fishery resources; degradation of habitats; and loss of biodiversity. The latter two are related to the destruction of the remaining patches of mangroves for aquaculture, reclamation of intertidal areas for housing development, road construction and salt pans, continuous dredging and increasing state of pollution (solid waste, domestic and industrial wastewater and oil spills).

Climate change (inducing sea level rise, associated with increased typhoon intensity and leading to altered temperature and precipitation) and continued subsidence due to ground water extraction will aggravate these challenges in the future.

Decision making is currently devolved to Local Government Units (LGUs) or conducted within silos in Government Agencies. As significant decisions are to be made regarding the development of large land reclamation projects or a new airport in the bay, among others, such activities can have irreversible consequences, may impose significant costs to the economy, landscape and environment and might exclude future development

opportunities when not addressed properly and studied adequately. To make informed decisions on the future development of Manila Bay, a coordination and cooperation structure is required between the decision makers (i.e., National Government Agencies and LGUs) and stakeholders [e.g., sector representatives, non-government organizations (NGOs), the private sector and investors]. At best, each Government Agency and LGU has its own plans, which have been developed more or less in isolation of other interests. In spite of the substantial and profound economic benefits from the Bay and the many problems besetting the severely degraded area, there is no overarching plan nor supervising entity that is responsible and accountable for its management and development. This is further confirmed by the 2008 and 2010 Supreme Court decisions on Manila Bay that show at least 14 government departments and agencies (i.e., the mandamus agencies) having direct responsibilities and functions needed to enforce actions towards the clean-up of inlands and rivers that drain to the Bay and of the Bay itself.

## **2. OBJECTIVES**

### **2.1. Background and Objective of the Study**

Considering the complex situation in the Manila Bay area, and its importance for the Philippine economy (i.e., the Manila Bay catchment generates some 53% of the country's domestic product and is host to some 25 million Filipinos), it is imperative to develop an inclusive Master Plan and a supporting institutional framework to provide a vision for the entire development within the Bay area.

The objective is to formulate a sustainable master plan for the development of Manila Bay which will guide decision-makers in the approval of programs/projects/activities (PAPs) for implementation in the Manila Bay that are consistent with national, regional and local development plans.

Given the involvement of private sector investors and project developers, private sector PAPs are an important opportunity for the sustainable development and management of Manila Bay. Guidance for assessment and approval of the private sector PAPs (including investment propositions for land reclamations, among others) therefore should be an important aspect of the MBSDMP.

An important building block for the MBSDMP was the advice of the Dutch Risk Reduction (DRR) Team on master planning for Manila Bay. The DRR Team stressed the need to transfer from a situation of ad hoc unsolicited private sector investment proposals towards a transparent process of solicited proposals supporting the implementation of the MBSDMP. While the MBSDMP can benefit from expertise in the private PAPs, supervision is required to ensure that these PAPs meet

the sustainable criteria and designated zoning within Manila. The supervision should ensure an independent and scientifically correct judgement and appropriate guidance of PAPs in the form of private investment propositions, concessions, etc.

While traditional plans for Coastal Management and Development assume public financing, the MBSDMP approach aims to make use of solicited private sector investments to achieve strategic development goals for inclusive growth, climate adaptation, ecosystem protection, water quality improvement and development of informal settlements. The inclusive master plan will ensure that private sector investments contribute financially, technically and structurally to agreed development goals. The master planning activities will include mechanisms for issuing, granting & monitoring concessions for private investments in and around Manila Bay.

For this purpose, the group Dutch experts endorsed by the Ministry of Foreign Affairs (MOFA) of the Netherlands is proposed to lead and complement a team of foreign experts and the Local Consulting Firm to be contracted and as such supports NEDA in the development of the MBSDMP. This TOR describes the role and activities of the Local Consulting Firm.

## **2.2. Expected Output of the Study**

By the end of the contract period, the Local Consulting Firm is expected to provide input for a comprehensive and sustainable master plan for Manila Bay and the immediate coastal zone with the larger catchment as the influence sphere, containing among others the following information:

- a. Establishment of stakeholder profiles and the determination of physical and climatological attributes of the Bay;
- b. Analysis of key problems/issues as well as opportunities faced by the national/local authorities and constituents in the area;
- c. Identification of gaps with regard to, among others, infrastructure requirements, sustainability/management of environment and natural resources;
- d. Development of potential measures to address the gaps/problems identified;
- e. Action Plan incorporating recommendations to best achieve results intended by the master plan including a presentation on a suitable financing/funding plan to address the budgetary requirements corresponding to the development interventions necessary to be implemented; and
- f. Communications plan for effective coordination among concerned stakeholders.

