



BIDDING DOCUMENTS FOR

THE

**Engagement of a Consultancy
Service Provider (CSP) for the
Review and Design of SEC
Salary Structure and
Compensation Plan**

(Part 1)

PROJECT ID No.: SEC PB NO. 2022-38

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REQUEST FOR EXPRESSION OF INTEREST

ENGAGEMENT OF A CONSULTANCY SERVICE PROVIDER (CSP) FOR THE REVIEW AND DESIGN OF SEC SALARY STRUCTURE AND COMPENSATION PLAN SEC PB No. 2022-038

1. The Securities and Exchange Commission (SEC), through the authorized appropriations under the **FY 2022 Budget of SEC**, intends to apply the sum of **Seven Million Seven Hundred Thousand Pesos (Php7,700,000.00)** being the Approved Budget for the Contract (ABC) to payments under the contract for the **“Engagement of a Consultancy Service Provider (CSP) for the Review and Design of SEC Salary Structure and Compensation Plan (SEC PB No. 2022-038)”**. Bids received in excess of the ABC shall be automatically rejected at the opening of the financial proposals.
2. SEC now calls for the submission of eligibility documents for the abovementioned Project, which main objective is to engage a consultant which shall undertake the review and design of the SEC’s compensation plan taking into consideration its mandate and enhanced authorities following the pertinent laws, charter, and other rules and regulations.
3. SEC will hold a meeting on the eligibility documents with the prospective bidders/interested consultants (i.e., Consulting Firm/Group) on **October 14, 2022 at 11:00 A.M.** at the HRAD Conference Room, 7/F SEC Headquarters, 7907 Makati Ave., Salcedo Village, Brgy. Bel-Air, Makati City and/or through video conferencing or webcasting via Zoom using the following credentials:

Zoom Link	https://sec-gov-ph.zoom.us/j/98700280846?pwd=TXFKcXFxdVV1b2ZkN2FXaDRzVVK3Zz09
Meeting ID	987 0028 0846
Passcode	820423

4. Eligibility documents of interested consultants must be duly received by the BAC Secretariat through manual submission at the office address indicated below **on or before October 19, 2022 (10:00 A.M.)** Late bids shall not be accepted. Applications for eligibility will be evaluated based on a non-discretionary “pass/fail” criterion.

Bid opening shall be on **October 19, 2022 (10:15 A.M.)** at the given address below and via video conferencing. Bids will be opened in the presence of the bidders’ representatives who choose to attend the activity. Authorized attendees, including representatives of bidders, who are physically present at the HRAD Conference Room 7/F SEC Headquarters, 7907 Makati Ave., Salcedo Village, Brgy. Bel-Air, Makati City shall likewise join the meeting via videoconferencing.

Bidders are advised to first log in the BAC virtual (Zoom) waiting room and wait for further advice to join the BAC meeting room, the link of which shall be provided to the bidders before the start of bid opening.

5. Interested bidders may obtain further information from the BAC Secretariat and inspect the

Bidding Documents at the address given below during office hours from 9:00 a.m. to 4:00 p.m.

6. A complete set of Bidding Documents may be acquired by interested bidders on **October 12, 2022** from the address below.

It may also be downloaded from the website of the Philippine Government Electronic Procurement System (PhilGEPS) and the SEC website.

7. Bidding is restricted to Filipino citizens/sole proprietorships, cooperatives, and partnerships or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines.
8. The BAC shall draw up the short list of consultants from those who have submitted Expressions of Interest and have been determined as eligible in accordance with the provisions of RA No. 9184, otherwise known as the "Government Procurement Reform Act," and its 2016 Revised IRR. The short list shall consist of a maximum of five (5) prospective bidders who will be entitled to submit bids. The BAC shall consider the short list should less than five (5) prospective bidders apply for eligibility and short listing, and actually pass the eligibility check or pass the minimum score required.
9. In accordance with Section 24 of RA No. 9184 and its 2016 Revised IRR, the criteria and rating system for short listing are:
 - i. Applicable experience of the firm (40%);
 - ii. Qualification of principal and key staff of the Firm who may be assigned to the job vis-à-vis extent and complexity of the undertaking (40%); and
 - iii. Current workload (20%)
10. SEC shall evaluate bids using the Quality-Cost Based Evaluation (QCBE). The criteria and rating system for the evaluation of bids shall be provided in detail in the Eligibility Data Sheet.
11. SEC reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to awarding of the contract in accordance with Sections 35.6 and 41 of RA No. 9184 and its 2016 Revised IRR, without thereby incurring any liability to the affected bidder or bidders.

