

**TERMS OF REFERENCE
(TOR)**

**SOLID WASTE CLEANUP, COLLECTION AND DISPOSAL PROJECT
2021-2022**

I. RATIONALE AND BRIEF BACKGROUND

The Task Force on Solid Waste Management (TFSWM) was created through Executive Order No. 3 dated 09 July 2019, to supervise the city's waste management programs and compliance monitoring for the continuing sanitation of the city. This is in line with the responsibilities devolved to the city government by virtue of the Local Government Code, as mentioned in Section 17 to wit:

“Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. (1.iii.) Services and facilities related to general hygiene and sanitation, beautification, and solid waste collection; / (2.vi.) Solid waste disposal system or environmental management system and services or facilities related to general hygiene and sanitation.”

The previous Terms of Reference (TOR) successfully established key improvements such as the Centralized Staging Area with Materials Recovery Facility as a means to sufficient hold daily collections from all six (6) service areas and prevent recurrence of sanitary issues such as the African Swine Fever (ASF) outbreak, upgrading of collection equipment by utilizing compactor dump trucks, and utilization of GPS-enabled trucks for monitoring purposes.

For 2021-2022 Solid Waste Cleanup, Collection and Disposal Project, subject to this TOR, the City Government will be able to implement continuous waste management initiatives with additional developments in order for the City to further comply with its responsibilities as indicated in the Local Government Code and advance its waste diversion initiatives, including City-directed community information dissemination activities. With a growing population that is projected to be 3,148,951 in 2021, the City has to sustain its efforts and maintain sanitation of the 16,000-hectare expanse of the City.

II. PROJECT DESCRIPTION

The project includes domestic waste collection, transportation, consolidation and disposal, deployment of street sweepers and cleanup operations personnel, and information drive on sanitation outlook of the City.

III. PROJECT OBJECTIVE

The project aims to provide sanitation excellence through the enactment of efficient, transparent, and community-oriented operations.

IV. PROJECT SCOPE OF WORK

The project includes the following:

1. Waste Collection and Transportation entails the collection of domestic wastes from various identified sources following specific schedules and routes and using appropriate collection trucks and equipment operated by qualified personnel and the transport

hereof to the Centralized Staging Area strategically located outside of Quezon City but within the directional range of an MMDA-accredited and designated Sanitary Landfill(s).

2. Centralized Staging Area with Materials Recovery Facility and Final Disposal involves the consolidation, operation and maintenance of a Centralized Staging Area/ Material Recovery Facility located outside Quezon City but within the directional range of an MMDA-accredited and designated disposal facility to be operated and maintained by the Service Providers.
3. Deployment of Street Sweepers at main thoroughfares to maintain the sanitation of the City
4. Deployment of cleanup operations personnel at identified dumping and litter-prone areas
5. Information drives to increase awareness and participation on the sanitation outlook of the City.

V. PROJECT IMPLEMENTORS

The Task Force on Solid Waste Management (TFSWM) shall be the lead implementing agency of the Project on behalf of the Quezon City Government while a qualified service provider shall undertake the Project Scope of Work based on the minimum qualifications and requirements set forth in this TOR. A monitoring and evaluation system will be implemented by TFSWM to ensure that the required activities are conducted. The TFSWM shall likewise determine violations to the standards set forth in this TOR for imposition of fines and penalties as well as appropriate recommendations relative to the contract.

VI. PROJECT STANDARDS & REQUIREMENTS

The following are the minimum qualifications and requirements for the Service Provider:

Track Record

The Service Provider must comply with the minimum requirements as prescribed by Republic Act 9184 otherwise known as the Government Procurement Reform Act. The Service Provider, either single proprietor, consortium of Joint Venture agreement, must own, have direct control, and access to an existing sanitary landfill duly-accredited and designated by the MMDA.

The Service Provider should have completed at least (2) similar contracts and the aggregate contract amount should be equivalent to at least the percentage of the ABC as required; and, the largest of these similar contracts must be equivalent to at least half of the percentage of the ABC as required.

Certification

The Service Provider should be appropriately recognized with third-party certifications of at least, but not limited to ISO 14001:2015, ISO 9001:2015, etc.

