

TERMS OF REFERENCE (TOR)

DISASTER-RELIEF AND CLEAN-UP SUPPORT OPERATIONS PROJECT 2022

I. RATIONALE AND BRIEF BACKGROUND

The Task Force on Solid Waste Management (TFSWM) is the lead agency of the Quezon City Government in providing sanitation services for the entire city. For regular waste management operations, service providers have been engaged dedicatedly for waste collection and disposal at a sanitary landfill. Said service providers are limited to collect domestic wastes from identified sources such as but not limited to, households, thoroughfares, and institutions. Nonetheless, other organizations and agencies often seek the services of the TFSWM for the deployment of collection vehicles for various purposes such as but not limited to, debris from fire incidents, emergency/crisis-response (2019 African Swine Fever virus, 2019-2021 COVID-19 pandemic), demolition/clearing activities and typhoons. There are also requests for vehicles to move bulky equipment, paraphernalia and other logistics.

Given the ongoing circumstances, the Disaster-Relief and Clean-up Support Operations Project shall be formed for the deployment of support vehicles for waste collection or transportation in response to any crisis or requirement of the city government and other requesting organizations/agencies. The project is a vital post-disaster rehabilitation and recovery measure with the objective to immediately remove obstructions/debris and clear the affected areas. It is important to separate the Disaster-Relief and Clean-up Support Operations Project from the regular service providers to prevent the disruption in the domestic waste collection project, which have dedicated daily collection routes.

II. PROJECT DESCRIPTION

The Project, subject of this Terms of Reference (TOR), involves the deployment of vehicles for the necessary disaster-relief operations or activities as directed by the city government through the TFSWM.

III. PROJECT OBJECTIVE

The objective of the Project is to ensure that the city government has reserve/on-call vehicles for any occurrences requiring waste collection and management or transportation of various equipment and manpower within the city or other provinces as directed by the city government through the TFSWM.

IV. PROJECT SCOPE OF WORK

The following are the minimum activities to be undertaken for this Project:

1. Collection and disposal of various types of waste such as but not limited to, debris from fire incidents, disaster-relief operations, emergency/crisis pre-position and response, demolition/clearing activities, and bulky waste as may be determined by TFSWM;
2. Transportation of equipment, materials and manpower for the operations of the city government, national government agencies (NGA) and/or non-government organizations (NGOs), as authorized by TFSWM;
3. Provision of vehicles to support other operations and activities as may be determined by TFSWM.

V. PROJECT IMPLEMENTORS

The 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 the 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

A duly notarized "Affidavit of Undertaking" on project standards and requirements shall be submitted by the Service Provider as part of the Technical 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 or Joint Venture agreement, must have 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.

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:
 - a. Manager: 1 personnel; at least three (3) years actual experience in managerial position
 - b. Dispatcher: 1 personnel; at least 18 years old
 - c. Collection Personnel: at least 18 years old
 - 10W dump truck or compactor – 1 driver and 4 helpers
 - 6W / 10 cu.m. dump truck or compactor – 1 driver and 3 helpers
 - MDT / 8 cu.m. dump truck or compactor - 1 driver and 3 helpers
 - d. Disaster-Relief and Clean-up Support Operations Group: 30 personnel; at least 18 years old

3. All personnel must undergo an orientation on the project provisions and components, policies of the City pertaining to waste management and basic work ethic to be conducted by the Service Provider and supervised by the TFSWM. Other such trainings may include, but not limited to, Occupational Training, Workplace Safety, Client Service Orientation, etc.
4. 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. The 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.
5. All personnel must be provided with name tags and/or appropriate identification, uniforms and protective gear which must be worn during working hours/operation.
6. In case an addition, change or replacement of personnel is deemed necessary by the Service Provider, a written notification should be submitted to the City thru the TFSWM. Necessary documentary requirements must be secured by the newly hired personnel and submitted to the Task Force for verification purposes.

Collection Equipment

1. Collection Equipment Ownership

The Service Provider must provide a list of 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

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:

Type	Minimum Required Number
10 Wheeler dump truck/compactor (Must be 16-22 cu.m.)	6
6 – Wheeler dump truck/compactor (Must be 10-12 cu.m.)	4
Mini dump truck/compactor (Must be 7-10 cu.m.)	12

The required number of collection vehicles may be increased as required by the TFSWM at no additional cost to the City. 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).

