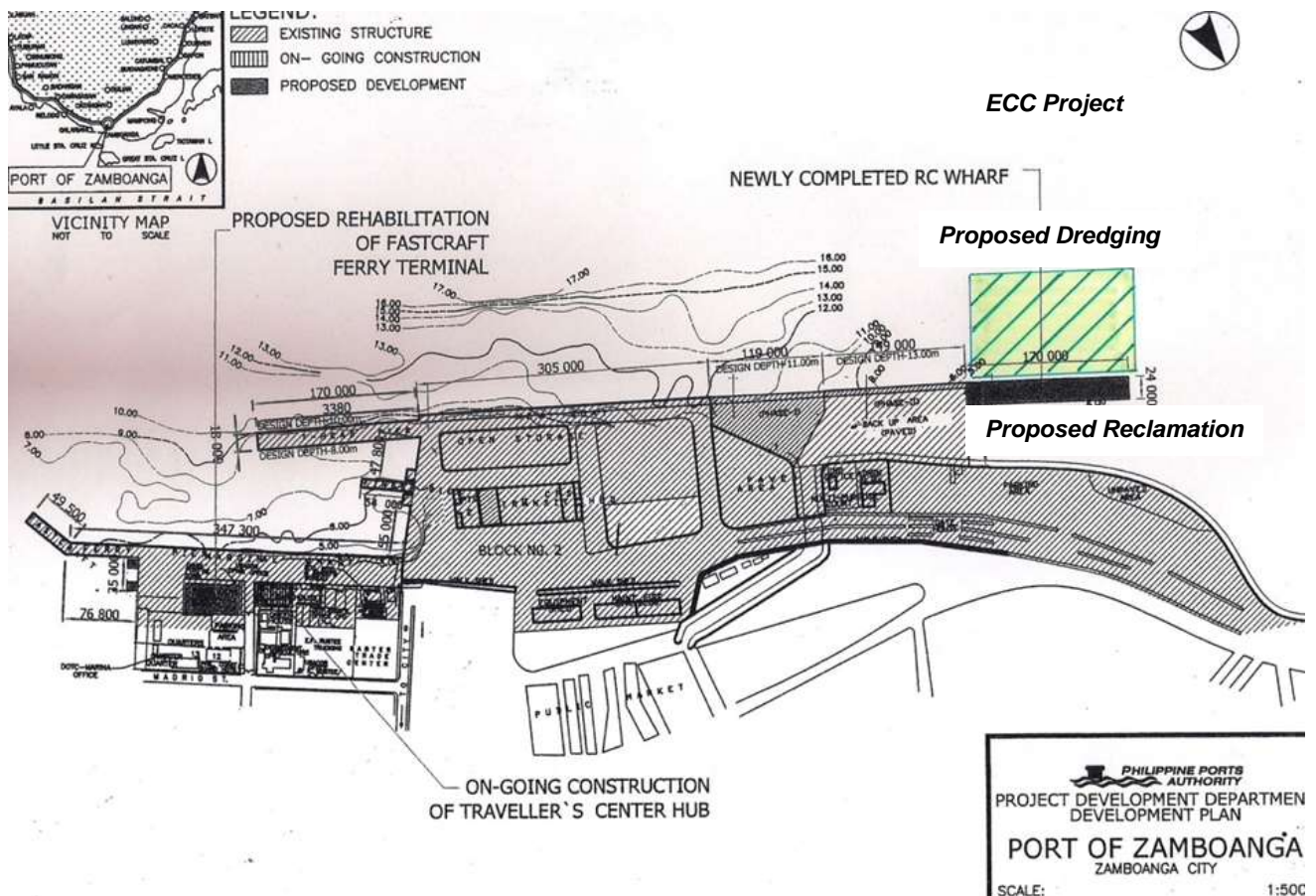


NEGOTIATED PROCUREMENT
Section 53.1. Two Failed Biddings

BIDDING REQUIREMENTS

**PROCUREMENT OF ENVIRONMENTAL COMPLIANCE
CERTIFICATE (ECC) OF THE PROPOSED DREDGING,
RECLAMATION AND OTHER PROJECTS AT THE WESTERN
PORTION OF THE PORT OF ZAMBOANGA**

