



REPUBLIC OF THE PHILIPPINES
Public-Private Partnership Center of the Philippines

**Pre-qualification of Consulting Firms for the
Panel of Independent Consultants**

**Responses to Questions No. 2
Received from May 14 to June 3, 2016
Date of Issuance: June 17, 2016**

No.	Reference to the REOI	Question/Issue/Concern	Response/Clarification
1		What is the status of the phase 2 of ADB's Technical Assistance (TA)?	The approval of the TA phase 2 is still pending. Issuance of offer letters to pre-qualifying firms and subsequent signing of Indefinite Delivery Contracts will be held in abeyance until approval of the aforementioned TA phase 2.
2		Are implementing agencies mandated to tap the PDMF for the engagement of ICs?	No. Engagement of ICs may be through the PDMF or procured directly by implementing agencies.
3		Are firms or association of firms invited to submit proposals during Stage 2 (call-down assignment) obliged to submit?	No; but repeated non-participation by a shortlisted Panel member in the call-down assignment stage may have a negative implication in its standing as a Panel member.
4		Can a technical firm, which is part of an association pre-qualified for the Panel of Project Preparation and Transaction Support Consultants, be the lead firm applying for pre-qualification in the Panel for ICs?	Yes.
5		Will a technical firm, which is part of an association engaged as the Project Preparation and Transaction Support Consultant for a project, be allowed to provide IC services on the same project?	The indicative TOR for Project Preparation and Transaction Support (PPTS) Consultant includes as one of its tasks, the assistance to the implementing agency in preparing the TOR of the IC. Hence, if the PPTS Consultant is expected to take part in preparing the TOR of the IC, the said Consultant or any of its sub-consultants cannot participate in the selection/procurement of an IC for the same project.
6		How many call-down assignments are expected to be issued within the term of the IDC?	Eight (8) projects are expected to require ICs should the incoming administration pursue the PPP projects which are currently in the bidding stages.
7		During the call-down assignment stage, will there be a failure of bidding if only 1 firm or association of firms submits a proposal?	No. The PPP Center will proceed with the selection process even if a lone bidder submits a proposal.
8	Appendix 1 – Consultant Selection	Is there a fixed number of consulting firms that will be pre-qualified?	None.

No.	Reference to the REOI	Question/Issue/Concern	Response/Clarification
	Process		
9	Appendix 1 – Consultant Selection Process	During call-down assignment, will the PPP Center allow contract extension and price variation?	Contract extension and price variation may be allowed subject to the necessary approvals and compliance with ADB guidelines.
10	Part III of Appendix 2 - Terms of Reference (TOR)	Is construction supervision part of the scope of work of the IC in addition to being an independent design checker and independent certification engineer?	No.
11	Part IV of Appendix 2 - TOR	Are foreign professionals to be engaged by firms or association of firms required to secure a permit or authority to practice their professions in the Philippines?	Under existing Philippine laws and regulations, foreign professionals who are engaged in the practice of regulated professions must be authorized by the appropriate Government regulatory agency. Hence, if awarded with a consulting contract during the call-down stage, the foreign professional must secure the authority or permit to practice to comply with the requirements of existing Philippine laws on regulated professions.
12	Part IV – Qualification Requirements of Appendix 2 – TOR	Can PPP Center provide more information on the scoring criteria?	No detailed evaluation criteria will be provided.
13	Paragraph 11 of Appendix 2 – TOR	During the 2 nd stage, can a panel member associate with other firms which are already part of other panel members (whether invited for call-down assignments or not)?	A panel member invited to submit a proposal during the 2 nd stage (“shortlisted firm”) can associate with firms who are not panel members, and sub-consultants of shortlisted and non-shortlisted firms. A shortlisted firm cannot associate with lead firms or a JV partner of both shortlisted and non-shortlisted panel members.
14	Paragraph 11 of Appendix 2 – TOR	Assuming that a firm is a member of an association that was pre-qualified and selected in a PPTA call-down assignment but the firm was not utilized in the said assignment, can the firm associate with other pre-qualified firms or association of firms to bid for an IC contract for the same project?	Yes. However, the following have to be considered: (1) if a firm or association of firms intend to exclude a member firm to bid for a particular assignment, it must seek approval from the PPP Center prior to the submission of the proposal and (2) there should be no potential or actual conflict of interest attributable to the firm or association of firm’s engagement as part of the association providing PPTA services and its possible engagement as part of an association providing IC services.
15	Paragraph 11 of Appendix 2 – TOR	Is the participation of all the firms in an association mandatory if selected for a call-down assignment?	Yes. This is because, ideally, the composition of the consulting firm or association of firms when it was pre-qualified in Stage 1 should be maintained when competing in Stage 2 such that any change or modification in the composition of the pre-qualified consulting firm or

No.	Reference to the REOI	Question/Issue/Concern	Response/Clarification
			association of firms will require prior approval from the PPP Center and will only be allowed for justifiable circumstances.
16	Paragraph 12 of Appendix 2 – TOR	Can a firm pre-qualify if it has experience and expertise on a specific field only, e.g., on transportation infrastructure only?	Yes.
17	Paragraph 15 of Appendix 2 – TOR	Is ISO certification of the lead firm required for pre-qualification?	ISO certification is optional, however, it will be given additional merit (applicable only to the lead firm). Equivalent certification will also be accepted.
18	Part I and Part VII of Appendix 3 – EOI	Is the written agreement to associate between/among consortium partners the same with the letter of association?	Yes.
19	Part II, Item E, of Appendix 3 – EOI	Can firms submit more than 10 projects as references to assess the relevant experience of the firm or association?	Yes. All listed projects shall be taken into consideration during the evaluation of the firm's experience.
20	Part VII of Appendix 3 – EOI	Do the Certificates of Incorporation of each firm (as lead firm, JV member or sub-consultant) and the Letter of Association be certified true copies or consularized in their respective countries?	Firms may submit photocopies of the documents.
21	Section VII of Appendix 3 – EOI	Should each firm participating in the team sign an individual Letter of Association with the Lead Firm, or else should there be one for the consortium as a whole?	The Letter of Association may either be an individual Letter of Association with the Lead Firm or One letter of Association for all association members.