In addition, the Local Consulting Firm will provide support on the following:

- a. Setting up a consultative process of stakeholder engagement aimed at providing inputs for the masterplan. The consultation process will allow for constructive dialogues between representatives of local communities/NGOs, NGAs, academe, investors and representatives of business communities;

- b. Advise NEDA and other partners on setting up design competitions and other mechanisms to mobilise inputs of stakeholders, either on a non-reimbursable basis or on a basis of transparent re-imbursements;
- c. Match the estimates of costs of measures on the one hand with on the other hand estimates of revenues of (i) concession based infrastructure (roads/public transport/ ports/airports); (ii) land-reclamation and real estate development and (iii) other value capturing mechanisms;
- d. Propose legal and financial mechanisms for linking revenues of private investments with costs of building/maintaining investments for water management & development and for social investments. For this purpose, options may be considered such as project development companies/funds, etc. These options need to be reviewed in the context of tax and other regulations;
- e. Set up a transparent process of solicitation of proposals of public and private parties that on the basis of agreed master plan parameters will combine value capturing mechanisms (e.g., real estate, infrastructure-concessions) with the strategic goals; and,
- f. Set up procedures for appraising the proposals and allowing for a transparent process of integrating the different proposals of various (public and private) parties taking into account the Philippines requirements for designing, procurement and building of infrastructure; for zoning, environmental planning, among others.

### **3. SCOPE OF WORKS**

#### **3.1. General**

The Local Consulting Firm's scope of works include, but not limited to the following:

- a. Preparation of the general and detailed work and financial plan for the conduct of master plan. The work plan shall include the timetable/schedule for each of the activities (i.e., Gantt chart) and the composition of the team to be assigned in said undertaking;
- b. Conduct inclusive assessment, identify potential stakeholders and undertake primary data gathering including interviews/coordination with relevant individuals, agencies, institutions, among others, as may be needed;
- c. Undertake analysis of the data gathered to come up with feasible policies, strategies and other recommendations for the sustainable development of the Manila Bay area;
- d. Prepare and submit reports, including the proposed guiding policies and institutional frameworks, as required by NEDA, and present such findings to NEDA if needed; and
- e. Performance of other tasks as needed.

#### **3.2. Preparation of a Strategic Plan and Operational Plan**

The master plan should be instrumental in linking economic planning and development projects (e.g., coastal protection works, roads, ports, waste

management) to environmental and resource management goals for Manila Bay and addressing social and ecological issues such as poverty alleviation, food security, public health and biodiversity through the rehabilitation and sustainable development of marine and coastal resources with appropriate financing/funding.

Since the master plan is intended to serve as a long-term framework for the sustainable development of the Manila Bay area, it should provide a vision that is consistent with the national development objectives under the Philippine Development Plan (PDP) and contribute in achieving the country's long-term vision as spelled out in the AmBisyon 2040. To this end, the implementation of the master plan should be typically within a 22-year planning period or until CY 2040.

The master plan will be focused on the Manila Bay area and its immediate coastal zone, but also deals with the influence from the Manila Bay catchment area (as outlined in Figure 1) bounded by the Caraballo mountains to the north, the Zambales mountains to the northwest, the Bataan mountains to the west and the Sierra Madre mountain range to the east. River systems<sup>1</sup> contributing to discharge in Manila Bay from Nueva Ecija, Bataan, Pampanga, Bulacan, Cavite, Rizal, National Capital Region and Laguna should be taken into account.

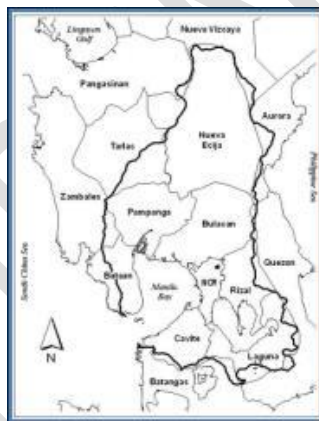


Figure 1: Manila Bay catchment area

Specifically, the study shall involve, but not limited to, the following work phases:

#### Component 1: Strategic Plan / Master Plan

- a. Inception - Shall be conducted to identify objectives and criteria for Manila Bay as well as agree with stakeholders on enabling conditions. The four main activities are:
  - i. Create enabling conditions for the planning exercise;
  - ii. Set-up the stakeholders' involvement process;
  - iii. Define the analysis conditions; and

<sup>1</sup> The two main contributory areas in terms of discharge are the Pasig and the Pampanga river basins. Other major rivers discharging directly into Manila Bay are, among others, Marikina-Meycauayan, Navotas-Malabon-Tullahan-Tenejeros, Talisay, Pasag, and Maragondon rivers.

iv. Define the socio-economic objectives that the master plan should support.