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 to the post-disqualification of the the Service Provider.

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 to ensure that the staging area will be cleared of wastes at the end of the day. The equipment for the staging area (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.

3. Fleet of Collection Equipment

All collection equipment to be provided and committed by the Service Provider to the Project during the contract period and must be fully dedicated, or shall not be used for other services or for any public or private establishment or entity, including other local government units (LGUs) unless directed by the City Government.

- b. In the exigency of the service, the City may require the Service Provider to provide additional trips equivalent to 10% of the monthly minimum cell requirement without additional costs to the City.
- c. 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.
- d. 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 thru the Task force for approval.
- e. All collection equipment dedicated to the City must always be parked inside the Dispatching Area/Garage/Staging Area when the unit has no scheduled collection.

4. Collection Equipment Standards

- a. All collection vehicles must be painted in white with proper markings for easy identification.
- b. All other collection vehicles must have the required capabilities such as tipping, conventional tail gate, butterfly-type tail gate, etc.

- c. All Compactors must have working dump box dozer, packer blade/hydraulically-powered sliding plates and tail cover.
- c. All collection vehicles 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, physically presentable (e.g., not dilapidated, not worn out), with appropriate visual markings specified by the TFSWM and equipped with tools for emergencies (e.g. jack and tire wrench, early warning device, etc.) and spare tires.
- d. All collection vehicles 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.
- e. Unless the city requires another device, all collection trucks should have a bell positioned in a manner that the driver can ring to signal the truck's arrival and the start of collection in the area.
- f. 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.
- g. Each collection vehicles should be equipped with cleaning paraphernalia to clean-up remnants of waste immediately after collection. Other additional paraphernalia that may later be identified as necessary to ensure cleanliness in the collection cells should be provided at no additional cost to the City.
- h. 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.

Support Equipment

1. Support Equipment Requirement

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

Minimum Number of Service Vehicles for Area Monitoring	
two (2) motorcycles	One (1) four-wheel service vehicle

The Service Provider shall also have the following paraphernalia under its possession and/or control during the term of the Project:

- a. Aluminum Ladder: 8 step, 12 pieces
- b. Aluminum Ladder: 24 step, 12 pieces
- c. Steel Bench: with 10 seating capacity, 24 pieces

The Service Provider should have a payloaders under its possession and/or control during the term of the Project.

The Service Provider must also provide clearing paraphernalia for the Disaster-Relief and Clean-up Support Operations Group upon instruction of the TFSWM.

2. Support Equipment Standards

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.

Service vehicles and payloader should be made available by the Service Provider at all times and must be in very good running condition.

The service vehicles and payloader must be physically present in the Service Provider's dispatching 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 to the post-disqualification of the Service Provider.

Worn-out clearing paraphernalia must be replaced as they become necessary upon instruction of the City through the TFSWM. Other additional paraphernalia that may later be identified to ensure efficient delivery of the service should also be provided at no additional cost to the City.

3. 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 to the post-disqualification of the Service Provider.

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 to the post-disqualification of the Service Provider.

2. Dispatching Area/Garage/Staging Area

- a. The Dispatching Area/Garage/Staging Area should be located along Payatas Road, Quezon City.
- b. It should have sufficient space to accommodate the fleet of trucks and support equipment as well as the necessary facilities.
- c. It must be exclusive for the City's use and proper signage must be installed for identification purposes. Trucks not dedicated to the Project are prohibited to enter, park or pass through the dispatching area/garage at all times.
- d. It includes the implementation of appropriate systems/mechanisms for the transfer of solid wastes, provision of trucks and heavy equipment, continuous deodorization as well as hiring of personnel.
- e. It must have the following facilities and must conform with the minimum requirements as indicated 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 for personnel and guests.
 - Standard compliance forms and reports, even when completed as hand-written on a daily basis, must have computerized summaries for casier review and verification.
- f. The Service Provider must implement appropriate systems/mechanisms for the transfer of solid wastes, provision of necessary equipment and manpower, as well as continuous deodorization.

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 or provinces based on the requirements of the Quezon City Government.

