

PHILIPPINE BIDDING DOCUMENTS

Consulting Services for Issues Paper on the Sugar Industry in the Philippines

Part I

REI No. 201901-0018

**Government of the Republic of the Philippines
Philippine Competition Commission**

January 31, 2019

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Section I. Request for Expression of Interest

REQUEST FOR EXPRESSION OF INTEREST FOR CONSULTING SERVICES FOR THE ISSUES PAPER ON THE SUGAR INDUSTRY IN THE PHILIPPINES

1. The *Philippine Competition Commission*, through the *2019 National Expenditure Program and Fiscal Year 2019 Early Procurement* intends to apply the sum of *One Million Six Hundred Fifty Thousand Pesos (PhP1,650,000.00)*, being the Approved Budget for the Contract (ABC) to payments under the contract for *Consulting Services for the Issues Paper on the Sugar Industry in the Philippines* under *Request for Expression of Interest (REI) No. 201901-0018*. Bids received in excess of the ABC shall be automatically rejected at the opening of the financial proposals.
2. The *Philippine Competition Commission* now calls for the submission of eligibility documents for *Consulting Services for the Issues Paper on the Sugar Industry in the Philippines*. Eligibility documents of interested consultants must be duly received by the BAC Secretariat on or before *08 February 2019, 11:00AM* at *25^F Vertis North Corporate Center 1, North Avenue, Quezon City*. Applications for eligibility will be evaluated based on a non-discretionary “pass/fail” criterion.
3. Interested bidders may obtain further information from *Philippine Competition Commission* and inspect the Bidding Documents at the address given below during *Office Hours from 9:00 A.M. to 5:00 P.M. (Monday through Friday)*.
4. The Bidding Documents – Part I may be acquired on *1 February 2019* by interested Consultants from the address below. Bidding Documents – Part II may only be acquired by Short Listed Consultants upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of *Two Thousand pesos (PhP 2,000.00)*.

It may also be downloaded free of charge from the website of the Philippine Government Electronic Procurement System (PhilGEPS) and the website of the Procuring Entity, provided that Bidders shall pay the applicable fee for the Bidding Documents not later than the submission of their bids.

5. The BAC shall draw up the short list of consultants from those who have submitted Expression of Interest, including the eligibility documents, and have been determined as eligible in accordance with the provisions of Republic Act 9184 (RA 9184), otherwise known as the “Government Procurement Reform Act”, and its Implementing Rules and Regulations (IRR). The short list shall consist of *three (3)* prospective bidders who will be entitled to submit bids. The criteria and rating system for short listing are:

Criteria	Weight (%)	Basis
Quality of the contractor to be assigned to the project	50%	Signed curriculum vitae submitted
Experience and capability of the bidder	30%	Records of previous engagements, quality, and extensive knowledge on Philippine agricultural sector
Current work load relative to capacity	20%	Records of on-going and previous engagements

Passing Score: 80%

- Bidding will be conducted through open competitive bidding procedures using non-discretionary “pass/fail” criterion as specified in the IRR of RA 9184.

Bidding is restricted to Filipino citizens/sole proprietorships, cooperatives, and partnerships or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines.

- The Procuring Entity shall evaluate bids using the **Quality Based Evaluation (QBE)** procedure. The criteria and rating system for the evaluation of bids shall be provided in the Instructions to Bidders.
- The contract shall be completed within **Ten (10) Months**.
- The **Philippine Competition Commission** reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.
- For further information, please refer to:

THE SECRETARIAT

Bids and Awards Committee

Philippine Competition Commission

25F Tower 1, Vertis North Corporate Center,

North Avenue, Quezon City

Telephone No.: (02) 771-9722 local 204

e-mail: procurement@phcc.gov.ph or mvbambao@phcc.gov.ph

31 January 2019

(Originally Signed)

ATTY. JOSEPH MELVIN B. BASAS

Chairperson, PCC Bids and Awards Committee

Section II. Eligibility Documents

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/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; or
 - (e) Persons/entities forming themselves into a joint venture, *i.e.*, a group of two (2) or more persons/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 allows participation of foreign consultants, prospective foreign bidders may be eligible subject to the conditions stated in the **EDS**.
- 1.4. Government owned or –controlled corporations (GOCCs) 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 attached agencies of the Procuring Entity.