Opening of Proposals: January 26, 2016



Eligibility Requirements

(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;
- (ii) Current and Valid Mayor’s Permit issued by the city or municipality where the principal place of business of the prospective bidder is located. (Allow the submission of the bidder’s recently expired Mayor’s Permit and the Official Receipt as proof that the bidder has applied for renewal of the permit within the prescribed period; Provided that, the current and valid mayor’s permit, as renewed, be submitted or presented by the bidder with the Lowest Calculated and Responsive Bid prior to award of contract.)
- (iii) Valid Tax Clearance per Executive Order 398, Series of 2005;

Technical Documents

- (iv) 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. 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;
 - (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; and
 - (iv.7) certificate of satisfactory completion or equivalent document issued by the client, in the case of a completed contract;

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.

Financial Document

- (v) Summary of the Bidder’s Assets and Liabilities on the basis of the attached consultant’s audited financial statements together with the Latest Income and Business Tax Returns filed through the Electronic Filing and Payment System (EFPS), 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.

CHECKLIST OF ELIGIBILITY REQUIREMENTS FOR BIDDERS

A. ELIGIBILITY DOCUMENTS - 5 Sets (1-Original Copy, 4-Machine Copies)

Use Prescribed Bidding Forms

CLASS "A" DOCUMENTS

LEGAL DOCUMENTS:

- EF 01: Eligibility Documents Submission Form
- EF 02: Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives.
- EF 03: Valid & Current Mayor's Permit/Municipal License . *(Allow the submission of the bidder's recently expired Mayor's Permit and the Official Receipt as proof that the bidder has applied for renewal of the permit within the prescribed period; Provided that, the current and valid mayor's permit, as renewed, be submitted or presented by the bidder with the Lowest Calculated and Responsive Bid prior to award of contract.)*
- EF 04: Valid Tax Clearance

TECHNICAL DOCUMENTS:

- EF 05: Duly signed statement of ongoing and similar completed government and private contracts within the five years period prior to the bidding of the proposed contract, including contracts awarded but not yet started. (Attach certificate of satisfactory completion or equivalent document issued by the client, in the case of a completed contract).
- EF 06: Duly signed 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. *Attach bio data of the key personnel (EF 05.a).*

Key Staff Requirements:

- a. 1- Project Manager
- b. 1- Environmental Planner with license issued by the Professional Regulations Commission (PRC), duly accredited by the DENR-EMB, and prepared at least three (3) Environmental Impact Statement (EIS) in the last five (5) years which have been issued ECC.
- c. 1- Surveyor – licensed Geodetic Engineer with at least one (1) year experience.
- d. 2- Scuba Divers – with at least one year experience.
- e. 1- Safety Officer – with at least one (1) year experience, issued Certification of Basic Occupational and Safety with at least 40 hours training from DOLE.

FINANCIAL DOCUMENT:

- EF 07: Summary of the Bidder's Assets and Liabilities CY 2014 on the basis of the attached Audited Financial Statements together with the Latest Income and Business Tax Returns filed through the Electronic Filing and Payment System (EFPS), showing among others, the total assets and liabilities stamped "received" by the BIR or its duly accredited and authorized institutions and EFPS details.

CLASS "B" DOCUMENT

- EF 08: Valid Joint Venture Agreement (JVA), if any.

CHECKLIST OF TECHNICAL AND FINANCIAL PROPOSALS REQUIREMENTS FOR BIDDERS

The Technical Proposal Envelope shall contain the following:

B. TECHNICAL DOCUMENTS - 5 Sets (1-Original Copy, 4-Machine Copies)

Use Prescribed Bidding Forms

TPF 1: Technical Proposal Submission Form

TPF 2: Consultant's References (Relevant Services Carried Out in the Last Five Years That Best Illustrate Qualifications)

TPF 3: Comments and Suggestions of Consultant on the Terms of Reference and on Data, Services, and Facilities to be Provided by the Procuring Entity

TPF 4: Description of the Methodology and Work Plan for Performing the Project

TPF 5: Team Composition and Task Projects

TPF 6: Curriculum Vitae (CV) for Proposed Professional Staff

TPF 7: Time Schedule for Professional Personnel

TPF 8: Activity (Work) Schedule

TPF 9: Organization Chart of the Consultant and key Staff involved in the project

TPF 10: Duly signed statement of the types and number of equipment that the consultant owns, has under lease and / or has under purchase agreements, supported with duly notarized Statement of Availability of Equipment for the Project.

