



**REPUBLIC OF THE PHILIPPINES
QUEZON CITY GOVERNMENT
BIDS AND AWARDS COMMITTEE – INFRASTRUCTURE &
CONSULTANCY**



PHILIPPINE BIDDING DOCUMENTS

**Consultancy Services for Acquiring
Permits on Environmental Protection –
Eight (8) Quezon City-Owned Public
Markets**

Project No. 20-00096

Government of the Republic of the Philippines

**Fifth Edition
August 2016**

Preface

These Philippine Bidding Documents (PBDs) for the procurement of Consulting Services through Competitive Bidding have been prepared by the Government of the Philippines (GoP) for use by all branches, agencies, departments, bureaus, offices, or instrumentalities of the Government, including government-owned and/or -controlled corporations (GOCCs), government financial institutions (GFIs), state universities and colleges (SUCs), local government units (LGUs), and autonomous regional government. The procedures and practices presented in this document have been developed through broad experience, and are for mandatory use in projects that are financed in whole or in part by the GoP or the World Bank or any foreign government/foreign or international financing institution in accordance with the provisions of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act 9184 (R.A. 9184).

The Bidding Documents shall clearly and adequately define, among others: (a) the objectives, scope, and expected outputs and/or results of the proposed contract; (b) the minimum eligibility requirements of bidders, such as track record to be determined by the Head of the Procuring Entity; (c) the expected contract duration, delivery schedule and/or time frame; and (d) the obligations, duties, and/or functions of the winning bidder.

In order to simplify the preparation of the Bidding Documents for each procurement, the PBDs groups the provisions that are intended to be used unchanged in Section II. Eligibility Documents of Part I; and **Error! Reference source not found.** (ITB) and **Error! Reference source not found.** (GCC) of Part II. Data and provisions specific to each procurement and contract should be included in Section III. Eligibility Data Sheet (EDS) of Part I, **Error! Reference source not found.** (BDS), and **Error! Reference source not found.** (SCC) of Part II. The forms to be used are provided in the attachments.

Care should be taken to check the relevance of the provisions of the Bidding Documents against the requirements of the specific Consulting Services to be procured. The following general directions should be observed when using the documents:

- (a) All the documents listed in the Table of Contents are normally required for the procurement of Consulting Services. However, they should be adapted as necessary to the circumstances of the particular Project.
- (b) These PBDs are divided into Part I and Part II, which shall be both made available from the time the Request for Expression of Interest is first advertised/posted until the deadline for the submission and receipt of bids
- (c) Specific details, such as the “name of the Procuring Entity” and “address for proposal submission,” should be furnished in the EDS, BDS, and SCC. The final documents should contain neither blank spaces nor options.
- (d) This Preface and the footnotes or notes in italics included in the Request for Expression of Interest, EDS, BDS, SCC, Terms of Reference, and Appendices are not part of the text of the final document, although they contain instructions that the Procuring Entity should strictly follow. The Bidding Documents should contain no footnotes except **Error! Reference source not found.** of Part II since these provide important guidance to Bidders.

- (e) The criteria for evaluation and the various methods of evaluation in the ITB should be carefully reviewed. Only those that are selected to be used for the procurement in question should be retained and expanded, as required in the BDS. The criteria that are not applicable should be deleted from the BDS.
- (f) The cover should be modified as required to identify the Bidding Documents as to the names of the Project, Contract, and Procuring Entity, in addition to date of issue.
- (g) If modifications must be made to bidding procedures, they can be presented in the BDS. Modifications for specific Project or Contract should be provided in the SCC as amendments to the Conditions of Contract. For easy completion, whenever reference has to be made to specific clauses in the EDS, BDS, or SCC these terms shall be printed in bold type face on Section II. Eligibility Documents, Section I. Instructions to Bidders, and Section III. General Conditions of Contract, respectively.