2. Eligibility Requirements

- 2.1. The following eligibility requirements, together with the Eligibility Documents Submission Form, shall be submitted on or before the date of the eligibility check specified in the Request for Expression of Interest and Clause 5 for purposes of determining eligibility of prospective bidders:
 - (a) Class “A” Documents –

Legal Documents

- (i) PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR, except for foreign bidders participating in the procurement by a Philippine Foreign Service Office or Post, which shall submit their eligibility documents under Section 24.1 of the IRR, provided, that the winning Consultant shall register with PhilGEPS in accordance with Section 37.1.4 of the IRR;

Technical Documents

- (ii) Statement of the prospective bidder of all its 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:
 - (ii.1) the name and location of the contract;
 - (ii.2) date of award of the contract;
 - (ii.3) type and brief description of consulting services;
 - (ii.4) consultant's role (whether main consultant, subconsultant, or partner in a JV)
 - (ii.5) amount of contract;
 - (ii.6) contract duration; and
 - (ii.7) certificate of satisfactory completion or equivalent document specified in the **EDS** issued by the client, in the case of a completed contract;
- (iii) Statement of the consultant 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 curriculum vitae.

- (b) Class "B" Document –

If applicable, the Joint Venture Agreement (JVA) in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners in accordance with Section 24.1(b) of the IRR of RA 9184.

- 2.2. The eligibility requirements or statements, the bids, and all other documents to be submitted to the BAC must be in English. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in foreign language other than English, it must be accompanied by a translation

of the documents in English. The documents shall be translated by the relevant foreign government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. The English translation shall govern, for purposes of interpretation of the bid.

- 2.3. Prospective bidders 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, subconsultants may only participate in the bid of one short listed 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.

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 Submission Form shall be signed by the duly authorized representative/s of the Bidder. Failure to do so shall be a ground for the rejection of the eligibility documents.
- 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. Prospective bidders shall enclose their original eligibility documents described in Clause 2.1, in a sealed envelope marked "ORIGINAL – ELIGIBILITY DOCUMENTS". Each copy thereof 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.
- 4.2. The original and the number of copies of the eligibility documents as indicated in the **EDS** shall be typed or written in ink and shall be signed by the prospective bidder or its duly authorized representative/s.
- 4.3. All envelopes shall:
 - (c) contain the name of the contract to be bid in capital letters;
 - (d) bear the name and address of the prospective bidder in capital letters;

- (e) be addressed to the Procuring Entity's BAC specified in the **EDS**;
 - (f) bear the specific identification of this Project indicated in the **EDS**; and
 - (g) bear a warning "DO NOT OPEN BEFORE..." the date and time for the opening of eligibility documents, in accordance with Clause 5.
- 4.4 Eligibility documents that are not properly sealed and marked, as required in the bidding documents, shall not be rejected, but the bidder or its duly authorized representative shall acknowledge such condition of the documents as submitted. The BAC shall assume no responsibility for the misplacement of the contents of the improperly sealed or marked eligibility documents, or for its premature opening.

5. Deadline for Submission of Eligibility Documents

Eligibility documents must be received by the Procuring Entity's BAC at the address and on or before the date and time indicated in the Request for Expression of Interest and the **EDS**.

6. Late Submission of Eligibility Documents

Any eligibility documents submitted after the deadline for submission and receipt prescribed in Clause 0 shall be declared "Late" and shall not be accepted by the Procuring Entity. The BAC shall record in the minutes of submission and opening of eligibility documents, the Bidder's name, its representative and the time the eligibility documents were submitted late.

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 the Procuring Entity 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 BAC. 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 after it has been submitted, for valid and justifiable reason; provided that the letter of withdrawal is received by the Procuring Entity prior to the deadline prescribed for submission and receipt of eligibility documents.
- 7.3. Eligibility documents requested to be withdrawn in accordance with this Clause shall be returned unopened to the prospective bidder concerned. A prospective bidder that withdraws its eligibility documents shall not be permitted to submit another set, directly or indirectly, for the same project. A prospective bidder that acquired the eligibility documents may also express its intention not to participate in the bidding through a letter which should reach

and be stamped by the BAC before the deadline for submission and receipt of eligibility documents.

8. Opening and Preliminary Examination of Eligibility Documents

- 8.1. The BAC 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 who are present shall sign a register evidencing their attendance.

In case the submitted eligibility envelopes cannot be opened as scheduled due to justifiable reasons, the BAC shall take custody of the said envelopes and reschedule the opening on the next working day or at the soonest possible time through the issuance of a Notice of Postponement to be posted in the PhilGEPS website and the website of the Procuring Entity concerned.

- 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.

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

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

- 8.4. 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 Request for Expression of Interest, 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 the BAC 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 the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "ineligible." In either case, the BAC 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 to the contract to be bid as provided in the **EDS** shall be considered for short listing.
- 9.2. The BAC 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. Short listed consultants shall be invited to participate in the bidding for this project through a Notice of Eligibility and Short Listing issued by the BAC.

10. Protest Mechanism

Decision of the Procuring Entity at any stage of the procurement process may be questioned in accordance with Section 55 of the IRR of RA 9184.