Moreover, in accordance with Section 24.7 of the 2016 Revised IRR of RA No. 9184, notwithstanding the eligibility of a consultant and/or inclusion in the shortlist of consultants, SEC reserves the right to review the consultant's qualifications at any stage of the procurement process if it has reasonable grounds to believe that a misrepresentation has been made, or that there has been a change in the consultant's capability to undertake the project from the time of submission of the eligibility requirements.

12. For further information, please refer to:

SEC BAC Secretariat
Procurement Division, Human Resource and Administrative Department
Securities and Exchange Commission
7th Floor SEC Headquarters, 7907 Makati Ave.
Salcedo Village, Brgy. Bel-Air, Makati City
Telephone No.: 8818-5330
Email address: bacsecretariat@sec.gov.ph

13. You may visit the following website to download the Bidding Documents:

<https://www.sec.gov.ph>

<https://www.philgeps.gov.ph>

October 11, 2022



ARMANDO A. PAN JR.
Chairman

SECTION II. ELIGIBILITY DOCUMENTS

1. Eligibility Criteria

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.

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.

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.

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 shortlisted 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. Shortlisted 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

Eligibility Documents	
1.2	<i>No further instructions.</i>
1.3	<i>No further instructions.</i>
2.1(a)(ii)	The statement of all ongoing and completed government and private contracts shall include all such contracts within five years prior to the deadline for the submission and receipt of eligibility documents.
2.1(a)(ii.7)	The Service Provider/Consultancy Firm must show certification or any equivalent document from each of its clients, as stated in the Statement of ALL Completed Contracts form, that it is in good standing and has implemented similar projects (Clause 9.1) to its client's expectations. This particular requirement of submitting certification or equivalent document shall only apply to contracts that are similar in nature to the project at hand.
4.1	Each prospective bidder shall submit one (1) original copy and two (2) duplicate copies of its eligibility documents.
4.3(c)	The Chairman Bids and Awards Committee Securities and Exchange Commission SEC Headquarters, 7907 Makati Ave., Salcedo Village Brgy. Bel-Air, Makati City Email address: bacsecretariat@sec.gov.ph
4.3(d)	The name of the Project is "Engagement of a Consultancy Service Provider (CSP) for the Review and Design of SEC Salary Structure and Compensation Plan (SEC PB No. 2022-038)"
5	The address for submission of eligibility documents is Procurement Division, Human Resource and Administrative Department, 7/F SEC Headquarters, 7907 Makati Ave., Salcedo Village, Brgy. Bel-Air, Makati City The deadline of the submission of eligibility documents is on October 19, 2022 (10:00 A.M.)
8.1	The place of opening of eligibility documents is HRAD Conference Room, 7/F SEC Headquarters, 7907 Makati Ave., Salcedo Village, Brgy. Bel-Air, Makati City. Opening of bids will simultaneously be done via videoconferencing or webcasting. Bidders are advised to first log in the BAC virtual (Zoom) waiting room and wait for further advice to join the BAC meeting room, the link of which shall be provided to the bidders before the start of bid opening. The date and time of opening of eligibility documents is on October 19, 2022 (10:15 A.M.)
9.1	Similar contracts shall refer to consultancy services for the review and design of salary structure and compensation plan or any synonymous project/s as described in the Terms of Reference.