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Section I. Request for Expression of Interest

Notes on Request for Expression of Interest

The Request for Expression of Interest provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The Request for Expression of Interest shall be:

- (a) Posted continuously in the Philippine Government Electronic Procurement System (PhilGEPS) website and the website of the Procuring Entity concerned, if available, and the website prescribed by the foreign government/foreign or international financing institution, if applicable, seven (7) calendar days starting on the date of advertisement; and
- (b) Posted at any conspicuous place reserved for this purpose in the premises of the Procuring Entity concerned for seven (7) calendar days, as certified by the head of the Bids and Awards Committee (BAC) Secretariat of the Procuring Entity concerned.
- (c) Advertised at least once in a newspaper of general nationwide circulation which has been regularly published for at least two (2) years before the date of issue of the advertisement, subject to Sections 21.2.1(c) of the IRR of R.A. 9184¹;

Apart from the essential items listed in the Bidding Documents, the Request for Expression of Interest should also indicate the following:

- (a) The date of availability of the Bidding Documents, the place where it may be secured and the deadline for submission of the Expression of Interest (EOI) together with the application for eligibility;
- (b) The set of criteria and rating system for short listing of prospective bidders to be used for the particular contract to be Bid, which shall consider the following, among others:
 - (i) Applicable experience of the consultant and members in case of joint ventures, considering both the overall experiences of the firms or, in the case of new firms, the individual experiences of the principal and key staff, including the times when employed by other consultants;

¹ Two years after effectivity of the 2016 Revised IRR of RA 9184 on **28 October 2016**, advertisement in a newspaper of general nationwide circulation shall no longer be required. However, a Procuring Entity that cannot post its opportunities in the PhilGEPS for justifiable reasons shall continue to publish its advertisements in a newspaper of general nationwide circulation.

- (ii) Qualification of personnel who may be assigned to the job vis-à-vis extent and complexity of the undertaking; and
- (iii) Current workload relative to capacity;
- (c) The number of consultants to be short listed and the procedure to be used in the evaluation of Bids of short listed consultants, *i.e.*, QBE or QCBE; and if QCBE, the weights to be allocated for Technical and Financial Proposals; and
- (d) The contract duration.

In the case of WB funded projects, the Request for Expression of Interest shall be sent to all who have expressed an interest in undertaking the services as a result of any General Procurement Notice issued. In addition, it shall also be sent to all heads of associations of consultants within the area where the project will be undertaken.



**REPUBLIC OF THE PHILIPPINES
QUEZON CITY GOVERNMENT**



BIDS AND AWARDS COMMITTEE FOR INFRASTRUCTURE & CONSULTANCY
2nd floor, Finance Building, Procurement Department, Quezon City Hall Complex, Elliptical Road, Quezon City

November 20, 2020

**REQUEST FOR EXPRESSION OF INTEREST FOR
CONSULTANCY SERVICES FOR ACQUIRING PERMITS ON ENVIRONMENTAL PROTECTION –
EIGHT (8) QUEZON CITY – OWNED PUBLIC MARKETS**

1. The **Quezon City Local Government** through the **General Fund FY 2020** intends to apply the sum of **Two Million Five Hundred Fifty-Three Thousand Forty Pesos Php2,553,040.00** being the Approved Budget for the Contract (ABC) to payments under the contract for **Acquiring Permits on Environmental Protection – Eight (8) Quezon City – Owned Public Markets**. Bids received in excess of the ABC shall be automatically rejected at the opening of the financial proposals.
2. The **Quezon City Local Government** now calls for the submission of eligibility documents for **Consultancy Services for Acquiring Permits on Environmental Protection including the preparation of the pertinent requirement in relation to the application of the permits**.

Eligibility Documents must be duly received by the BAC Secretariat at the address below on or before **December 01, 2020 – 1:00PM**.

Opening of Eligibility Documents will be on **December 01, 2020 - 1:30PM** at **2nd Floor, Procurement Department-Bidding Room, Finance Building, Quezon City Hall Compound**. Eligibility Documents will be opened in the presence of the bidders' representatives who choose to attend at the stated address. Late Eligibility Documents will not be accepted. Applications for eligibility will be evaluated based on a non-discretionary "pass/fail" criterion.

3. A complete set of Bidding Documents may be acquired by interested Bidders on **November 23, 2020** at **2nd Floor, Procurement Department, Finance Building, Quezon City Hall Compound** upon submission of a Document Request List (DRL) printed from the Philippine Government Electronic Procurement System (PhilGEPS) website and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB.

It may also be downloaded free of charge from Quezon City Website, www.quezoncity.gov.ph, provided that Bidders shall pay the applicable fee for the Bidding Documents not later than the submission of the bids.

4. 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 criteria and rating system for short listing are:

CRITERION	WEIGHT %
I. Experience and capability of the Consultancy Firm	60
II. Qualification of Personnel	30
III. Workload	10
TOTAL	100

5. The Procuring Entity shall evaluate bids using the Quality Based Evaluation procedure
6. The contract shall be completed within **Three Hundred (300) Calendar Days upon issuance of Notice of Award**.