Section III. Eligibility Data Sheet

Eligibility Data Sheet

Eligibility Documents	
1.2	<ul style="list-style-type: none"> • <i>Advisory and Review Services</i> • <i>Management and Related Services</i> • <i>Other Technical Services or Special Studies</i>
1.3	No further instructions.
2.1(a)(ii)	The statement of all ongoing and completed government and private contracts shall include all such contracts within <i>ten (10) years</i> prior to the deadline for the submission and receipt of eligibility documents.
2.1(a)(ii.7)	Consultants must provide <i>Certificate of Good Standing, Satisfactory Completion, Project Acceptance Certificate or equivalent document.</i>
4.2	<p>Each prospective bidder shall submit <i>one (1) original</i> and <i>two (2) copies</i> of its eligibility documents with the following labels:</p> <p>All submissions must be contained and sealed in one (1) package.</p> <p>Each sealed Bid shall be labeled as follows:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p style="text-align: center;"><Header/Label></p> <p style="text-align: center;">ATTENTION: THE BAC CHAIRPERSON Philippine Competition Commission 25/F Tower 1, Vertis North Corporate Center, North Avenue, Quezon City</p> <p>Name of Project: _____ Invitation to Bid No.: _____</p> <p>Date & Time of Opening of Eligibility Documents: _____ Submitted by: _____ (<i>Bidder's name and signature</i>) Address of Bidder: _____</p> <p style="text-align: center;">“DO NOT OPEN BEFORE DATE AND TIME OF OPENING OF BIDS”</p> </div> <p><HEADER/LABEL> sample:</p> <ol style="list-style-type: none"> 1. “ORIGINAL ELIGIBILITY DOCUMENTS PLUS TWO COPIES INSIDE” – for the main envelope 2. “ORIGINAL ELIGIBILITY DOCUMENTS” – for the 1st sub-envelope

	<p>3. “COPY 1” – for the 2nd sub-envelope</p> <p>4. “COPY 2” – for the 3rd sub-envelope</p>																					
4.3.(e)	<p>Bids and Awards Committee <i>Philippine Competition Commission</i> 25/F Tower 1, Vertis North Corporate Center, North Avenue, <u>Quezon City</u></p>																					
4.3.(f)	<p>The title and reference number of the Project is:</p> <p>“Consulting Services for the Issues Paper on the Sugar Industry in the Philippines” Request for Expression of Interest (REI) No. 201901-0018</p>																					
5	<p>The address for submission of eligibility documents is 25/F Tower 1, Vertis North Corporate Center, North Avenue, Quezon City.</p> <p>The deadline for submission of eligibility documents is 08 February 2019, 11:00AM.</p> <p>The place of opening of eligibility documents is PCC Meeting Room 3, 25/F Tower 1, Vertis North Corporate Center, North Avenue, Quezon City.</p> <p>The date and time of opening of eligibility documents is 08 February 2019, 01:00PM.</p>																					
9.1	<p>Similar contracts shall refer to Sugar Industry / Agricultural Sector</p>																					
9.2	<table border="1"> <thead> <tr> <th>CRITERIA</th> <th>PARAMETERS</th> <th colspan="2">RATING SYSTEMS</th> <th>WEIGHT (%)</th> </tr> </thead> <tbody> <tr> <td rowspan="6">Quality of the contractor assigned to the project (50%)</td> <td rowspan="3">Educational Attainment (30%)</td> <td>100</td> <td>PhD in Economics, Public Policy or related field</td> <td rowspan="6"></td> </tr> <tr> <td>80</td> <td>MS/MA holder in Economics, Public Policy or related field</td> </tr> <tr> <td>70</td> <td>BS / BA degree holder</td> </tr> <tr> <td rowspan="3">Work Experience (30%)</td> <td>100</td> <td>With at least 10 years of extensive knowledge on or experience in the Philippine agricultural sector</td> </tr> <tr> <td>80</td> <td>With at least 8 years of extensive knowledge on or experience in the Philippine agricultural</td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	CRITERIA	PARAMETERS	RATING SYSTEMS		WEIGHT (%)	Quality of the contractor assigned to the project (50%)	Educational Attainment (30%)	100	PhD in Economics, Public Policy or related field		80	MS/MA holder in Economics, Public Policy or related field	70	BS / BA degree holder	Work Experience (30%)	100	With at least 10 years of extensive knowledge on or experience in the Philippine agricultural sector	80	With at least 8 years of extensive knowledge on or experience in the Philippine agricultural		
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		80	With at least 8 years of extensive knowledge on or experience in the Philippine agricultural																			

				sector	
			70	With at least 6 years of extensive knowledge on or experience in the Philippine agricultural sector	
		Proven Publication Track Record (30%)	100	With at least five publications (e.g. books, journal articles, discussion papers, working papers)	
				80	With at least three publications (e.g. books, journal articles, discussion papers, working papers)
			0	No publications	
		Training Qualification (10%)	100	With more than 48 hours of relevant training in research	
	80		With 24 to 48 hours of relevant training in research		
	70		With 16 hours or less of relevant training in research		
	Experience and capability of bidder (20%)	Years in Business/ Consultancy/Research (50%)	100	With at least 10 years in business/consultancy/research	
			80	With at least 8 years in business/consultancy/research	
			70	With at least 6 years in business/consultancy/research	
		Engagement with companies/institutions (25%)	100	With at least 5 companies/institutions	
80			With at least 3 companies/institutions		
70			With at least 1 company/institution		