List of Equipment Requirements:

*1- unit Survey Equipment , 1-unit Motorized Banca (at least 4-persons cap.),
1-unit Service Vehicle, 2-sets Scuba Equipment*

Attach proof of ownership/under lease or purchase agreements.

TPF 11: Bid Security

Two (2) forms of Bid Security (the bidder may opt to choose any of the two):

- *Duly notarized Bid Securing Declaration;* or
- *Php39,663.45 (5% of ABC),* if bid security is in a form of Surety Bond.

TPF 12: Sworn statement in accordance with Section 25.2(b)(iv) of the IRR of RA 9184 (in prescribed form)

The Financial Proposal Envelope shall contain the following:

C. FINANCIAL DOCUMENTS - 5 Sets (1-Original Copy, 4-Machine Copies)

Use Prescribed Bidding Forms

FPF 1: Financial Proposal Submission Form

FPF 2: Summary of Costs (Total Amount of Financial Proposal)

FPF 3: Breakdown of Price per Activity

FPF 4: Breakdown of Remuneration per Activity

FPF 5: Miscellaneous Expenses

Eligibility Documents Submission Form

[Date]

LIBERTO C. DELA ROSA
Port Manager
Philippine Ports Authority
Port of General Santos
General Santos City

Ladies/Gentlemen:

In connection with your Invitation to Submit Proposals for the Procurement of Environmental Compliance Commitment (ECC) for the Proposed Dredging, Reclamation and Other Projects at the Western Portion of the Port of Zamboanga. [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:

- a) [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
- b) 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

**STATEMENT ON CITIZENSHIP/TECHNICAL COMPETENCE
AND INVOLVING REGULATED PROFESSIONS**

Date of Issuance

LIBERTO C. DELA ROSA

Port Manager
PPA, PMO-Zamboanga
Zamboanga City

Attention : The Chairman
Bids and Awards Committee

Dear Sir/Madame:

In compliance with the requirements of PPA, PMO-Zamboanga BAC for the bidding of the (Name of the Project), I certify that:

- I am a (Nationality) citizen wishing to participate in the bidding.
- I have the technical and financial capabilities to satisfactorily render the required services.
- the owner and key staff of (Name of the Bidder) possess the required professional licenses issued by the Professional Regulation Commission or other appropriate regulatory body.

Name and Title	Degree and Professional Licenses	Experience	Years with Firm	Age
1. Project Manager				
2. Environmental Planner				
3. Licensed Surveyor				
4. Safety Officer				
5. 2- Scuba Divers				

Attached are their bio-data (EF 5.a).

Very truly yours,

Name of Authorized Representative

Position

Name of the Bidder

KEY PERSONNEL BIO-DATA

1. Name : _____
2. Date of Birth : _____
3. Nationality : _____
4. Education and Degrees : _____
5. Specialty : _____
6. Registration : _____
7. Length of Service with the Firm : ____ Year from ____ (months) ____ (year)
to ____ (months) ____ (year)
8. Years of Experience : _____
9. If Item 7 is less than ten (10) years, give name and length of service with previous employers for a ten (10)-year period (attached additional sheet/s), if necessary:

Name and Address of Employer

Length of Service

_____	_____ year(s) from	_____ to _____
_____	_____ year(s) from	_____ to _____
_____	_____ year(s) from	_____ to _____

10. Experience:

This should cover the past ten (10) years of experience. (Attached as many pages as necessary to show involvement of personnel in projects using the format below).

1. Name : _____
2. Name and Address of Owner : _____
3. Name and Address of the Owner's Engineer (Consultant) : _____
4. Indicate the Features of Project (particulars of the project components and any other particular interest connected with the project) : _____
5. Contract Amount Expressed in Philippine Currency : _____
6. Position : _____

7. Structures for which the employee was responsible : _____

8. Assignment Period :from _____ (months) _____ (years)
:to _____ (months) _____ (years)

Name and Signature of Employee

It is hereby certified that the above personnel can be assigned to this project and fulfill his obligations, if the contract is awarded to our company.