7. The **Quezon City Local Government** 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.
8. For further information, please refer to:

ATTY. DOMINIC B. GARCIA

OIC, Procurement Department
2nd Floor, Procurement Department,
Finance Building, Quezon City Hall Compound
Elliptical Road, Barangay Central Diliman, Quezon City.
Tel. No. (02)8988-4242 loc. 8506/8710
Email Add: procurement@quezoncity.gov.ph
Website: www.quezoncity.gov.ph

By:

ATTY. MARK DALE DIAMOND P. PERRAL

Chairman BAC-Infra and Consultancy

Section II. Eligibility Documents

Notes on the Eligibility Documents

This Section provides the information necessary for prospective bidders to prepare responsive Eligibility Documents in accordance with the requirement of the Procuring Entity.

The provisions contained in this Section are to be used unchanged. Additional information or requirements specific to each procurement shall be specified in the EDS.

1. Eligibility Criteria

- 0.1. 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.
- 0.2. 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**.
- 0.3. 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**.
- 0.4. 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

Notes on the Eligibility Data Sheet

This Section is intended to assist the Procuring Entity in providing the specific information and requirements in relation to corresponding clauses in the Eligibility Documents, and has to be prepared for each specific procurement.

The Procuring Entity should specify in this Section the information and requirements specific to the circumstances of the Procuring Entity, the processing of the eligibility, and the rules that will apply in the determination and evaluation of eligibility.

In preparing this Section, the following aspects should be checked:

- (a) Information that specifies and complements provisions of the Eligibility Documents must be incorporated.
- (b) Amendments and/or supplements, if any, to provisions of the Eligibility Documents as necessitated by the circumstances of the specific procurement, must also be incorporated.

Eligibility Data Sheet

Eligibility Documents	
1.2	Consultancy Services for Acquiring Permits on Environmental Protection – Eight (8) Quezon City Owned Public Markets
1.3	No further instructions.
2.1.a.	No additional Requirements.
2.1(a)(ii)	The statement of all ongoing and completed government and private contracts shall include all such contracts within the last Three (3) years (Section 11(E) of the Terms of Reference) prior to the deadline for the submission and receipt of eligibility documents.
2.1(a)(ii.7)	Certificate of satisfactory completion or equivalent document issued by the client, in the case of a completed contract , shall be acceptable.
4.2	Each prospective bidder shall submit one (1) original and one (1) copy of its eligibility documents.
4.3 (c)	<p>The Procuring Entity’s address is:</p> <p style="text-align: center;">QUEZON CITY GOVERNMENT Quezon City Hall Compound Barangay Central, Quezon City</p> <p style="text-align: center;">ATTY. DOMINIC B. GARCIA <i>Procurement Department</i> <i>2nd Floor, Finance Building,</i> <i>Quezon City Hall Compound,</i> <i>Barangay Central, Quezon City</i> <i>8988-4242 loc. 8709/8710</i> <i>Email Add: procurement@quezoncity.gov.ph</i> <i>Website: www.quezoncity.gov.ph</i></p>
5	<p>The address for submission of eligibility documents is at Bids and Awards Committee (BAC) <i>Bidding Room, Procurement Department, 2nd Floor, Civic Center Building F, Quezon City Hall Compound, Barangay Central, Quezon City</i></p> <p>The deadline for submission of eligibility documents is 1:00 PM, December 01, 2020</p>

8.1	<p>The place of opening of eligibility documents is at Bids and Awards Committee (BAC) <i>Bidding Room, Procurement Department, 2nd Floor, Civic Center Building F, Quezon City Hall Compound, Barangay Central, Quezon City</i></p> <p>The date and time of opening of eligibility document is 1:30 PM, December 01, 2020</p>
9.1	No further instructions.
9.2	<p><i>The Consultancy Firm should have the following minimum requirements;</i></p> <ol style="list-style-type: none"> 1. Must have at least one (1) Licensed Technical Professional with knowledge on environmental planning, protection, and processes. Additional certifications in Green Buildings design/auditing and environmental advocacy will be an advantage. 2. The Consultancy Firm should have an organizational structure that clearly define the responsibilities of each division/section to show its capability in undertaking the project. 3. Must have at least five (5) research personnel with a Bachelor's Degree. 4. Must have been operating for at least 3years as Consultancy Firm engaged in environmental management works. 5. Must have at least one completed and similar project/contract related with environmental management and permitting requirements within three (3) years, the value of which is equivalent to at least 50% of the ABC of the herein project. 6. Full knowledge on the requirements and processing of DENR's environmental monitoring and permitting requirements. 7. Must have no tax liability with the government.