9.2	<p>The BAC shall rank the consultants in descending order based on their total scores considering the criteria presented below, and identify the top five (5) eligible consultants as shortlisted consultants. Should less than the required number of consultants apply for eligibility and short listing, pass the eligibility check, and/or pass the minimum score required in the short listing, the BAC shall consider the same.</p> <p>Scoring shall be based on eligibility documents submitted, considering the following evaluation criteria:</p> <ul style="list-style-type: none">(i) Applicable experience of the firm (40%);(ii) Qualification of principal and key staff of the Firm who may be assigned to the job vis-à-vis extent and complexity of the undertaking (40%); and(iii) Current workload (20%). <p>To qualify for shortlisting, the prospective bidder should achieve an overall minimum score of 70 points.</p>
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CHECKLIST OF ELIGIBILITY REQUIREMENTS

(For Guidance Only)

I. Class "A" Documents –

Legal Documents

- (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);

Technical Documents

- (b) Eligibility Documents Submission Form accompanied by a duly notarized company's Secretary's Certificate or Special Power of Attorney, as applicable (Use Annex B); **and**
- (c) Statement of all Government and Private Contracts Completed which are Similar in Nature (Use Annex C), together with Certificate/s of Good Standing and Satisfactory Completion or equivalent document/s; **and**
- (d) List of all Ongoing Government and Private Contracts Including Contracts Awarded but not yet Started (Use Annex D); **and**
- (e) Statement of the Consultant's Nationality (Use Annex E), with the attached Curriculum Vitae for the Proposed Professional Staff (Use Annex F)

Financial Documents

- (f) The Consultant's audited financial statements (AFS), showing among others, the Consultant's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission

II. Class "B" Document –

Legal Documents

- (j) Valid Joint Venture Agreement (JVA) if the JV is in existence or duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the event that the bid is successful.

* In case a discrepancy exists between the requirements stated in the Checklist and the requirements specified in the Bidding Documents, the latter shall prevail.

ELIGIBILITY DOCUMENTS SUBMISSION FORM

[Date]

Securities and Exchange Commission

Bids and Awards Committee
SEC Headquarters, 7907 Makati Ave. Salcedo
Village, Brgy. Bel-Air, Makati City

Ladies/Gentlemen:

In connection with your Request for Expression of Interest dated *[insert date]* for **Engagement of a Consultancy Service Provider (CSP) for the Review and Design of SEC Salary Structure and Compensation Plan (SEC PB No. 2022-38)**, *[Name of Consultant]* hereby expresses interest in participating in the eligibility and short listing for said Project and submits the attached eligibility documents in compliance with the Eligibility Documents therefor.

In line with this submission, we certify that:

- a) *[Name of Consultant]* is not blacklisted or barred from bidding by the GOP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, and that each of the documents submit; and
- b) Each of the documents submitted herewith is an authentic copy of the original, complete, and all statements and information provided therein are true and correct.

We acknowledge and accept the Procuring Entity's right to inspect and audit all records relating to our submission irrespective of whether we are declared eligible and shortlisted or not.

Yours sincerely,

Signature

Name and Title of Authorized Signatory

Name of Consultant

Address

**Statement of all Government and Private Contracts
Completed which are Similar in Nature**

Business Name: _____

Business Address: _____

Name and Location of Project Name of Client/ Contact Person/Contact Number/Email Address	Date of Award of the Contract	Type and Brief Description of Consulting Services	Amount of Contract	Project Duration (Start Date - Completion Date)	Consultant's Role (Main Consultant/ Subconsultant/ Partner in a JV)
<u>Government</u>					
<u>Private</u>					

Submitted by : _____
(Printed Name and Signature)

Designation : _____

Date : _____

Instructions:

- a) The contracts should have been completed (i.e., accepted) within the **five-year period from opening of bids**
- b) Similar contracts shall refer to the consultancy services for the review and design of salary structure and compensation plan or any of its component/s or any synonymous project/s as described in the Terms of Reference

Note: Date of Acceptance shall mean the date when the items delivered have **satisfactorily met** the requirements of the procuring entity, as evidenced by Certificate of Good Standing and Satisfactory Completion or equivalent document (e.g., Certificate of Final Acceptance/Completion from the bidder's client, or an Official Receipt or a Sales Invoice) which must be included in the bid submission.

**List of all Ongoing Government and Private Contracts
Including Contracts Awarded but not yet Started**

Business Name: _____
Business Address: _____

Name and Location of Project Name of Client/ Contact Person/ Contact Number/ Email Address	Date of Award of the Contract	Type and Brief Description of Consulting Services	Amount of Contract	Project Duration (Start Date - Completion Date)	Consultant's Role (Main Consultant/ Subconsultant/ Partner in a JV)
<u>Government</u>					
<u>Private</u>					

Submitted by : _____
(Printed Name and Signature)

Designation : _____

Date : _____

Instructions:

- i. State **ALL** ongoing contracts including those awarded but not yet started (government and private contracts which may be **similar or not similar** to the project being bid) prior to opening of bids.
- ii. If there is no ongoing contract including awarded but not yet started as of the aforementioned period, state none or equivalent term.