- b. Situation Analysis – This shall be conducted to determine the complete description of all elements of the Manila Bay system: the natural (water systems, coastal zone and river basins), socio-economic (infrastructure, agriculture, industry), and institutional systems (governance, policies). The major problems and issues faced by the national and regional authorities and stakeholders should be extensively described for the present situation (base case) and future situation (reference case). Future scenarios need to be described and analysed and an overall problem description needs to be provided. Potential measures should be formulated and screened and no regret measures need to be identified and presented to possible implementors. Specifically, the Local Consulting Firm shall conduct situation analysis for, but not limited to, the following:

**Goals and Policies**

- The aspiration of stakeholders about the future in the Bay area as well as how they want to improve their quality of life.
- Assess the direction the constituents in the area wants to pursue.

**Economic Development**

- Determination of the strengths, weaknesses, opportunities and threats (SWOT) of the market and labor force in the regional/local economy to plan for new business and development.
- Identification of enhancements to be made to stimulate inclusive economic growth through assessment of businesses and industry location factors.

**Land use**

- Examine the pattern and classification of land use in the Manila Bay area, including public, private and protected lands as well as reclamation.
- Identify ideal areas for development to meet future needs as determined by the other plan elements.

**Environment and Natural Resources**

- Assessment of land and water resources quality including the coastal zone, cultural/heritage sites and marine sanctuaries and protected areas whose preservation is important in maintaining natural resources and character within the area.
- Develop strategies in order to preserve and protect the natural assets that enhances the attractiveness of Manila Bay through coastal adaptation and reduce the effects of disaster risks.

#### Housing

- Identify the trend in residential development and urban human settlement to be able to determine the types and location of housing needs within the area.
- Examine the development and affordability of housing vis-à-vis influence of future market forces in the sector.

#### Services and Facilities

- Analysis of accessibility and status of public services such as, but not limited to, public safety, water and sewerage, flood management, waste management, electricity, internet and other utilities.
- Forecast of future growth and valuation of the needed provision services in planning for their expansion.
- Examine the current state of delivery of services and identify best management practices and cost-effective techniques to be implemented.

#### Transportation and Circulation

- Identify the existing and potential roadway, shipping and navigation problems through examination of circulation and parking patterns and develop strategies for improvement.
- Alleviate the traffic congestion problem by identifying available transportation options and their future development which are necessary for implementation.

#### Recreation and Tourism

- Assess the future open space areas, recreational resources and tourism aspects within the Bay area in planning for the maintenance, expansion of existing facilities and construction of new ones.
- Recommend techniques to better protect and management of such resources and areas.

- c. Strategy Building – In this phase coherent combinations of potential measures need to be developed to satisfy the objectives as defined in the first step. Close coordination among the decision makers and stakeholders is needed to determine the preferred strategy to pursue/undertake.

#### Component 2: Operational Plan / Action Plan / Master Plan Fine-tuning

- a. Action Plan – Technical optimization of measures, cost-benefit analysis, socio-economic and environmental assessments at pre-feasibility need to be included. In addition, GIS-based maps shall be generated to overlay the proposed projects with existing facilities/developments in the Manila Bay area. The action plan should be

concrete, by assigning clear responsibilities for carrying out the activities involved. It should also include the detailed budgetary requirements for the implementation, including investments and recurrent costs as well as define accountability and monitoring indicators.

### **3.3. Consultative Workshops**

As interaction with stakeholders is of critical importance during the consulting services, consultation workshops or meetings shall be conducted to obtain/secure views, comments and recommendations, and other inputs from relevant agencies, NGOs, private sector, investors and other concerned stakeholders for the formulation of the Master Plan. Consultative meetings with said concerned entities shall be conducted as deemed necessary.

### **3.4 Study Tour**

A study tour/learning visit shall be conducted with the purpose of exposing concerned government personnel to good practices/models and experiences on the sustainable development of coastal areas.

## **4. TIMELINES AND DELIVERABLES**

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

The Study shall be completed within a period of thirty (30) months, commencing from the date of receipt of the Notice to Proceed (NTP). Refer to Annex A<sup>2</sup> for the table of activities /expected outputs.