Organization

The Service Provider should have an established Organizational Structure with clear delineation of functions and responsibilities.

Personnel

1. The Service Provider shall adhere to all existing labor laws policies, wage orders, safety standards and such guidelines as prescribed by the Department of Labor and Employment (DOLE).
2. The following personnel are required for the Project:

Position	Required No. of Personnel	Personnel Minimum Qualifications
Manager	1 per District	At least three (3) years actual experience in managerial position, licensed civil/ structural engineer
Street Sweepers	Dist. I - 142 Dist. II - 100 Dist. III - 107 Dist. IV - 137 Dist. V - 100 Dist VI - 88	Must be at least 18 years old

- a. Waste Collection and Disposal: preferably 1 driver and 4 helpers
 10W Dump Truck/10W Garbage Compactor – preferably 1 driver and 4 helpers
 6W Forward Dump Truck/6W Garbage Compactor – preferably 1 driver and 3 helpers
 MDT/ Mini Garbage Compactor – preferably 1 driver and 3 helpers
 - b. Centralized Staging Area: 10 per district
 - c. Cleanup Operations Personnel: 25 per district
 - d. Community Sanitation Coordinators: 40 per district
3. The Service Provider must submit a list of personnel using the standard form as part of the Technical Requirements. Valid identification cards and bio-data of all personnel must be submitted during post-qualification evaluation for validation. The original Driver's License of the drivers (truck and service) will also be checked during the post-qualification evaluation. The Service Provider's personnel must possess the necessary documentation for employment. A duly notarized "Affidavit of Undertaking" on personnel standards shall be submitted by the Service Provider as part of the Technical Requirements.
 4. All personnel must undergo an orientation on the project provisions and components, policies of the City pertaining to solid waste management and basic work ethic to be organized by the Service Provider and supervised by TFSWM.
 5. The Service Provider shall, at all times during the term of the Contract, maintain in its employ the required number of personnel with the appropriate qualifications to ensure that the service is being carried out properly and efficiently. The Service Provider shall also have full responsibility for the actions of their personnel. TFSWM and the City Government shall not be liable for any unlawful acts committed by the personnel hired by the Service Provider for the Project.

6. All personnel must be provided with name tags and/or appropriate identification, uniforms and protective gear which must be worn during working hours/operation.

Collection Equipment

1. **Collection Equipment Ownership**

List of Service Provider's major equipment units, which are owned, lease, and/or under purchase agreement, supported by proof of ownership or certification of availability of equipment from the equipment lessor/ vendor for the duration of the project, as the case may be.

2. **Collection Equipment Requirement**

- a. In complying with its obligations, the Service Provider shall have, under its possession and control during the term of the Service Provider, the minimum number of collection equipment as indicated in the table:

Service Area	10W Dump Truck/10W Garbage Compactor	6W Dump Truck/6W Garbage Compactor	6W Mini Dump Truck (MDT)/ 6W Garbage Compactor	TOTAL
I	32	22	3	57
II	7	17	10	34
III	31	10	1	42
IV	35	18	3	56
V	8	17	18	43
VI	14	46	2	62
TOTAL	127	130	37	294

10W Dump Truck/10W Garbage Compactor – preferably with volume capacity of 16 cu. m. to 40cu. m.

6W Forward Dump Truck/6W Garbage Compactor – preferably with volume capacity of 10 cu. m. -16 cu. m.

MDT/ Mini Garbage Compactor – preferably with volume capacity of 8 cu. m. - 10 cu. m.

- b. The list of trucks detailing the type, number or quantity, plate number, body number and volume capacity as well as necessary information such as brand name, model, make, country of origin, piston displacement, age and condition must be submitted by the Service Provider as part of the Technical Requirements. The said list must be accompanied by the photocopies of LTO registration papers (OR/CR) of each equipment as well as the necessary proof of ownership (if applicable) and Lease Contract Agreement (for leased collection equipment).
- c. All equipment in the submitted list must be physically present in the identified staging area or dispatching area during the post-qualification evaluation for necessary inspection. Further, the original copies of the LTO registration papers (OR/CR), necessary proof of ownership (if applicable) and Lease Contract Agreement (for leased collection equipment) shall also be validated. Absence or lack of required collection equipment as well as the pertinent documents may result in the post-disqualification of the Service Provider.
- d. All collection equipment to be provided and committed by the Service Provider to the Project during the contract period and must be fully dedicated to the Service Area, or shall not be used for other services or for any public or private establishment or entity, including other local government units (LGUs).