IX. SCHEDULE OF ACTIVITIES

The schedule or frequency of operations shall be upon the instruction of the TFSWM based on the deployment of the Clean-up Operations Groups, necessary operations and activities for waste collection and transportation services. The estimated trips for the whole Project duration per type of truck are as follows:

Type of Truck/Compactor	Estimated Trips for the Whole Project Duration
10-Wheeler (Trip with Disposal)	1000
6-Wheeler	830
Mini Dump Truck	2,000

Note:

10W Dump Truck/10W Garbage Compactor – volume capacity must be 16 cu. m. to 22cu. m.

6W Dump Truck/6W Garbage Compactor – volume capacity must be 10 cu. m. -12 cu. m.

6W MD1/6W Garbage Compactor – volume capacity must be 7 cu. m. 10 cu. M

The payloader is expected to complete a total of two hundred forty (240) hours for the whole Project duration or an estimated twenty (20) hours per month.

The City through the TFSWM shall indicate in the deployment schedule if a given operation or activity requires support equipment. The number of trips per month may vary depending on the number of requests received by TFSWM.

X. PROJECT COMPONENT AND COST DERIVATION

LIST OF LUBRICANTS TO BE USED

Engine Oil (Special)

Brake Fluid

Gear Oil

ATF (Special)

Grease (Special)

Uniform

Polo shirt

Upper Garments: long sleeves shirts

Lower Garments: Jogging Pants

Face Masks

Hand Gloves

Rainboots

Raincoats

Cleaning Paraphernalia

Broomstick with handle

Dustpan (Metal)

Tongs

Jute Bags (used sacks)

Scraper
 Bareta (Claw bar)
 Bolo
 Rake
 Shovel

Personnel

Manager
 Dispatcher
 Collection Personnel: driver and crew
 Cleaning Operations Group

Support Equipment

Payloader
 Area Monitoring Vehicles
 Supplies and Materials
 Administrative Cost

Type of Unit	Operation Cost per unit	Clearing Operations Cost	Indirect Cost	Cost per Trip (r+s+t)	5% Value Added Tax	2% Income Tax	Cost per trip with Taxes (u+v+w)	Cost per Type of Unit (x*q)
	r	s	t	u	v	w	x	y
10W	10,617.89	2,078.69	772.67	13,469.25	673.46	269.39	14,412.10	14,412,100.00
6W	7,835.14	2,078.69	772.67	10,686.49	534.32	213.73	11,434.54	9,490,668.20
MDT	7,463.24	2,078.69	772.67	10,314.59	515.73	206.29	11,036.61	22,073,220.00
TOTAL								45,975,988.20

Note: q is number of trips per type of unit

XI. DISPOSAL SYSTEM

All collected waste shall be disposed at the MMDA-accredited sanitary landfill. However, the disposal of other collected waste resulting from clearing operations will be subject to the advise of the requesting agency/organization.

XII. APPROVED BUDGET FOR THE CONTRACT

The Project Cost is Php 45,975,988.20. 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.

XIII. BASIS OF PAYMENT

The Service Provider shall be paid on a monthly basis as indicated in the cost derivation computed by the City. Payment will be based on the actual service 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 Chairman. 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.

XIV. 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 Providers 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 to the requirements and standards of the City on the physical appearance of collection vehicles, 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	PENALTY
1. Lacking of required crew during collection	<i>Php 2,000.00 per head</i>
2. Solicitation in any kind by any personnel	<i>Php 2,000.00 per head</i>
3. Lack or absence of required cleaning paraphernalia	<i>Php 2,000.00 per item</i>
4. Eyesores, such as sacks hanging alongside or tail gate of the collection vehicles and truck spilling garbage/leachate	<i>Php 2,000.00 per truck</i>
5. Failure to provide the required number of trips or time of deployment as indicated in the schedule provided by the TFSWM	<i>Php 12,000.00 per trip /per unit/per day</i>
6. Failure to provide the required service vehicles	<i>Php 5,000.00 per day</i>
7. Non-wearing/non-utilization of proper/prescribed uniform, protective gear and identification card by any of the Service Provider's personnel	<i>Php 5,000.00 per head</i>

Service Provider must devise a system to ensure sufficient manpower during holidays. The amount of penalties incurred during officially declared holidays and holiday season (Christmas and New Year) shall be multiplied by 10.

XV. 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.

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.

XIII. AMENDMENT OF TERMS OF REFERENCE


No Modification or amendment of this Terms of Reference shall be valid unless mutually agreed upon in writing by both parties.

Prepared by:



PATRICIA A. ORANTE

Noted by:



RICHARD S. SANTUILE
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