### **4.2. Table of Deliverables**

A detailed Work and Financial Plan (WFP) shall be submitted by the Local Consulting Firm to NEDA as integral part of the Inception Report.

The deliverables for the subject study as enumerated below shall be submitted by the Local Consulting Firm, with clearance/endorsement of the Dutch Expert Team, in four (4) hard copies to NEDA for review. Electronic/soft copies of the deliverable documents shall also be submitted to NEDA.

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<sup>2</sup> Annex A is indicative only and does not preclude the shortlisted **Local** Consulting Firms from submitting their own Work Plan and Gantt Chart of Activities as part of their Technical Proposal.



<i><b>Deliverables</b></i>	<i><b>Timeline</b></i>
COMPONENT 1	
Inception Report, including WFP	Two (2) months from receipt of NTP
Monthly Progress Reports	Monthly
Situation Analysis Report	Eight (8) months from receipt of NTP
Strategy Building Report	Fourteen (14) months from receipt of NTP
Final Draft Master Plan Report	Fifteen (15) months from receipt of NTP
Institutional Set-up Report	Fifteen (15) months from receipt of NTP
Capacity Building Plan	Fifteen (15) months from receipt of NTP
Final Report	Sixteen (16) months from receipt of NTP
COMPONENT 2	
Action Plan / Investment Report	Twenty-Six (26) months from receipt of NTP
Updated Final Master Plan	Twenty-Eight (28) months from receipt of NTP
Updated Action Plan	Thirty (30) months from receipt of NTP

- 4.2.1. The Inception Report (and WFP), which shall be submitted to NEDA for approval, shall include the detailed program for the scope of work involved in the study, a detailed schedule for all work, including field work related to applicable tasks.

The Inception Report shall also include the fulfilment of the study conditions listed in this TOR as well as approaches and methodologies to be utilized in the development of the study.

- 4.2.2. The Monthly Progress Reports shall include updates on the physical and financial accomplishments of each of the activities under the WFP, including the difficulties encountered and measures taken to overcome them.
- 4.2.3. The Final Report shall be submitted within 30 calendar days after receipt of the evaluation/comments on the Draft Final Report. The report should contain the scope of works of the project as described in Section 3 of this TOR.

## **5. EXPERTISE REQUIREMENTS AND QUALIFICATIONS**

The master plan shall be undertaken by a Local Consulting Firm with at least ten (10) years of experience in the consulting industry which will field a team composed of the following key experts whose minimum qualifications are specified herein:

### **5.1. Key Experts**

The Dutch Expert Team will provide the Team Leader, Planning and Zoning Expert and a team of complementary experts (including modelling, climate adaptation, ecological, social housing and development and innovative financing experts). In the following the requested experts of the supporting Local Consulting Firm are specified.

**5.1.1. Deputy Team Leader: Integrated Coastal Zone Management and Climate Adaptation Expert (1)**

- Should have at least a Master's degree in Integrated Coastal Zone Management, Climate Change, Subsidence or related technical discipline.
- Should have minimum ten (10) years relevant experience in disaster management at national and international levels, including risk mitigation with at least 30 man-months of actual expert services rendered.
- Should have experience in conducting studies for at least two (2) master plans of relevant nature in the last 20 years.
- The tasks of the Deputy Team Leader shall include, but is not limited to, the following:
  - Provide technical input on Climate change and Subsidence in relation to the Manila Bay area.
  - Provision of assistance to the Team Leader in the overall supervision of the various assessment study activities.
  - In the absence of the Team Leader, assume full responsibility including leadership of the Expert and Consulting Team.

**5.1.2. Policy Analysis Expert (1)**

- Should have at least a Master's degree in Public Policy, Political Science, Economics or related discipline.
- Should have minimum seven (7) years relevant experience in policy analysis with at least 24 man-months of actual expert services rendered.
- Tasks shall include, but is not limited to, the assessment of the current public policies within Manila Bay, conduct of analysis and provide recommendations on policies that will contribute to the objectives of the study.

**5.1.3. Water Quality and Water Supply and Sanitation Expert (2)**

- Should have at least a Bachelor's degree in Engineering, Biology or related technical discipline.
- Should have minimum seven (7) years relevant experience in water quality analysis with at least 24 man-months of actual expert services rendered.
- Involved in at least two (2) water supply, sanitation and sewerage projects or other related projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, the conduct of analysis of water quality aspects in the Bay area.