(Place and Date)

(The Authorized Representative)

FINANCIAL DOCUMENTS FOR ELIGIBILITY CHECK

Financial Data

Name of Consultant : _____
Business Address : _____

Summary of the Bidder's Assets and Liabilities on the basis of the attached Audited Financial Statement and Latest Income and Business Tax Returns filed through the Electronic Filing and Payment System (EFPS), stamped "RECEIVED" by the Bureau of Internal Revenue or BIR authorized collecting agent, for the preceding calendar year.

		Year 2014
1.	Total Assets	
2.	Current Assets	
3.	Total Liabilities	
4.	Current Liabilities	
5.	Net Worth (1-3)	
6.	Net Working Capital (2-4)	

Attachment:

1. Audited Financial Statement (FS) and Latest Income and Business Tax Returns filed through the Electronic Filing and Payment System (EFPS), with EFS details.

Submitted by:

Name of Representative of Bidder

Position

Date

NOTE:

1. *If Partnership or Joint Venture, each Partner or Member Firm of Joint Venture shall submit the above requirements.*

TPF 1. Technical Proposal Submission Form

[Date]

The BAC Chairperson
For Engineering Projects & Consulting Services
PPA, PMO-Zamboanga
Port Area, Zamboanga City

Ladies/Gentlemen:

We, the undersigned, offer to provide the consulting services for the *Procurement of Environmental Compliance Certificate (ECC) for the Proposed Dredging, Reclamation and Other Projects at the Western Portion of the Port of Zamboanga* in accordance with your Bidding Documents dated January 12, 2016 and our Bid. We are hereby submitting our Bid, which includes this Technical Proposal, and a Financial Proposal sealed under a separate envelope.

If negotiations are held during the period of bid validity, we undertake to negotiate on the basis of the proposed staff. Our Bid is binding upon us and subject to the modifications resulting from contract negotiations.

We acknowledge and accept the PPA's right to inspect and audit all records relating to our Bid irrespective of whether we enter into a contract with PPA as a result of this Bid or not.

We understand you are not bound to accept any Bid received for the selection of a consultant for the Project.

We remain,

Yours sincerely,

Authorized Signature:
Name and Title of Signatory:
Name of Firm:
Address:

TPF 2. Consultant’s References

**Relevant Services Carried Out in the Last Five Years
That Best Illustrate Qualifications**

Using the format below, provide information on each project for which your firm/entity, either individually, as a corporate entity, or as one of the major companies within an association, was legally contracted.

Project Name:		Country:
Location within Country:		Professional Staff Provided by Your Firm/Entity(profiles):
Name of Client:		Nº of Staff:
Address:		Nº of Staff-Months; Duration of Project:
Start Date (Month/Year):	Completion Date (Month/Year):	Approx. Value of Services (in Peso):
Name of Associated Consultants, if any:		Nº of Months of Professional Staff Provided by Associated Consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:		
Narrative Description of Project:		
Description of Actual Services Provided by Your Staff:		

Consultant’s Name & Signature: _____

TPF 3. Comments and Suggestions of Consultant on the Terms of Reference and on Data, Services, and Facilities to be Provided by the Procuring Entity

On the Terms of Reference:

- 1.
- 2.
- 3.
- 4.
- 5.

On the data, services, and facilities to be provided by the Procuring Entity:

- 1.
- 2.
- 3.
- 4.
- 5.

Signature: _____
(Authorized Representative/Consultant)
Full Name: _____
Title: _____

**TPF 4. Description of the Methodology and Work Plan for
Performing the Project**

Signature: _____
(Authorized Representative/Consultant)
Full Name: _____
Title: _____

TPF 6. Curriculum Vitae (CV) for Proposed Professional Staff

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 most pertinent to tasks on project. Describe degree of responsibility held by staff member on relevant previous projects and give dates and locations. Use about half a page.]

Education:

[Summarize college/university and other specialized education of staff members, giving names of schools, dates attended, and degrees obtained. Use about one quarter of a page.]

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 ten years, also give types of activities performed and client references, where appropriate. Use about two pages.]

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.

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

Full name & signature of staff member: _____

Full name & signature of authorized representative/consultant: _____

TPF 8. Activity (Work) Schedule

A. Field Investigation and Study Items

	Forty (40) CD				
	1st	2nd	3rd	4th	5th
Activity (Work)					
1.					
2.					
3.					
4.					
5.					