Terms of Reference

TERMS OF REFERENCE (TOR) FOR THE HIRING OF AN ENVIRONMENTAL CONSULTANCY FIRM TO RENDER SERVICES FOR THE ACQUISITION OF THE NECESSARY ENVIRONMENTAL-RELATED REQUIREMENTS FOR THE EIGHT (8) QUEZON CITY-OWNED PUBLIC MARKETS (1st Phase)

1. RATIONAL

Section 17 of the Local Government Code mandates all Local Government Units to provide a comprehensive environmental management system for the protection of its natural resources and general welfare of its constituents. Given this, the Quezon City Government, thru Task Force on Solid Waste Management (TFSWM) has been committed in crafting and implementing policies, programs and projects relative to environmental protection and management.

However, the Quezon City Government, as owner and operator of regulated facilities such as office buildings, hospitals, health centers, schools, markets, etc., also contributes to pollution and although it has already integrated pollution prevention in many areas of its operation, it is not exempted from complying with the environmental regulation provided in various environmental laws implemented and enforced by concerned national government agencies such as the DENR.

Issuances from National Government Agencies had further compels Local Government Units (LGUs) to strictly observe a rational interplay among economic development, protection of the people, and safeguarding the environment. DILG Memorandum Circular 2018-152 requires LGUs to secure an Environmental Compliance Certificate for all its facilities and development activities to manage its adverse potential impact to the environment. And just recently, President Rodrigo Roa Duterte mandated all government entities to conform with the effluent standards as stated in his Administrative Order No. 16, Series of 2019 issued last February 19, 2019.

With the present administration's commitment to be a role model in the implementation of good environmental governance the Quezon City Government decided to willfully abide with the environmental rules and regulations by securing the necessary permits and clearances from the DENR.

2. OBJECTIVE

The general objective of this TOR is to procure consulting services for purposes of uniformity, efficiency and expediency in securing and processing of permits. In particular, Environmental Consulting Services with adequate technical and professional expertise that are beyond the capability and/or capacity of the Quezon City Government to undertake is required, which shall secure all necessary environmental permits for the eight (8) city operated markets and shall include the preparation of reports/documents necessary for the acquisition of such permits. Doing so, this facility will be submitted to the DENR for evaluation as to whether the said public markets have substantially complied with the environmental standards as required by law. The DENR permits, clearances and certificates required to be secured per facility are as follows:

2.1.1 Certificate of Non-Coverage (CNC)

2.1.2 Hazardous Waste Generator ID



Terms of Reference

3. COVERAGE

This Terms of Reference (TOR) shall cover the Eight (8) Public Markets, specifically described as follows:

3.1 FRISCO PUBLIC MARKET

PROFILE

Total Gross Area	:	2,627sq.m
Address	:	Tolentino St., cor. Zamora St., Brgy. Damayan, District I, Quezon City
Class/Type	:	B
No. of Stalls	:	284
Air Pollution Source Installation	:	N/A
Sources of Wastewater	:	Domestic Waste
Hazardous Waste	:	Busted Fluorescent Lamps (BFL), Oil & Grease and others that may be harmful to the environment as per Republic Act 6969

3.2 GALAS PUBLIC MARKET

PROFILE

Total Gross Area	:	8,000 sq.m
Address	:	Luzon Avenue, Brgy. San Isidro Galas, District IV, Quezon City
Class/Type	:	A
No. of Stalls	:	833
Air Pollution Source Installation	:	N/A
Sources of Wastewater	:	Domestic Waste
Hazardous Waste	:	Busted Fluorescent Lamps (BFL), Oil & Grease and others that may be harmful to the environment as per Republic Act 6969

3.3 KAMUNING PUBLIC MARKET

PROFILE

Total Gross Area	:	7,034 sq.m
Address	:	K-5 th St., Brgy. Kamuning, District IV, Quezon City
Class/Type	:	A
No. of Stalls	:	805
Air Pollution Source Installation	:	N/A
Sources of Wastewater	:	Domestic Waste
Hazardous Waste	:	Busted Fluorescent Lamps (BFL), Oil & Grease and others that may be harmful to the environment as per Republic