**5.1.4. Ecological Expert (1)**

- Should have at least a Bachelor's degree in Engineering, Biology or related technical discipline.
- Should have minimum seven (7) years relevant experience in ecological/biodiversity analysis with at least 24 man-months of actual expert services rendered.
- Involved in at least two (2) environmental protection projects or other related projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, the conduct of analysis of ecological/biodiversity aspects in the Bay area.

**5.1.5. Junior ICZM Expert (1)**

- Should have at least a Bachelor's degree in Engineering or related technical discipline.
- Should have minimum seven (5) years relevant experience in coastal zone management with at least 24 man-months of actual expert services rendered.
- Involved in at least two (2) integrated coastal management projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, the provision of recommendations in the development of coastal areas and maritime zones through an integrated and sustainable approach.

**5.1.6. Coastal Engineering Expert (2)**

- Should have at least a Bachelor's degree in Engineering or related technical discipline.
- Should have minimum seven (7) years relevant experience in coastal engineering with at least 24 man-months of actual expert services rendered.
- Involved in at least two (2) coastal engineering projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, the provision of recommendations in mitigating coastal development hazards and providing engineering solutions in the Bay area.

**5.1.7. Flood Management Expert (1)**

- Should have at least a Bachelor's degree in Engineering or related technical discipline.
- Should have minimum seven (7) years relevant experience in flood management with at least 24 man-months of actual expert services rendered.
- Involved in at least two (2) flood management projects as expert performed in the last 20 years.

- Tasks shall include, but is not limited to, the provision of recommendations in the development of flood control mitigating measures in the Bay area.

**5.1.8. Governance Expert (1)**

- Should have at least a Bachelor's degree in Public Administration, Management, Political Science or related discipline.
- Should have minimum seven (7) years relevant experience in public administration with at least 24 man-months of actual expert services rendered.
- Tasks shall include, but is not limited to, the provision of technical guidance and strategic support in developing attributes and integrate knowledge of national/local development governance structures.

**5.1.9. GIS and Database Specialist (1)**

- Should have at least a Bachelor's degree in Information Technology or related technical discipline.
- Should have minimum seven (7) years relevant experience in GIS mapping with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) planning projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, the provision of technical support for GIS applications, datasets, maps and database reports essential as support in decision-making processes.

**5.1.10. Environmental Specialist (1)**

- Should have at least a Bachelor's degree in Environmental Science, Chemistry, Biology or related technical discipline.
- Should have minimum seven (7) years relevant experience in environmental management and development with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) sustainable coastal protection and management projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, assessment of environmental policies, institutions and capacity development.

**5.1.11. Economic Specialist (1)**

- Should have at least a Bachelor's degree in Economics, Finance, Statistics or other related technical discipline.
- Should have minimum seven (7) years relevant experience in conducting economic analysis with at least 18 man-months of actual expert services rendered.

- Involved in at least two (2) economic modeling of projects as expert performed in the last 20 years.
- Experienced in innovative financing projects (including PPP's)
- Tasks shall include, but is not limited to, the conduct of analysis on economic impacts of major public infrastructure PAPs.

**5.1.12. Financial Specialist (1)**

- Should have at least a Bachelor's degree in Economics, Finance, Statistics or other related technical discipline.
- Should have minimum seven (7) years relevant experience in conducting financial analysis with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) financial modeling of projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, the conduct of analysis on financial impacts of major public infrastructure PAPs.

**5.1.13. Cost Engineer (1)**

- Should have a Bachelor's Degree in Natural Science, Engineering or related technical discipline.
- Should have minimum seven (7) years relevant experience in conducting cost estimates with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) coastal management/development projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, the conduct of analysis on requirements and specifications and determination of the cost of the necessary PAPs for implementation within the Manila Bay.

**5.1.14. Institutional Development Specialist (1)**

- Should have at least a Master's Degree in the field of Urban Planning, Public Policy, Public Administration.
- Should have minimum seven (10) years relevant experience in institutional/organizational analysis with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) urban/regional development projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, the following:
  - Identification of long-term government commitments and policy issues;
  - Assessment of organizational issues;
  - Assessment of relevant legislative and regulatory frameworks; and
  - Evaluation of regional and international cooperation.

**5.1.15. Communication and Public Participation Specialist (1)**

- Should have a Bachelor's Degree in Communication, Public Relations, Marketing or related discipline.
- Should have minimum five (5) years relevant experience in development information/public participation duties with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) urban/regional development projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, the conduct of public consultations relevant to increasing awareness on the need for a MBSDMP.