- e. In the exigency of the service, the City may require the Service Provider to provide additional trips equivalent to 10% of the monthly minimum route requirement without additional costs to the City.
- f. In case of equipment breakdown, the Service Provider should replace the unit at no additional cost to the City without prejudice to the imposition of appropriate fines/penalties as provided for in this Terms of Reference.
- g. In case a change, substitution, replacement or addition of equipment is deemed necessary by the Service Provider, a written notification accompanied by the necessary documents (OR/CR) should be submitted to the City through the TFSWM for approval.
- h. All collection equipment dedicated to the City must always be parked inside the Dispatching Area/Garage when the unit has no scheduled collection.
- i. Thirty percent 30% of the collection fleet must be compactor dump trucks, preferably-owned by the service provider, but may also be leased or rented, in line with the City Government's objective to upgrade the waste management operations.
- j. Thirty percent (30%) of the total trucks are expected to be GPS/RFID-enabled and compatible with online viewing of collection activities/routes.

Collection Equipment Standards

1. All open dump trucks must have the required capabilities such as tipping, butterfly-type tail gate, etc.
2. All Compactors must have working dump box dozer, packer blade/hydraulically-powered sliding plates and tail cover.
3. All collection equipment should be in good running condition and maintained that way at all times throughout the duration of the project. It should be clean, well-painted in white, physically presentable (e.g., not dilapidated, not worn out), with appropriate visual markings specified by TFSWM and equipped with tools for emergencies (e.g. jack and tire wrench, early warning device, etc.) and spare tires.
4. All collection equipment should be equipped with complete and functional devices such as head light, stop light, signal light, park light, plate light, tail light, wipers, horn, windshield and side mirrors. These must be spillage/leakage-free and provided with working drain plugs.
5. All collection trucks should have a bell positioned in a manner that the driver can ring or be equipped with a sound system for a public address system to signal the truck's arrival and during collection in the area.
6. The license plate of each collection truck should be properly installed at the assigned front and rear points. Plate numbers should be clear and visible at all times.
7. Each collection equipment should be equipped with the following units of paraphernalia to cleanup remnants of garbage immediately after collection:

Item	Qty	Description
Tray/Crate	2	Plastic, L-20" X H-12" X W-13"
Shovel	2	square point, approximate blade size: 9-5/8" X 11-1/2", handle: 29"
Broomsticks	2	Ordinary
Canvas cover	1	Green and yellow-orange vinyl; appropriate in size to adequately cover open top of dump truck

Other additional paraphernalia that may later be identified as necessary to ensure cleanliness in the collection routes should be provided at no additional cost to the City.

Centralized Staging Area with Materials Recovery Facility

1. The Service Provider shall also have, under its possession and/or control during the term of the Project, the necessary 10-wheeler or long haul dump trucks and other heavy equipment to ensure that the CSA will be cleared of wastes at the end of the day. These can be owned, leased or rented.
2. The 10-wheeler and long haul dump trucks to be used for the staging area must also be provided with proper identification placed on both sides of the truck.
3. The equipment for the CSA (10-wheeler and/or long haul dump trucks) must be physically present in the identified staging area or dispatching area during the post-qualification evaluation for necessary inspection.
4. Heavy equipment should also be made available to move aside or load large volume of waste, bulky waste, debris, etc. in the Centralized Staging Area including the transportation to the sanitary landfill:

SERVICE AREA	WATER TRUCK/ 10KL	10W DUMP TRUCK/ 17 CU. M.- 22 CU. M.	10W DUMP TRUCK/ 30 CU. M.- 34 CU. M.	PAYLOADER	BACKHOE
I-VI	2	30	30	6	6

Support Equipment

1. To complement the collection equipment in the conduct of the Project, the Service Provider should also have the following equipment:

DIST.	Minimum Number of Service Vehicles		Minimum Number of Pushcarts (Collection)
	Area Monitoring	Cleanup and Clearing Operations	
I	Two (2) motorcycles	One (1) four-wheel service vehicle	15
II	Two (2) motorcycles	One (1) four-wheel service vehicle	12
III	Two (2) motorcycles	One (1) four-wheel service vehicle	20
IV	Two (2) motorcycles	One (1) four-wheel service vehicle	15
V	Two (2) motorcycles	One (1) four-wheel service vehicle	10
VI	Two (2) motorcycles	One (1) four-wheel service vehicle	13

2. Since not all collection routes are accessible to collection trucks, pushcarts should also be provided by the Service Provider to ensure that all areas in the city are serviced with garbage collection. The Service Provider shall maintain at all times the required number of pushcarts as stated in this Terms of Reference. The pushcarts should be uniform in color, size and markings as approved by TFSWM.
3. The pushcarts must be physically present in the Service Provider's dispatching area or in the Service Provider's Staging Area during the post-qualification evaluation. Absence or lack of required pushcarts and/or non-compliance to the standards, design and specifications shall result to the post-disqualification of the Service Provider.
4. Service vehicles should be made available by the Service Provider at all times for the conduct of area monitoring. The service vehicles must be in very good running condition. Units that have mechanical problems and/or constantly break down must be replaced as they become necessary or upon instruction of the City through the TFSWM at no additional cost to the City.
5. The service vehicles must be physically present in the Service Provider's dispatching area or in the Service Provider's Staging Area during the post-qualification evaluation. The compliance of service vehicles to the above stated standards, design and specifications will be checked. Absence or lack of required service vehicle and/or non-compliance to the standards, design and specifications shall result in the post-disqualification of the Service Provider.
6. **Service Vehicle Ownership**
 - a. All service vehicles must be owned by the Service Provider and its ownership must be reflected in the Land Transportation Office (LTO) registration papers (Official Receipt [OR] and Certificate of Registration [CR]).

If LTO registration papers (OR/CR) do not reflect the Service Provider's ownership of the service vehicle, only the following proof of ownership shall be accepted as supporting documents:

- Registered Chattel Mortgage document if the service vehicle is mortgaged.
- Latest General Information Sheet (GIS) filed with the Securities and Exchange Commission (SEC) if the service vehicle is not in the name of the Service Provider but is in the name of a corporation in which the Service Provider is a subsidiary. The GIS must show that at least fifty-one percent (51%) of the capital stock of the Service Provider is owned by the parent company. This must also be supported by a Board Resolution/Secretary's Certificate that the parent company is assigning the service vehicle to the Project.
- Duly notarized Deed of Sale

The service vehicles must be physically present in the Service Provider's dispatching area during the post-qualification evaluation. The original copies of the LTO registration papers (OR/CR)/ Deed of Sale/ chattel mortgage document/ GIS and Board Resolution/Secretary's Certificate, whichever is applicable, will be checked for validation. Absence or lack of required service vehicle and/or pertinent documents shall result in the post-disqualification of the Service Provider.

Street Sweepers

Street sweepers shall be deployed from Monday to Saturday. The time and area of deployment shall depend on the schedule to be provided by the TFSWM.

Cleanup Operation Group Personnel

Personnel for the conduct cleanup operations thereof shall be deployed from Monday to Saturday. The time and area of deployment shall depend on the schedule to be provided by the TFSWM.

Community Sanitation Coordinators

Personnel for the conduct of information drives to further the sanitation projects and policies of the City shall be deployed from Monday to Saturday. The time and area of deployment shall depend on the schedule to be provided by the TFSWM.

Facilities

A Business Permit from Quezon City as well as all other local permits as may be required must be secured for the Service Provider's facilities valid for the duration of the contract.

1. Business Office

The Business Office in Quezon City should be equipped with adequate office and communication facilities and shall always be open and manned during regular working hours. Failure to comply with the stated standards will result in the post-disqualification of the Service Provider.