Terms of Reference

3.4 MURPHY PUBLIC MARKET

PROFILE

Total Gross Area	: 4,941 sq.m
Address	: 15 th Ave., Brgy. San Roque, Murphy District III, Quezon City
Class/Type	: A
No. of Stalls	: 581
Air Pollution Source Installation	: N/A
Sources of Wastewater	: Domestic Waste
Hazardous Waste	: Busted Fluorescent Lamps (BFL), Oil & Grease and others that may be harmful to the environment as per Republic Act 6969

3.5 PROJECT 2 PUBLIC MARKET

PROFILE

Total Gross Area	: 2,000 sq.m
Address	: Kubili St., Brgy. Quirino 2-A, District III, Quezon City
Class/Type	: C
No. of Stalls	: 146
Air Pollution Source Installation	: N/A
Sources of Wastewater	: Domestic Waste
Hazardous Waste	: Busted Fluorescent Lamps (BFL), Oil & Grease and others that may be harmful to the environment as per Republic Act 6969

3.6 PROJECT 4 PUBLIC MARKET

PROFILE

Total Gross Area	: 2,000 sq.m
Address	: P. Tuazon Ave., Brgy. Milagrosa, District III, Quezon City
Class/Type	: B
No. of Stalls	: 204
Air Pollution Source Installation	: N/A
Sources of Wastewater	: Domestic Waste
Hazardous Waste	: Busted Fluorescent Lamps (BFL), Oil & Grease and others that may be harmful to the environment as per Republic Act 6969



Terms of Reference

3.7 ROXAS PUBLIC MARKET

PROFILE

Total Gross Area	: 2,000 sq.m
Address	: Hyacinth St., BrgyRoxas, District IV, Quezon City
Class/Type	: C
No. of Stalls	: 139
Air Pollution Source Installation	: N/A
Sources of Wastewater	: Domestic Waste
Hazardous Waste	: Busted Fluorescent Lamps (BFL), Oil & Grease and others that may be harmful to the environment as per Republic Act 6969

3.8 SAN JOSE PUBLIC MARKET

PROFILE

Total Gross Area	: 412.6 sq.m
Address	: Mayon St., Brgy. N.S. Amoranto, District I, Quezon City
Class/Type	: C
No. of Stalls	: 52
Air Pollution Source Installation	: N/A
Sources of Wastewater	: Domestic Waste
Hazardous Waste	: Busted Fluorescent Lamps (BFL), Oil & Grease and others that may be harmful to the environment as per Republic Act 6969

4. SCOPE OF WORK

The Consultancy Firm chosen shall be tasked to complete the following:

4.1 Preparation of Documents

To apply and secure the following documents from the DENR-EMB-NCR including the preparation of the pertinent requirements in relation to the application of the said permits for each Public Market stated in this Terms of Reference:

- Certificate of Non-Coverage (CNC)
- Hazardous Waste Generator I.D. Registration Certificate (HWG)
- Pollution Control Officer (PCO) Accreditation Number



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4.1.1 For securing the CNC, the following activities shall be undertaken:

Project Description Report (PDR)

Based on the implementing rules and guidelines of the Dept. of Environmental and Natural Resources (DENR) DAO 2003-30, the PDR shall have the following scope of work:

- Preparation of textual description of the existing environmental conditions of the project site, which shall be incorporated in the PDR for the issuance of a Certificate of Non-Coverage.
- Ocular site inspection together with data gathering on the project and its vicinity to be incorporated in the PDR
- Detailed description of the project phases and project scale including the operation, capacity and/or output of the project.
- Submission of PDR to DENR-EMB-NCR

4.1.2 For securing Hazardous Waste Generator ID, the following activities shall be undertaken:

- Preparation of Process Flow diagram of all Waste Streams
- Outline description of Existing Waste Management Plan
- Analysis of Wastes
- Submission of HWG ID application to DENR-EMB-NCR

4.1.3 Facilitate the application and release of the Ten (10) Pollution Control Officer (PCO) Accreditation Numbers (One PCO per Public Market and Two (2) from MDAD)

4.1.4 Secure/gather all necessary drawing requirements such as Floor Plan and Sewer and Drainage Line Layout Plan for all building structures listed in this Terms of Reference. In the event these documents are damaged or lost due to natural occurrence, the CONSULTANCY FIRM must facilitate the reproduction of the said plans.