**5.1.16. Transport Specialist (1)**

- Should have a Bachelor's Degree in Engineering or related technical discipline.
- Should have minimum seven (7) relevant experience in transport planning/engineering with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) transport projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, take the overall lead in the analysis, formulation and identification of PAPs pertaining to transport infrastructure (e.g., roads, ports, airports).

**5.1.17. Water Resources Specialist (1)**

- Should have a Bachelor's Degree in Natural Science, Engineering, or other related technical discipline.
- Should have minimum seven (7) years relevant experience in water resources planning and management with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) water resources projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, take the overall lead in the analysis, formulation and identification of water-related PAPs.

**5.1.18. Energy Specialist (1)**

- Should have a Bachelor's Degree in Engineering or related technical discipline.
- Should have minimum seven (7) years relevant experience in energy planning and management with at least 18 man-months of actual expert services rendered.

- Involved in at least two (2) energy projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, take the overall lead in the analysis, formulation and identification of PAPs pertaining to energy/power infrastructure (e.g., generation, transmission, distribution).

**5.1.19. ICT Specialist (1)**

- Should have a Bachelor's Degree in Engineering or ICT-related technical discipline.
- Should have minimum seven (7) years relevant experience in ICT planning and development with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) ICT projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, take the overall lead in the analysis, formulation and identification of PAPs pertaining to ICT infrastructure (e.g., telephone, cellular mobile telephone system, Internet).

**5.1.20. Tourism Expert (1)**

- Should have a Bachelor's Degree in Tourism or related discipline.
- Should have minimum five (5) years relevant experience in tourism planning and development with at least 18 man-months of actual expert services rendered.
- Involved in at least two (2) tourism projects as expert performed in the last 20 years.
- Tasks shall include, but is not limited to, take the overall lead in the analysis, formulation and identification of PAPs which will promote export production through primary industry development and tourism.

**5.2. Selection Criteria for Shortlisting**

Prospective bidders/Local Consulting Firms are required to submit the following:

- List of completed (with Certification) and ongoing master plans or related studies conducted within the past ten (10) years;
- Company Profile; and
- Curriculum Vitae (CV) of Key Experts/Organic Personnel highlighting their relevant education/training and work experience who may be assigned to the job.

In case of foreign Consultants, they are advised to refer to the Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, otherwise known as the Government Procurement Reform Act (GPRA), for rules regarding their participation in the bidding process.

### **5.3. Selection Criteria for Proposals**

Prospective Local Consulting Firms shall follow the guidelines in the preparation of eligibility requirements as stipulated in Sections 24.1 and 24.2 of the Revised IRR of the GPRA.

Participating Local Consulting Firms shall be shortlisted based on the following:

- Experience<sup>3</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>4</sup>; and
- Financial capacity.

Eligible Consultants should pass the hurdle rate of 70 out of 100 points to be considered shortlisted to participate in this procurement activity. The points/weights of the criteria for shortlisting are shown in Annex B (Criteria for Shortlisting).

Shortlisted Local Consulting Firms shall be evaluated using the Quality-Cost Based Evaluation/Selection (QCBE/QCBS) procedure under RA No. 9184 and its Revised IRR at eighty-five percent (85%) for the Technical Proposal and fifteen percent (15%) for the Financial Proposal.

## **6. SOURCE OF FUNDS**

6.1. Funds for the conduct of subject study will be sourced from Infrastructure Development Preparation (IDP) Fund.

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

### **7.1. NEDA**

7.1.1. Shall be the beneficiary/end-user of the consultancy services;

7.1.2. Shall be responsible for the procurement and tendering of the consultancy services in compliance with Republic Act No. 9184 and its Revised IRR through its NEDA Bids and Awards Committee (NBAC);

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<sup>3</sup> Similar experience refers to previous accomplishments/contracts with scope of works involving the formulation of a master plan and/or other related studies/services pertaining to integrated coastal zone management. While, relevant experience, pertains to previous accomplishments/contracts with scope of works covering the formulation of a master plan pertaining to urban/regional development, including infrastructure sector development, as well as other related studies/services.

<sup>4</sup> For a nominated consultant, he/she should submit a signed written commitment stating that he/she shall work for the Study once awarded the contract.