B. Completion and Submission of Reports

Reports	Date
1. Inception Report	
2. Interim Progress Report (a) First Status Report (b) Second Status Report	
3. Draft Report	
4. Final Report	

Signature: _____

(Authorized Representative/Consultant)

Full Name: _____

Title: _____

Statement of Consultant's Equipment for the Project
owned, under lease or under purchase agreements

Name of Consultant : _____
Business Address : _____

Type of Equipment	Type	Number of Equipment	Owned / Under Lease / Purchase Agreements	Date of Purchase / Lease
1. Survey Equipment		1 unit		
2. Motorized Banca (4-persons cap.)		1 unit		
3. Service Vehicle		1 unit		
4. Scuba Equipment		2 sets		

Note: attach proof of ownership/under lease or purchase agreements.

Submitted by:

Name of Representative of Bidder

Position

Date

STATEMENT OF AVAILABILITY OF EQUIPMENT FOR THE PROJECT

(Date of Issuance)

Philippine Ports Authority
PMO-Zamboanga
Port Area, Zamboanga City

Attention : The Chairman
Bids and Awards Committee for Engineering Projects

Dear Sir:

In compliance with the requirements of PPA, PMO-Zamboanga - BAC for the bidding of the Procurement of Environmental Compliance Certificate (ECC) for the Proposed Dredging, Reclamation and Other Projects at the Western Portion of the Port of Zamboanga . We certify the availability of equipment for the project of which _____ (Name of Bidder) has Owns, Under Lease, and/or has Under Purchase Agreements that may be used for the contract.

Very truly yours,

(Name and Signature of Representative)

(Position)

(Name of Bidder)

Notary Public

Until 31 December 20____
PTR No. _____
Issued at: _____
Issued on: _____
TIN No. _____

Doc. No. _____
Page No. _____
Book No. _____
Series of _____.

TPF 12. Omnibus Sworn Statement

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, *[Name of Affiant]*, of legal age, *[Civil Status]*, *[Nationality]*, and residing at *[Address of Affiant]*, after having been duly sworn in accordance with law, do hereby depose and state that:

1. I am the sole proprietor of *[Name of Consultant]* with office address at *[address of Consultant]*;
2. As the owner and sole proprietor of *[Name of Consultant]*, I have full power and authority to do, execute and perform any and all acts necessary to represent it in the bidding for consulting services for Procurement of Environmental Compliance Certificate (ECC) for the Proposed Dredging, Reclamation and Other Projects at the Western Portion of the Port of Zamboanga
3. *[Name of Consultant]* is not “blacklisted” or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board;
4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
5. *[Name of Consultant]* is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;
6. I am not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;
7. *[Name of Consultant]* complies with existing labor laws and standards; and
8. *[Name of Consultant]* is aware of and has undertaken the following responsibilities as a Bidder:
 - a) Carefully examine all of the Bidding Documents;
 - b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
 - c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d) Inquire or secure Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.
9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of ___, 2016 at _____, Philippines.

[Bidder's Representative/Authorized Signatory]

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 2016, affiant is exhibiting to me his Community Tax Certificate No. _____ issued on _____ at _____.

Notary Public

Until
PTR No.
Date
Place
TIN

SEAL

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

FPF 1. Financial Proposal Submission Form

[Date]

[Name and address of the Procuring Entity]

Ladies/Gentlemen:

We, the undersigned, offer to provide the consulting services for the *Procurement of Environmental Compliance Certificate (ECC) for the Proposed Dredging, Reclamation and Other Projects at the Western Portion of the Port of Zamboanga* in accordance with your Bidding Requirements dated January 12, 2016 and our Bid (Technical and Financial Proposals). Our attached Financial Proposal is for the sum of [amount in words and figures]. This amount is exclusive of the local taxes, which we have estimated at [amount(s) in words and figures].

Our Financial Proposal shall be binding upon us subject to the modifications resulting from Contract negotiations, up to expiration of the bid validity period, *i.e.*, [Date].

Accounting, Inspection and Auditing, we acknowledge and accept the Procuring Entity's right to inspect and audit all records relating to our Bid irrespective of whether we enter into a contract with the Procuring Entity as a result of this Bid.