These documents must be SIGNED and SEALED by an appropriate Licensed Technical Professional and the Owner, in three (3) copies of blue prints in the required paper size of 20" x 30"

4.2 Liaison and Support Services

- Represent the CITY at DENR-EMB-NCR to facilitate the evaluation process of the applied certificates for the project.
- Assist in meetings or consultations to be conducted in relation to the application.
- Conduct follow-up works with the concerned regulating agency for the release of the applied permits/clearances/certificates.
- Facilitate the payment of fees and penalties based on the assessment of the DENR.
- Update the Quezon City Government of the latest DENR rules and regulations regarding the implementation of environmental laws.



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5. OBLIGATIONS OF THE QUEZON CITY GOVERNMENT

5.1 Provide the **CONSULTANCY FIRM** with available data and vital information needed for the preparation of studies such as:

5.1.1 The **ORIGINAL** or **CERTIFIED TRUE COPIES** of the following:

- LRA Copy of Transfer Certificate of Title
- Contract of Lease or Deed of Absolute Sale
- Locational Clearance/Zoning Certificates/Zoning Viability
- Certificate from Local Government Unit/ Barangay Clearance/ Barangay Endorsement for the project.
- Water bills, (water permit from NWRB) for deep well sources, received application form may do) and electric bills for the past three (3) months

5.1.2 Provide 3 copies of the blueprint in the required size of 20" x 30" all **SIGNED AND SEALED** by appropriate Licensed Technical Professional/ of the Floor Plan and Sewer and Drainage Layout Plan for all facilities stated in this Terms of Reference.

These documents shall be provided by the CITY to the CONSULTANCY FIRM the soonest possible time to avoid delays. All documents will be treated confidential, and that the latter shall be held liable for any loss or negligence. As such, all data and vital information shall remain as property of the Q.C. government and cannot be used other than in connection with the project.

5.2 The certificates and documents stated under Section 5.1.1 and 5.1.2 shall consolidated by the TFSWM and to be provided to the CONSULTANCY FIRM within seven (7) days after receipt of the contract of service issued by the Q.C. Bids and Awards Committee, to facilitate the processing of the application and early approval and release by DENR-EMB-NCR.

5.3 The Market Development and Administration Department (MDAD) shall appoint one qualified Pollution Control Officer (PCO) per public market and two (2) from their office who will undergo the DENR Pollution Control Officer Training that will be facilitated by the Consultancy Firm. These PCOs shall coordinate and assist the CONSULTANCY FIRM in data gathering activities and provide other information necessary to facilitate the preparation and completion of the report.

5.4 Assign site representative (PCO or other representative as authorized by the Department Head concerned) to coordinate with the ocular site inspection conducted by the CONSULTANCY FIRM and DENR-EMB-NCR and should provide information relevant to the preparation of the report.

5.5 Third party testing and monitoring services fees that may be required will be for the account of the Quezon City Government.

5.6 QC Government through the TFSWM shall provide meeting venue/logistic as necessary.



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6. EXPECTED OUTPUT

Given the above-mentioned scope of work, the CONSULTANCY FIRM is expected to deliver the following documents for each public market within the prescribed work duration:

- Certificate of Non-Coverage
- Hazardous Waste Generators ID
- Pollution Control Officer Accreditation Number

The outputs prepared and facilitated by the CONSULTANCY FIRM identified in this Terms of Reference shall be exclusively owned by the Quezon City Government.

7. TOTAL PROJECT COST

The **Approved Budget for the Contract (ABC)** is **Two Million Five Hundred Fifty-Three Thousand Forty Pesos (P 2,533,040.00)**. The total cost of the Project is derived from professional fees, processing fees, fines/penalties, and applicable taxes which is elaborated in details below.

Permit fee and penalties

NAME OF FACILITY	DENR PERMIT	PROCESSING FEE	PENALTY
1. Frisco Market	<ul style="list-style-type: none"> • Certificate of Non-Coverage (CNC) • Hazardous Waste Generator ID 	1,126.00 615.00	50,000.00 50,000.00
2. Galas Public Market	<ul style="list-style-type: none"> • Certificate of Non-Coverage (CNC) • Hazardous Waste Generator ID 	1,126.00 615.00	50,000.00 50,000.00
3. Kamuning Public Market	<ul style="list-style-type: none"> • Certificate of Non-Coverage (CNC) • Hazardous Waste Generator ID 	1,126.00 615.00	50,000.00 50,000.00
4. Murphy Public Market	<ul style="list-style-type: none"> • Certificate of Non-Coverage (CNC) • Hazardous Waste Generator ID 	1,126.00 615.00	50,000.00 50,000.00
5. Project 2 Public Market	<ul style="list-style-type: none"> • Certificate of Non-Coverage (CNC) • Hazardous Waste Generator ID 	1,126.00 615.00	50,000.00 50,000.00
6. Project 4 Public Market	<ul style="list-style-type: none"> • Certificate of Non-Coverage (CNC) • Hazardous Waste Generator ID 	1,126.00 615.00	50,000.00 50,000.00
7. San Jose Public Market	<ul style="list-style-type: none"> • Certificate of Non-Coverage (CNC) • Hazardous Waste Generator ID 	1,126.00 615.00	50,000.00 50,000.00
8. Roxas Public Market	<ul style="list-style-type: none"> • Certificate of Non-Coverage (CNC) • Hazardous Waste Generator ID 	1,126.00 615.00	50,000.00 50,000.00
Sub-total		13,928.00	800,000.00
TOTAL		Php 813,928.00	