2. Centralized Staging Area/Material Recovery Facility

- a. Location - The Centralized Staging Area/Material Recovery Facility shall be strategically located outside Quezon City but preferably within the 15-km radius in the directional range of an MMDA-accredited and designated Sanitary Landfill covered by an Environmental Compliance Certificate (ECC) issued by the Department of Environment and Natural Resources (DENR).
- b. The LGU wherein such Centralized Staging Area shall be constructed/operated, shall be allowed through a Sanggunian Resolution the transport of Quezon City solid wastes at the Centralized Staging Area/MRF for consolidation and disposal to the MMDA-accredited and designated sanitary landfill. An ECC should have also been applied with the DENR for said Centralized Staging Area at the time of the award of the contract.
- c. As said area shall be used for consolidation of solid wastes collected from the six (6) Districts of Quezon City, the Centralized Staging Area/MRF shall have an area of not less than twenty thousand (20,000) square meters, with appropriate fencing and enclosures.
- d. The established staging area shall be designed and operated for efficient waste handling capacity. It must be cemented and the design and operation must conform to existing standards set forth by local and national laws and ordinances. A materials recovery facility (MRF) must also be established to serve as temporary storage of recyclables, the operation of which will be at no additional cost to the City Government.

3. Dispatching Area/Garage

- a. The Dispatching Area/Garage in Quezon City should have sufficient space to accommodate the fleet of trucks and support equipment as well as the necessary facilities.

It must be exclusive for the City's use and proper signage must be installed for identification purposes.

- b. It must have the following facilities and must conform with the minimum requirements as shown below:
- The entire compound must be kept clean and presentable, with functioning office and communication as well as other support equipment. Adequate rest rooms and other such facilities.
 - Standard compliance forms and reports, even when completed as hand-written on a daily basis, must have computerized summaries for easier review and verification.

System of Collection

Dedicated collection system for biodegradable, non-biodegradable and bulky wastes will be implemented in all Service Areas in conformity with the provisions of RA 9003 or the Ecological Solid Waste Management Act of 2000.

Collection Mode

Daily door-to-door collection of solid wastes will be implemented. In cases where the collection route is inaccessible to collection trucks, the Service Provider may use pushcarts or employ other collection devise/system duly approved by the City Government through TFSWM.

A duly notarized "Affidavit of Undertaking" on project standards and requirements shall be submitted by the Service Provider as part of the Technical Requirements.

VII. PROJECT DURATION

The Project shall be implemented for twelve (12) months, reckoned from the date of acceptance by the Service Provider of the Notice to Proceed.

VIII. AREA OF COVERAGE/SERVICE AREAS

The Project is to be implemented in the entire City except in Barangay Holy Spirit, which has its own collection fleet.

The Service Areas are divided into six (6), which correspond to the territorial boundaries of the City's congressional districts, therefore District I, II, III, IV, V and VI are also the Service Areas 1, 2, 3, 4, 5 and 6. The City shall endeavor to maintain uniform and quality-based solid waste management, collection and hauling services in each of the service areas/districts.

IX. SCHEDULE OF ACTIVITIES

The schedule or frequency of operations shall be upon the instruction of the TFSWM in coordination with the management of the facilities/barangays concerned.

X. DISPOSAL SYSTEM

Collected waste must be disposed of at an MMDA-accredited and designated Sanitary Landfill covered by an Environmental Compliance Certificate (ECC) issued by the Department of Environment and Natural Resources (DENR).

XI. APPROVED BUDGET FOR THE CONTRACT

The Project Cost is Php 1,726,755,833.78. As stated in Republic Act 9184, otherwise known as the Government Procurement Reform Act, Section 61.2., in cases where the cost of the awarded contract is affected by any applicable new laws, ordinances, regulations or other acts of GoP, promulgated after the date of bid opening, a contract price adjustment shall be made or appropriate relief shall be applied on a no loss-no gain basis.