STATEMENT OF THE CONSULTANT'S NATIONALITY

Securities and Exchange Commission

Bids and Awards Committee
SEC Headquarters, 7907 Makati Ave.
Salcedo Village, Brgy. Bel-Air, Makati City

Ladies/Gentlemen:

In compliance with the requirements of the Securities and Exchange Commission – Bids and Awards Committee (SEC-BAC) for the bidding of the **Engagement of a Consultancy Service Provider (CSP) for the Review and Design of SEC Salary Structure and Compensation Plan (SEC PB No. 2022-38)**, I/we hereby declare the following:

1. [Select one and delete the rest].

[If domestic entity consultant] That (Name of the consultant) is a domestic sole proprietorship/partnership/corporation/joint venture organized or formed under the laws of the Philippines;

[If foreign entity consultant] That (Name of the consultant) is a foreign sole proprietorship/partnership/corporation/joint venture organized or formed under the laws of the (Name of the country);

[If foreign entity consultant] That (Name of the consultant) is registered with the Securities and Exchange Commission and/or any agency authorized by the laws of the Philippines;

2. That the following are the proposed Personnel:

Name of ALL Proposed Personnel	Proposed Position	Job Status*	Nationality	Proof of Identification
1.	Lead Consultant		Filipino	
2.	Team Member		Filipino	
3.	Team Member		Filipino	
4.	Team Member		Filipino	
5.	Team Member		Filipino	

**indicate whether Permanent (P) or Freelancer (F)*

3. That attached herewith are the Curriculum Vitae of the above-mentioned personnel (*Annex/es*__); and
4. That the undersigned is/are the authorized representative/s for this public bidding as evidenced by herewith attached notarized authority.

Very truly yours,

Signature: _____

Name and Title of Authorized Signatory: _____

Name of Consultant/Company: _____

Address: _____ Contact No/s. _____

(Note: Please attach the notarized authority of the consultant's signatory for the public bidding for this project)

CURRICULUM VITAE (CV) FOR PROPOSED KEY PROFESSIONAL STAFF

Proposed Position:	<i>Please check:</i>
	<input type="checkbox"/> Key Personnel <input type="checkbox"/> Staff

Personal Information

Name: (Last Name, First Name, Middle Name)		
Address	Contact No.	Email Address
Date of Birth	Citizenship	Civil Status

Work Experience (start from the current employment)

Company Name	Inclusive Dates		Total <i>(Years, Months)</i>	Position Title	Actual Duties and Responsibilities <i>(specify if L&D, HR or OD-related)</i>
	From	To			

Current Workload (include workload or projects form other companies, if any)

Company Name	Inclusive Dates		Total <i>(Years, Months)</i>	Position Title	Actual Duties and Responsibilities
	From	To			

Relevant Training (within the last 10 years, start from the most recent)

Course Title	Inclusive Dates		Location	No. of Hours	Conducted / Sponsored by
	From	To			

Education (start from the most recent)					
School	Inclusive Dates		Degree Course	Scholarships / Academic Honors Received	
	From	To			
Certificates, Other Credentials					
Title			Date Received		

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe me, my qualifications, and experience.

_____ **Signature**

Date: _____

TERMS OF REFERENCE

Engagement of a Consultancy Service Provider (CSP) for the Review and Design of SEC Salary Structure and Compensation Plan

I. Background

1. Section 7.2 of Republic Act No. 8799 or the Securities Regulation Code of the Philippines provides:

*“Section 7.2. All positions of the Commission shall be governed by a **compensation and position classification systems** and qualification standards approved by the Commission based on the comprehensive job analysis and audit of actual duties and responsibilities. **The compensation plan shall be comparable with the prevailing compensation plan in the Bangko Sentral ng Pilipinas and other government financial institutions and shall be subject to periodic review by the Commission no more than once every two (2) years without prejudice to yearly merit reviews or increases based on productivity and efficiency. The Commission shall, therefore, be exempt from laws, rules and regulations on compensation, position classification and qualification standards. Xxx ”***