Pollution Control Officer (PCO) Training

Concerned Agencies	Total Training Fee	Facilities required to undergo training
Department of Environment and Natural Resources (Php 10,000.00)	Php 20,000.00	8 Public Markets and 2 from MDAD
Laguna Lake Development Authority (Php 10,000.00)		
TOTAL COST		Php 200,000.00



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Hazardous Waste Generator's ID

- Department Administrative Order No. 2013-22 (Revised Procedures and Standards for the Management of Hazardous Waste)
 - Item 11 (Prohibited Acts)
 - Item 13 (Schedule of Fees)

Certificate of Non-Coverage

- Presidential Decree No. 1586 (Philippine Environmental Impact Statement System)
 - Section 4 of P.D. 1586 states that "No person, partnership or corporation shall undertake or operate any such declared environmentally critical project or area without first securing an Environmental Compliance Certificate issued by the President or his duly authorized representative."
 - Section 9.0 provision of P.D. 1586, as follows: "Penalty for Violation.- Any person, corporation or partnership found violating Section 4 of this Decree, or the terms and conditions in the issuance of the Environmental Compliance Certificate, or of the standards, rules and regulations issued by the National Environmental Protection Council pursuant to this Decree shall be punished the suspension or cancellation of his/its certificate and/or a fine in an amount not to exceed fifty thousand pesos (P50,000.00) for every violation thereof, at the discretion of the National Environmental Protection Council."

Pollution Control Officer

- Department Administrative Order No. 2014-02 (Revised Guidelines for Pollution Control Accreditation)
- LLDA Continuing Environmental Education Programme (CEEP)

Professional Services Fee

The total professional services fee to be rendered is **One Million Five Hundred Thirty-nine Thousand One Hundred Twelve (P 1,539,112.00) inclusive of 12% VAT.**

Total Project Cost

Deliverables	Cost (Php)
Professional Fee (12% VAT inclusive)	1,539,112.00
PCO Accreditation	200,000.00
Permit Fee and Penalties	813,928.00
TOTAL COST	2,553,040.00

8. WORK DURATION

The CONSULTANCY FIRM shall perform its obligation for the duration of **three hundred (300) calendar days** which includes the gathering of data, preparation of reports and application, and turn-over of the all permits/clearances to the City Government. The work schedule of the CONSULTANCY FIRM will commence upon issuance of Notice of Award by the Quezon City Bid and Awards Committee subject to extension depending on the submission of the necessary drawing requirements by concerned Quezon City Hall Department/Offices.



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The Quezon City Government may pre-terminate the contract with the CONSULTANCY FIRM for failure to perform its obligation and/or comply with the requirements of the project as stated in this Terms of Reference and in other bidding documents. The cancellation/termination of contract shall observe the procedure prescribed under Republic Act 9184 (Government Procurement Reform Act) and its Implementing Rules and Regulations.

9. TERMS OF PAYMENT

The CONSULTANCY FIRM will be issued a contract and paid in accordance with existing accounting and COA auditing rules and regulations. Payment shall be made based on the acceptance of deliverables made by the CONSULTANCY FIRM per permit/clearances as specified in the contract, to wit:

Description	Tranches
Upon the submission of detailed work plan, scheduling and Gantt Chart of the Project	15%
Submission of proof of application/acknowledgement receipt from the Department of Environment and Natural Resources for the following documents: <ul style="list-style-type: none">• Certificate of Non-Coverage• Hazardous Waste Generator's I.D.• PCO Accreditation The Consultancy Firm must present and submit an original copy of the following relevant requirements such as but not limited to: <ul style="list-style-type: none">• Project Description Report• Process flow diagram for all waste streams, waste analysis, and outline description of existing waste management plan.	35%
Upon submission of the necessary environmental permits/clearances/certificates.	50%
TOTAL	100%

10. BID EVALUATION METHODOLOGY

The evaluation of bids shall follow the Quality-Based Evaluation Procedure.