We confirm that we have read, understood and accept the contents of the Terms of Reference (TOR) and Bidding Requirements for Negotiated Procurement, the provisions relating to the eligibility of Consultant and the applicable guidelines for the procurement rules of the Funding Source, and other attachments and inclusions included in the Bidding Documents sent to us.

We understand you are not bound to accept any Bid you receive.

We remain,

Yours sincerely,
Authorized Signature:
Name and Title of Signatory:
Name of Firm:
Address

FPF 5. MISCELLANEOUS EXPENSES

Activity No. _____

Activity Name: _____

No.	Description	Unit	Quantity	Unit Price	Total Amount
1.	Communication costs between _____ and _____ (telephone, telegram, telex)				
2.	Drafting, reproduction of reports				
3.	Equipment: vehicles, computers, etc.				
4.	Software				
	Grand Total				_____

Signature : _____

(Authorized Representative/Consultant)

Full Name: _____

Title: _____

FPF 2. Summary of Costs

Costs	Currency(ies) ¹	Amount in Philippine Peso
Subtotal		
Local Taxes		
Total Amount of Financial Proposal		

Signature : _____
(Authorized Representative/Consultant)
Full Name: _____
Title: _____

¹ In cases of contracts involving foreign consultants, indicate the exchange rate used.

FPF 3. Breakdown of Price per Activity

Activity No.: _____	Activity No.: _____	Description: _____
Price Component	Currency(ies) ²	Amount in Philippine Peso
Remuneration		
Reimbursables		
Miscellaneous Expenses		
Subtotal		_____

Signature : _____

(Authorized Representative/Consultant)

Full Name: _____

Title: _____

² In cases of contracts involving foreign consultants, indicate the exchange rate used.

FPF 4. Breakdown of Remuneration per Activity

Activity No. _____				
Names	Position	Input ³	Remuneration Currency(ies) Rate	Amount
Regular staff				
Local staff				
Consultants				
Grand Total				_____

Signature : _____
 (Authorized Representative/Consultant)
 Full Name: _____
 Title: _____

³ Staff months, days, or hours as appropriate.

Bidding will be conducted through negotiated procurement under Section 53.1 of the R-IRR of RA 9184. Procedures for the conduct of public bidding shall be observed pursuant to provisions of the R-IRR of RA 9184.

Eligibility Check and Short listing of Prospective Bidders

1. The BAC will first open the envelopes containing the eligibility documents and examine each bidder's eligibility requirements or statements against a checklist of requirements, using non-discretionary "pass/fail" criterion. If a prospective bidder submits the specific eligibility document required, he shall be rated "passed" for that particular requirement. In the case of recently expired/pending application permit or license of the prospective bidder, the Lowest Calculated and Highest Rated Bidder shall submit the valid permit/license and other documentary requirements during the post-qualification period.
2. The BAC shall draw up the short list of consultants from those who have submitted 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) using the criteria and rating system set forth for short listing.

Opening and Evaluation of Technical Proposals

3. The BAC shall open and check the technical proposals using non-discretionary "pass/fail" criterion.
4. The BAC evaluates the Technical Proposals on the basis of their compliance with the bidding requirements and responsiveness to the TOR.

Opening and Evaluation of Financial Proposals

5. The BAC shall open and check the financial proposals using non-discretionary "pass/fail" criterion.
6. The Financial Proposals opened shall be evaluated based on the evaluation procedure.
7. The Procuring Entity shall evaluate bids using the Quality-Cost Based Evaluation (QCBE) procedure, wherein the Technical Proposal and Financial Proposal of the eligible bidder shall be given a weight of 60% and 40% respectively using the criteria and rating system for the evaluation of bids.

Negotiations

8. Negotiations with the Highest Rated Bid (HRB) pursuant to Section 33.2.5 of R-IRR of RA 9184.

Post Qualification

9. The Procuring Entity shall determine to its satisfaction whether the Consultant that is evaluated as having submitted the Highest Rated Bid (HRB) complies with and is responsive to all the requirements.