	Engagement with government agencies (25%)	100	With at least 2 government agencies	
		80	With at least 1 companies/institutions	
		0	No engagement with government offices	
	Current work load relative to capacity (30%)	Number of on-going projects (Including Awarded but Not Yet Started Contracts (100%))	100	With 0-2 number of on-going projects
			80	With 3-5 on-going projects
			70	With 5 or more on-going projects
<p><i>No. of short-listed consultants = three (3)</i> <i>Cut-off score = eight (80)</i> <i>No. of key personnel = one (1)</i></p>				

ELIGIBILITY DOCUMENTS SUBMISSION FORM

[Date]

[Name and address of the Procuring Entity]

Ladies/Gentlemen:

In connection with your Request for Expression of Interest dated *[insert date]* for *[Title of Project]* under *[Reference No.]*, *[Name of Consultant]* hereby expresses interest in participating in the eligibility and short listing for said Project and submits the attached eligibility documents in compliance with the Eligibility Documents therefor.

In line with this submission, we certify that:

- b) *[Name of Consultant]* is not blacklisted or barred from bidding by the GOP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, and that each of the documents submit; and
- c) Each of the documents submitted herewith is an authentic copy of the original, complete, and all statements and information provided therein are true and correct.

We acknowledge and accept the Procuring Entity's right to inspect and audit all records relating to our submission irrespective of whether we are declared eligible and short listed or not.

Yours sincerely,

Signature
Name and Title of Authorized Signatory
Name of Consultant
Address

ANNEX B

STATEMENT OF THE CONSULTANT'S NATIONALITY

[Name and address of the Procuring Entity]

Ladies/Gentlemen:

In compliance with the requirements of the **Philippine Competition Commission**, for the **[Project Title]** under **[Reference No.]**, I/We hereby declare the following:

1. [Select one and delete the rest]

[If domestic entity bidder] That (Name of Bidder) is a domestic *sole proprietorship/partnership/corporation/joint venture* organized or formed under the laws of the Philippines;

[If foreign entity bidder] That (Name of Bidder) is a foreign *sole proprietorship/partnership/corporation/joint venture* organized or formed under the laws of the (Name of Country);

[If foreign entity bidder] That (Name of Bidder) is registered with the Securities and Exchange Commission and/or any agency authorized by the laws of the Philippines;

2. That the following are/is the proposed Consultants:

Name of Proposed Consultant	Proposed Position	Nationality	Proof of Identification
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

3. That attached herewith are the Curriculum Vitae of the abovementioned personnel (*Annex/es _____*); and

4. That the undersigned is/are the authorized representative/s for this public bidding as evidenced by herewith attached notarized authority.

Very truly yours,

Signature: _____

Name and Title of Authorized Signatory: _____

Name of Consultant/Company: _____

Address: _____

Contact Nos: _____

Database	
Operating Systems	
Application Software	
Professional Licenses, Certificates, Other Credentials	
Title	Date Received

Certification:

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

_____ Date: _____
[Signature of staff member and authorized representative of the firm] *Day/Month/Year*

Full name of staff member: _____

Full name of authorized representative: _____

STATEMENT OF COMPLETED GOVERNMENT AND PRIVATE CONTRACTS

This is to certify that _____ (consultant) _____ has the following completed contracts:

PROJECT NAME (including NAME, ADDRESS OF CLIENT, CONTACT NO.)	DATE OF CONTRACT	TYPE OF CONTRACT	START DATE	COMPLETION DATE	AMOUNT OF CONTRACT	CONSULTANT'S ROLE (DESCRIPTION OF ACTUAL SERVICES PROVIDED)

Name and Signature of Authorized Representative

Date

**STATEMENT OF ONGOING GOVERNMENT AND PRIVATE CONTRACTS AND AWARDED
BUT NOT YET STARTED CONTRACTS**

This is to certify that _____ (consultant) _____ has the following ongoing and awarded but not yet started contracts:

DATE OF CONTRACT	CONTRACTING PARTY	NAME OF CONTRACT	TYPE OF CONTRACT	BRIEF DESCRIPTION OF CONSULTING SERVICE	AMOUNT OF CONTRACT	VALUE OF OUTSTANDING CONTRACT	CONSULTANT IS: a. main consultant b. subcontractor c. partner in a JV

Name and Signature of Authorized Representative
Date