2. Section 175 of Republic Act No. 11232 or the Revised Corporation Code of the Philippines further provides:

*“Section 175. Collection and Use of Registration, Incorporation and Other Fees. Xxxx The amount collected shall be deposited and maintained in a separate account which shall form a fund for its modernization and to augment its operational expenses such as, but not limited to, capital outlay, **increase in compensation and benefits comparable with prevailing rates in the private sector, reasonable employee allowance, employee health care services and other insurance, xxx.**”*

3. On March 10, 2022 the SEC approved its new Organizational Structure and Staffing Pattern (OSSP) to address the rising number of transactions and services in an expanding market, as well as maintain and improve the provision of public service through the exercise of its regulatory functions based on its mandate, vision and mission.
4. Thus, despite Office of the President’s approval of SEC Salary Adjustments in 2019, (periodic review of SEC compensation plan is every 2 years as stated in Sec. 7.2 of RA 8799) there is a need to review, improve, and propose a new round of compensation plan for SEC to thwart the possible high employees’ turnover (ex: lawyers, accountants, and ICT personnel) and keep its retention rate at the optimum level and attract the most qualified and competent applicants to fill up its vacant positions.

II. Project Description

This project shall involve the engagement of a CSP which shall undertake the review and design of the SEC’s compensation plan taking into consideration its mandate and enhanced authorities following the abovementioned laws, charter, and other pertinent rules and regulations.

III. Objectives of the Project

To come up with a compensation plan with the following objectives:

1. Provide and implement a competitive compensation plan comparable with the prevailing compensation plan in the Bangko Sentral ng Pilipinas and other government financial institutions pursuant to Section 7.2 of R. A. No. 8799;
2. Increase the compensation and benefits in the SEC comparable with prevailing rates in the private sector, reasonable employee allowance, employee health care services and other insurance pursuant to Section 175 of R.A. No. 11232;
3. Attract the best and the brightest professionals to join with SEC as its policy strategy in recruitment, selection, and placement; and
4. Maintain SEC's employees' retention rate at the optimum level and thus thwart any possible high employees' turnover.

IV. Scope of Work and Deliverables

The CSP shall review, formulate, and recommend the appropriate compensation plan for the SEC based on its mandate, vision and mission, objectives and organizational structure.

The CSP shall perform the following activities to achieve the objectives of the Project, in addition to other methodologies/techniques that may be employed:

Phases	Deliverables	Remarks
Phase I-Project Planning	<ol style="list-style-type: none"> 1. Detailed project plan and timeline 2. Data and document requirements checklist 	Detailed Project Plan and Timeline
Phase II-Job Levelling	<ol style="list-style-type: none"> 1. Comparative matrix of salary/job/pay grades for all SEC positions or jobs using the proposed levelling system comparable with the Bangko Sentral ng Pilipinas or other government and private financial institutions, etc. 	<ul style="list-style-type: none"> • Propose and adapt a new job leveling system or SEC • To evaluate jobs using the new job leveling system using available job descriptions, organization charts, supplemented by functional interviews (maximum of 500 jobs) • Alignment session to review relative value of jobs across SEC • Presentation and approval of new job hierarchy • This option would result to a new leveling system that will be used by SEC for all HR-related programs. This will require complete and documented job descriptions.

Phase III-Compensation Review	Complete and validate SEC data competitive analysis report highlighting strengths and weaknesses on compensation.	<ul style="list-style-type: none"> • Data collection and validation of SEC Data • Competitive analysis report highlighting strengths and weaknesses of current SEC's compensation program with high-level recommendations
Phase IV-Salary Structure	<ol style="list-style-type: none"> 1. Matrix of Salary Structure recommendations with cost impact analysis 2. Manual of Salary Implementation Guidelines 3. Presentation of Terminal Report 	<ul style="list-style-type: none"> • Design of a competitive salary structure, which includes cost • Salary implementation guidelines • Design of other compensation programs (i.e., allowances, variable pay)