Additional Requirements to be submitted by the Highest Rated Bid (HRB) within the period of post-qualification, in three (3) copies:

- (a) Valid Certificate of PhilGEPS Registration
 - (b) Valid TIN ID/Certification
10. Notwithstanding the eligibility, short listing, or post-qualification of a Consultant, the Procuring Entity concerned reserves the right to review its qualifications at any stage of the procurement process if it has reasonable grounds to believe that a misrepresentation has been made by the said Consultant, or that there has been a change in the Consultant's capability to undertake this Project from the time it submitted its eligibility requirements. Should such review uncover any misrepresentation made in the eligibility and bidding requirements, statements or documents, or any changes in the situation of the Consultant which will affect its capability to undertake the project so that it fails the preset eligibility or bid evaluation criteria, the Procuring Entity shall consider the said Consultant as ineligible and shall disqualify it from submitting a bid or from obtaining an award or contract.

Award of Contract

11. The Procuring Entity shall award the contract to the Bidder whose bid has been determined to be the Highest Rated Responsive Bid (HRRB).

Performance Security

12. To guarantee the faithful performance by the winning Consultant of its obligations under the contract, it shall post a performance security within a maximum period of ten (10) calendar days from the receipt of the Notice of Award from the Procuring Entity and in no case later than the signing of the contract.

13. The procuring entity prescribed (2) acceptable forms of performance security taken from two (2) categories below that bidders may opt to use in accordance with the following schedule:

Form of Performance Security	Amount of Performance Security (Equal to Percentage of the Total Contract Price)
(a) Bank draft/guarantee issued by a Universal or Commercial Bank: Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank.	Five percent (5%)
(b) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security; and/or	Thirty percent (30%)

Signing and Approval of the Contract

14. The Procuring Entity shall enter into contract with the successful Bidder within the same ten (10) calendar day period provided that all the documentary requirements are complied with.

Notice to Proceed

15. Within three (3) calendar days from the date of approval of the contract, the Procuring Entity shall issue its Notice to Proceed to the Consultant.
16. The contract effectivity date shall be provided in the Notice to Proceed, which date shall not be later than seven (7) calendar days from its issuance.



TERMS OF REFERENCE

CONSULTING SERVICES FOR THE PROCUREMENT OF ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC) FOR THE PROPOSED DREDGING, RECLAMATION AND OTHER PROJECTS AT THE WESTERN PORTION OF THE PORT OF ZAMBOANGA, ZAMBOANGA CITY

1. Introduction

- 1.1 The Philippine Ports Authority (PPA) has completed a Reinforced Concrete (RC) wharf particularly at the western area of the Port of Zamboanga in order to augment the existing berthing facilities. However due to its shallow depth it can only accommodate small and wooden vessels. The said condition prompted the PPA to propose dredging activity on the surroundings of the RC wharf so it can also cater to bigger cargo and passenger vessels. Likewise, the vacant space adjacent to the RC wharf once reclaimed, may also serve as its back-up area.
- 1.2 In compliance with Presidential Decree No. 1586 entitled "Establishing the Philippine Environmental Impact Statement (EIS) System", projects or undertakings that includes dredging and reclamations should be assessed of its impacts to the environment and to ensure that such effects are addressed by appropriate environmental protections and measures. This process is accomplished through the issuance of Environmental Clearance Certificate (ECC) by the Environmental Management Bureau (DENR-EMB).
- 1.3 Philippine Ports Authority, PMO-Zamboanga wishes to engage the services of a duly licensed consulting firm and/or professionals to prepare the requirements and secure the ECC.

2. Objectives

- 2.1 The efficient utilization of the new RC wharf depends on the above-mentioned activities particularly the immediate dredging project, hence an environmental clearance is important. For this reason, all requirements for securing ECCs' shall be in accordance with the Implementing Rules and Regulations of PD 1586 specifically DENR Administrative Order No. 30 Series of 2003 (DAO 03-30) and its related and applicable issuances.
- 2.2 This Terms of Reference (TOR) shall serve as guide to interested eligible and qualified bidders for the procurement of ECC.