11. QUALIFICATIONS AND EXPERTISE SOUGHT

To ensure accomplishment of the scope of work, the following are the qualifications and minimum expertise sought from the CONSULTANCY FIRM

- Must have at least one (1) Licensed Technical Professional with knowledge on environmental planning, protection, and processes. Additional certifications in Green Buildings design/auditing and environmental advocacy will be an advantage.



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- b) The CONSULTANCY FIRM should have an organizational structure that clearly define the responsibilities of each divisions/sections to show its capability in undertaking the project. An Organizational Chart must be submitted as part of the technical requirements.
- c) Must have at least five (5) research personnel with a Bachelor's Degree.
- d) Must have been operating for at least 3 years as a CONSULTANCY FIRM engaged in environmental management works.
- e) Must have at least one completed and similar project/contract related with environmental management and permitting requirements within three (3) years, the value of which is equivalent to at least 50% of the ABC of the herein project.
- f) Full knowledge on the requirements and processing of DENR's environmental monitoring and permitting requirements.
- g) Must have no tax liability with the government.

The CONSULTANCY FIRM must submit the list of key personnel and support staff with their corresponding qualification/s accompanied/supported with the following documentary requirements as part of the technical requirements:

- Original copy of Resume or Bio-data
- Photocopy of Diploma
- Photocopy of Transcript of Records
- Photocopy of Professional License (if applicable)

The original or certified true copies (duly certified by the school/college/university/institution) of the required documents will be checked during the post-qualification evaluation for validation. Absence or lack of the original copies shall result to the post-disqualification of the CONSULTANCY FIRM.

12. SHORT LISTING CRITERION AND RECOMMENDED WEIGHTS

CRITERION	WEIGHT (%)
I. Experience and capability of the Consultancy Firm <ul style="list-style-type: none"> • Years of Actual Experience <ul style="list-style-type: none"> ○ 3 or more years - 30 points ○ 2 years - 20 points ○ 1 year - 10 points • Number of completed/accomplished pertinent contracts <ul style="list-style-type: none"> ○ 3 or more years - 30 points ○ 2 years - 20 points ○ 1 year - 10 points 	60
II. Qualification of Personnel <ul style="list-style-type: none"> • Suitability of Key Staff (Degree/Qualification) <ul style="list-style-type: none"> ○ Licensed Technical Professional (Engineer/Architect/other related field) with Green Building Design/Auditing, and Environmental Advocacy Certification - 30 points ○ Licensed Technical Professional (Engineer/Architect/other related field) - 20 points 	30



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○ Non-technical Field	- 5 points	
III. Plan of approach and Methodology (completeness of the submitted work plan) <ul style="list-style-type: none"> ● Project Description Report - 3 points ● Hazardous Waste Generator ID - 3 points ● PCO Accreditation - 3 points ● Liaison Services - 1 point 		10
TOTAL		100%

13. PENALTIES FOR BREACH OF CONTRACT

Failure to deliver any of the project output within the contract period or delays in the provision of necessary deliverables at any given stage as stated in this Terms of Reference shall result to non-payment and shall render the CONSULTANCY FIRM liable to the imposition of liquidated damages and other applicable penalties under the Implementing Rules and Regulations of R.A. 9184.

14. TERMINATION OF CONTRACT

The City may, without prejudice to other remedies against the contractor, unilaterally cancel or terminate the Contract, in whole or in part, due to default, insolvency or for justifiable cause or on any ground which it deems inimical to the City's or public's interest, which includes but not limited to the following:

1. Failure of the Contractor to provide/meet the necessary requirements as stated in this TOR and in other bidding/contract documents,
2. Violation or non-performance of the other terms and conditions of the Contract; and
3. Other acts inimical to public interest.

The guidelines contained in R.A. 9184 and its revised IRR shall be followed in the termination of any service contract. In the event the City terminated the Contract due to default insolvency, or for cause, it may enter into negotiated procurement pursuant to section 53 (d) of RA 9184 and its IRR.



Terms of Reference

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MR. RICARDO T. BELMONTE, JR.
Chairperson, Task Force on Solid Waste Management
Secretary to the Mayor