Breakdown of project cost are as follows:

District	Total for Cleanup and Collection Component	Centralized Staging Area and Disposal Component	Total Cost
I	217,595,953.60	97,318,691.10	314,914,644.70
II	143,197,167.24	91,709,201.72	234,906,368.96
III	174,455,761.19	85,115,626.33	259,571,387.52
IV	253,878,535.72	128,337,497.84	382,216,033.56
V	162,340,270.38	90,401,397.88	252,741,668.26
VI	178,167,632.42	104,238,098.36	282,405,730.78
TOTAL	1,129,635,320.55	597,120,513.23	1,726,755,833.78

XII. BASIS OF PAYMENT

The Service Provider shall be paid on a monthly basis as indicated in the cost derivation computed by the City and on a per Service Area/District basis. Payment will be based on the actual services rendered in the assigned area in accordance with the scope of services/deliverables and service performance standards which shall be validated and certified correct by the TFSWM or duly-authorized personnel thru the issuance of a Certification and approved by the TFSWM Action Officer and Chairperson. The total amount of penalties incurred for the month-being-billed shall be deducted from the monthly payment to the Service Provider. Although not to be used as basis of Certification, other records or documents may also be requested by the TFSWM which may be essential for the completion of the City's solid waste database.

XIII. PENALTIES FOR BREACH OF CONTRACT

Failure to deliver the service according to the standards and requirements set by the City shall constitute an offense and shall subject the Service Provider to penalties computed based in the applicable unit or item as indicated in this Terms of Reference (TOR) and/or liquidated damages pursuant to RA 9184 and its revised implementing Rules and Regulations.

The following are the offenses are the offenses to non-compliance to the requirements and standards of the City on the physical appearance of collection equipment, personnel deployed, operation and maintenance of the staging area as well as offenses that directly bear on and impede the efficient delivery of services or Project Scope of Work according to the standards and requirements set forth in this Terms of Reference (TOR).

SPECIFIC OFFENSE (for checking)	PENALTY
1. Lack, absence, failure to provide or misplaced the required tarpaulin	Php 1,000.00 per trip
2. Eyesores, such as sacks hanging alongside or tail gate of the collection equipment and truck spilling waste/leachate	Php 1,500.00 per trip
3. Scavenging and sorting during waste collection or while in transit	Php 1,500.00 per trip
4. Lacking of required crew during waste collection	Php 1,500.00 per head
5. Unauthorized person during waste collection	Php 1,500.00 per head
6. Absence of or worn-out canvas cover while on transit	Php 1,500.00 per trip
7. Absence of bell/sound system	Php 1,500.00 per trip
8. Failure to provide pushcarts for inaccessible areas	Php 2,000.00 per unit
9. Lack or absence of required cleaning paraphernalia	Php 2,000.00 per item
10. Failure to provide the required service vehicles	Php 5,000.00 per day
11. Non-wearing/non-utilization of proper/prescribed uniform, protective gear and identification card by any of the Service Provider's personnel	Php 1,500.00 per head
12. Solicitation of any kind by any personnel	Php 2,000.00 per head
13. Failure to deploy dump trucks (backlog) to collection route /s. Penalty shall be continuously imposed per route per day until the required collection equipment has been deployed	Php 10,000.00 per route
14. Improper waste collection (unable to collect all solid waste along collection route within the day). Penalty shall be continuously imposed per route per day until the route/s has been completely cleared of garbage	Php 7,500.00 per route
15. Unauthorized Route Diversion	Php 5,000.00 per trip


XIV. CANCELLATION OR TERMINATION OF CONTRACT

The City may, without prejudice to other remedies against the Service provider, extra judicially 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 is not limited to the following:

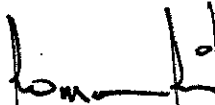
- Violation(s) to any and all of the Undertakings as indicated in the Affidavit of Undertakings submitted to the City Government.
- Unauthorized conduct of operations by the Service provider.
- Other acts inimical to public interest.

The guidelines contained in RA 9184 and its revised IRR shall be followed in the termination of any service contract. In the event the City terminates 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.

PREPARED BY:



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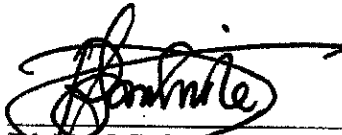


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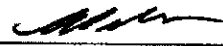


Oliver T. Dajao

Noted by:



Richard S. Santuile
Action Officer, TFSWMP



Ricardo T. Belmonte, Jr.
Chairman, TFSWCCDSM and
Secretary to the Mayor