3. Scope of Work

- 3.1 The scope of work includes but not limited to the following activities:
 - 3.1.1 Marine Resource Inventory (MRI) study preparations.
 - 3.1.2 Application, consultations, payments of EMB-DENR fees, testing fees, public hearings of stakeholders, conduct of extensive studies on the impact of the proposed project on the surrounding environment, hydro-surveys and underwater photography.
 - 3.1.3 Preparation and submission of Environmental Performance Report and Management Plan (EPRMP), Environmental Monitoring Plan (EMoP), Project Environmental Monitoring and Audit Scheme (PEMAPS) Questionnaire, Impact Management Plan and Barangay Resolution.
 - 3.1.4 Present and defend all of the above mentioned reports and studies before the members of the Environmental Impact Assessment Review Committee (EIARC) and EIA Inter-agency Resource Persons.
 - 3.1.5 Submit to PPA, PMO-Zamboanga the approved ECC and seven (7) copies each of all documents (1 - original and 6 – clear photocopies in hardbound cover).
 - 3.1.6 Install two (2) billboards at the project site.

4. Obligations of the Consultant

- 4.1 The Consultant shall:
 - 4.1.1 Be responsible for the submission of documents and accomplishment of the activities as mentioned in section 3 “Scope of Work”.
 - 4.1.2 Hire and pay professionals, technicians, laborers and needed workers and provide them with necessary equipment, vehicles and tools.
 - 4.1.3 Pay all necessary fees including laboratory and testing.
 - 4.1.4 Pay the honoraria of EIARC members and resource persons that maybe invited by the EMB-IX and also settle other incidental expenses during the conduct of the review.
 - 4.1.5 Coordinate with the Philippine Coast Guard (PCG) and/or concerned agencies for the identification of proper transfer site for dredged materials.
 - 4.1.6 Secure the required ECC and submit to the PPA within forty (40) calendar days from the effectivity of the contract.
 - 4.1.7 Install two (2) billboards of 1/2” x 4’x 4’ marine plywood at the entrance gates printed with the suggested statement as mentioned in the terms and condition of the issued ECC.

5. Obligations of the Proponent

5.1 The Proponent shall:

- 5.1.1 Provide the Consultant the necessary data, plans, feature of the project and all other documents in its possession related to the preparation of these studies.
- 5.1.2 Release fifteen percent (15%) of the project cost upon the issuance of Notice to Proceed and progressive payment of fifty percent (50%) upon submission of MRI and the final payment of one hundred percent (100%) upon submission of EPRMP and approved ECC.
- 5.1.3 Provide representative/s during the conduct of EIARC review.

6. Qualifications of the Consultancy Firm

6.1 The Consultancy Firm shall have the following qualifications:

- 6.1.1 Duly licensed by the Security and Exchange Commission (SEC) or the Department of Trade and Industry (DTI).
- 6.1.2 With valid Mayor's Permit.
- 6.1.3 With accreditation from DENR-EMB.
- 6.1.4 Has prepared at least three (3) Environmental Impact Statement (EIS) in the last five (5) years which have been issued ECC.

7. Personnel and Manpower Requirements

7.1 The Consultant shall provide and deploy personnel upon commencement of activities. These shall include as follows:

- 7.1.1 One (1) Project Manager
- 7.1.2 One (1) Environmental Planner
 - 7.1.2.1 with license issued by the Professional Regulations Commission (PRC)
 - 7.1.2.2 With accreditation from DENR-EMB as preparer.
 - 7.1.2.3 Has prepared at least three (3) Environmental Impact Statement (EIS) in the last five (5) years which have been issued ECC
- 7.1.3 One (1) Safety Officer
 - 7.1.3.1 Has attended at least 40 hours of Basic Occupational Safety and Health (BOSH) training from DOLE.
 - 7.1.3.2 With at least one (1) year experience
- 7.1.4 Two (2) Scuba Divers
 - 7.1.4.1 With at least one (1) year experience
- 7.1.5 One (1) Surveyor
 - 7.1.5.1 A Licensed Geodetic Engineer
 - 7.1.5.2 With at least one (1) year experience.

- 7.1.6 One (1) Driver
- 7.1.7 One (1) Clerk
- 7.1.8 Four (4) Laborers

8. Equipment Requirements

8.1 The Consultant shall provide equipment as follows:

Kind of Equipment	Number
Survey Equipment	1 unit
Motorized Banca (at least 4-person capacity)	1 unit
Scuba Equipment	2 sets
Service Vehicle	1 unit

Prepared By:

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