- 7.1.3. Shall be responsible for contract implementation and management, including ensuring the quality of outputs. Further, NEDA, shall be responsible for the monitoring and evaluation of the progress of the study and approval of reports to ensure delivery of outputs as specified in this TOR;
- 7.1.4. Shall provide assistance in coordination with other agencies related to the study;
- 7.1.5. Shall provide the Local Consulting Firm necessary/available information/data and also, if available, copies of previous related studies as well as necessary counterpart staff to assist the consultants in conducting the services, subject to the execution of a Non-Disclosure Agreement, as necessary;
- 7.1.6. Shall evaluate the acceptability/correctness of the deliverables for the purposes of fund release/payment to the consultants;
- 7.1.7. Shall be responsible for the preparation and submission of financial reports as required by the Department of Budget and Management (DBM) and other reportorial requirements relative to the Fund administration; and
- 7.1.8. Shall detail counterpart technical personnel to the project for the purpose of on-the-job capacity building/technology transfer.

## **7.2. Dutch Expert Team**

- 7.2.1. Shall lead and complement a team of foreign experts and the Local Consulting Firm to be contracted in the formulation of the MBSDMP.
- 7.2.2. Shall review and clear outputs/deliverables prepared by the Local Consulting Firm prior to submission to NEDA.

## **7.3. Local Consulting Firm**

- 7.3.1. Shall be responsible for the conduct of the study and the timely delivery of results/outputs as indicated in this TOR, all under the management and supervision of Dutch Expert Team;
- 7.3.2. Shall be responsible for the provision of the necessary office space (also for the Dutch Expert Team) including the necessary office equipment (e.g., computers, printers, office supplies) for the conduct of the study;

- 7.3.3. Shall shoulder all expense required in the conduct of the study, including travel costs and lodging of detailed Government personnel during field visits, study tour, except for their salaries;
- 7.3.4. 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; (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 the 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;
- 7.3.5. 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;
- 7.3.6. Shall prohibit full-time foreign staff during his/her assignment under this TOR to engage, directly or indirectly, either in his/her name, or through the Local Consulting Firm, in any business or professional activities in the Philippines other than the performance of his duties or assignment under this TOR;
- 7.3.7. Shall not, at any time, communicate to any person or entity any information disclosed to them for the purpose of the services, nor shall the Local Consulting Firm make public any information as to the recommendations formulated in the course of or as a result of the services, except with the prior consent of NEDA;
- 7.3.8. Shall agree that nothing contained herein shall be construed as establishing or creating relationship of employer and employee or principal and agent between the Government and the Local Consulting Firm, it being understood that the position of the Local Consulting Firm and anyone else performing the services is that of an independent contractor; and
- 7.3.9. Shall hold the Government free from any and all liabilities, suits, actions, demands, or damages arising from the 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 Local 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 Local Consulting Firm or its staff in the performance of the services including the use or violation of any copyrighted materials, patented invention, article or appliance.

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

- 8.1. The procurement of consulting services for the study shall be through competitive public bidding. The ABC for the proposed study is **PHP 174,800,000.00**, 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, communication expenses, office supplies, office space, and other expenses deemed necessary for the project as certified by NEDA).
- 8.2. Please 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.
- 8.3. All equipment, materials, item acquired for the study shall be turned over to NEDA at the conclusion of the study.

## **9. PAYMENT SCHEMES/ SCHEDULE**

- 9.1. Billing for reimbursable items shall be on monthly basis, based on the actual expenses incurred and supported by official receipts/documents or certification of actual expenditures made under oath, including the monthly progress reports.
- 9.2. Billing for non-reimbursable items, including professional fees, shall be in accordance with the following delivery schedule and subject to the usual government accounting and auditing requirements:

<b>Output</b>	<b>Payment Schedule</b>
<b><i>Component 1</i></b>	
Upon acceptance of Inception Report, WFP	5%
Upon acceptance of Situation Analysis Report	10%
Upon acceptance of Strategy Building Report	15%
Upon acceptance of Draft Final Report	15%
Upon acceptance of Final Report	10%
<b><i>Sub-Total</i></b>	<b><i>55%</i></b>
<b><i>Component 2</i></b>	
Upon acceptance of Draft Action Plan/Investment Report	20%
Upon acceptance of Final Action Plan/Investment Report	25%
<b><i>Sub-Total</i></b>	<b><i>45%</i></b>
<b>Total</b>	<b>100%</b>

- 9.3. All the abovementioned outputs shall be cleared/endorsed by the Dutch Expert Team prior to submission to NEDA.
- 9.4. An advance payment shall be made to cover mobilization costs, but shall not exceed FIFTEEN PERCENT (15%) of the contract amount, subject to the posting of an irrevocable standby letter of credit issued by an entity acceptable to NEDA and of an equal amount to the advance payment. The advance payment shall be made only upon the submission to and acceptance by NEDA of an irrevocable standby letter of credit of equivalent value from a commercial bank, a bank guarantee or a surety bond callable upon demand, issued by a duly licensed surety or insurance company and confirmed by NEDA.
- 9.5. The advance payment shall be repaid by the Local Consulting Firm by deducting from his subsequent billings/payments such sum as agreed upon during contract negotiations until fully liquidated within the duration of the contract.

## **10. RETENTION PAYMENT**

- 10.1. A retention payment of ten percent (10%) shall be withheld. It shall be based on the total amount due to the Local Consulting Firm prior to any deduction and shall be retained from every progress payment until fifty percent (50%) of the value of the study, as determined by NEDA, are completed. If the study is satisfactorily done and on schedule after fifty percent (50%) completion, no additional retention shall be made; otherwise, the ten percent (10%) retention shall be imposed.
- 10.2. The total "retention money" shall be due for release upon approval of the Final Report. The Local Consulting Firm may, however, request the substitution of the retention money for each progress billing with irrevocable standby letters of credit from a commercial bank, bank guarantees or surety bonds callable on demand, of amounts equivalent to the retention money substituted for and acceptable to NEDA, provided that the project is on schedule and is satisfactorily undertaken. Otherwise, the ten percent (10%) retention shall be made. Said irrevocable standby letters of credit, bank guarantees and/or surety bonds, to be posted in favor of NEDA shall be valid for the duration of the contract.

## **11. LIQUIDATED DAMAGES**

- 11.1. Where the Local Consulting Firm 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 the contract, the Local Consulting Firm shall pay NEDA for liquidated damages, and not by way of penalty, an amount, as provided in the

conditions of contract, equal to at least one tenth (1/10) of one (1) percent of the cost of the unperformed portion of the works for every day of delay. Should the amount of liquidated damages reach ten percent (10%) of the contract amount, 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 Local Consulting Firm.

- 11.2. To be entitled to such liquidated damages, NEDA does not have to prove that it has incurred actual damages. Such amount shall be deducted from any money due or which may be due the Local Consulting Firm under the contract and/or collect such liquidated damages from the retention money or other securities posted by the Local Consulting Firm, whichever is convenient to NEDA.

**ANNEX A**  
**Implementation Timeline for the Conduct of Manila Bay Sustainable Development Master Plan**

MANILA BAY SUSTAINABLE DEVELOPMENT MASTER PLAN (MBSMDP)																																		
Schedule																																		
	MASTERPLANNING																ACTION PLANNING																	
COMPONENT 1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
Inception																																		
Identify objectives and criteria for Manila Bay																																		
Agree with stakeholders on enabling conditions																																		
Situation Analysis																																		
Base Analysis																																		
a) Natural Resource System																																		
b) Socio-economic System																																		
c) Institutional System																																		
Scenario Analysis																																		
a) Climate change / subsidence																																		
b) population / economic growth																																		
c) technological development																																		
Information gap analysis																																		
Develop the Reference Case																																		
Identify and assess potential measures																																		
Agree with stakeholders on situation analysis																																		
Strategy Building																																		
Develop alternative strategies																																		
Select a preferred strategy																																		
Draft Final Master Plan																																		
Formulation of masterplan with stakeholders																																		
Preparation and presentation of master plan																																		
Capacity Building Plan																																		
Institutional Set-up Report																																		
Arrange for an adequate institutional set-up																																		
Final Master Plan																																		
COMPONENT 2																																		
Action Planning / Fine-Tuning Master Plan																																		
Action Plan (Technical, Financial/Economic Assessment)																																		
Prepare Investment Plan with Budget Requirements																																		
Communication Plan and Awareness Raising																																		
Update Master Plan																																		
Re-assess Potential Measures																																		
Agree with Stakeholders on Updated Master Plan																																		
Update Action Plan / Investment Report																																		

## **ANNEX B**

### ***Criteria for Shortlisting***

<b>Criteria/Particulars</b>	<b>Firm</b>
<b>I. Experience and Capability of the Firm</b>	<b>60 points</b>
<b>II. Qualification of Organic Personnel or Personnel Who May Be Assigned to the Study*</b>	<b>30 points</b>
<i>a. Education</i>	<u>7.0 points</u>
<i>b. Training</i>	<u>3.0 points</u>
<i>c. Related Experience</i>	<u>20 points</u>
<b>III. Financial/Job Capacity</b>	<b>10 points</b>
<b>Grand Total</b>	<b>100 points</b>

\*Nominated personnel for the project shall submit a letter of commitment under oath that services of said personnel shall be available for the study should the firm/consultant is awarded the contract.