V. Service Standard

1. The CSP shall provide the services in a professional manner with utmost objectivity and independence.
2. The CSP will assign to the Project team members with appropriate education, competence training, skills and experience to perform the tasks assigned to them, and to meet the objectives of the project.
3. The CSP shall ensure compliance with its obligations within the periods required under this project. SEC agrees to keep the information disclosed to it in the course of the review, confidential from all third parties, except for any third party participating in the review with the CSP's prior written consent. No third-party auditors/reviewers may participate in the review without the CSP's written consent and entering into an appropriate confidentiality agreement with the CSP.
4. If the CSP's services/outputs do not conform with this TOR and the Contract to be executed by the parties, or does not comply with the issuances of the OP, DBM, DOF, CSC, COA and other pertinent laws, rules and regulations, the SEC shall promptly notify the CSP and the CSP shall correct or re-perform any non-conforming services at no additional charge.

VI. Project Duration

1. The CSP shall promptly and completely perform all items of works and submit all the corresponding deliverables within an aggregate period of Nine (9) Months from the date of the issuance of Notice to Proceed.
2. The Nine-Month period shall exclude the period during which an output/deliverable submitted by the CSP is placed under consideration for review and/or approval by the SEC En Banc.
3. SEC may, at its option, make amendments or modifications in the period/schedule.

VII. Billing and Payment Scheme

1. Billing and payment of the services shall be made through the schedule as shown in

the Billing Schedule described in Item IX of this TOR. The schedule may be amended or modified prior to the signing of the Service Contract, and/or as mutually agreed between and by the SEC and the CSP.

2. The CSP is expected to perform and deliver the scope of work and target activities/outcomes or milestones following the schedule below. Payment shall be made by the SEC not later than fifteen (15) calendar days from receipt of the billing statement, and after the issuance by the SEC of the Certificate of Completion of Deliverables/Milestones. Completion shall be understood to mean compliance by the CSP with all of the Service Standards set by the SEC for every phase of work/milestone.
3. Payment made under this project shall be subject to SEC and government accounting rules and regulations.

Project Phase/ Milestone	Deliverables	Due Date	Fees in PhP (inclusive of 12% VAT)
Phase I-Project Planning	1. Detailed project plan and timeline Data and document requirements checklist	On or before the end of the 2 nd week from receipt by the CSP of the Notice to Proceed	Initial 50% payment of the Contract Price upon completion of deliverables in Job Levelling by the CSP and acceptance by the SEC
Phase II-Job Levelling	1. Comparative matrix of salary/job/pay grades for all SEC positions or jobs using the proposed levelling system comparable with the Bangko Sentral ng Pilipinas or other government and private financial institutions, etc.	On or before the end of 15 th week	
Phase III-Compensation Review	1. Complete and validate SEC data competitive analysis report highlighting strengths and weaknesses on compensation.	On or before the end of 20 th week	50% payment of the Contract Price upon completion of the project by the CSP and acceptance by the SEC
Phase IV-Salary Structure	1. Matrix of Salary Structure recommendations with cost impact analysis 2. Manual of Salary Implementation Guidelines. 3. Presentation of Terminal Report	On or before the end of 36 th week	

VIII. Evaluation Procedure

Quality-Cost Based Evaluation shall be used for this procurement process, consisting of 85% for Technical Proposal and 15% for Financial Proposal.

IX. Qualifications of the CSP

A. The Consultant

1. Must be in operation for the past 3 to 10 years;
2. Must have a track record in the past 5 years in conducting organizational assessments for various institutions and organizations, as shown in the certificate of project completion or any proof and with a minimum of 2 clients related to the project is required;
3. Must have conducted at least one completed similar project/output of HR/OD including compensation and benefits in any government agency within the last 5 years, including on-going projects with government agencies, as shown by the certificate of completion (the certificate shall include the value of the contract);
4. Have existing network with relevant sectoral experts (local and international) as shown by the firm's/consultants' membership in relevant HR/OD industry association or participation in collaborative projects.

B. The Team

1. Must have relevant educational background, at least a postgraduate degree in Organizational Development, social science, public administration, human resource development studies, communications and/or marketing discipline
2. Must have trained or participated in any qualitative or quantitative design and methods related to human resource development or organizational development, or project management, as shown by the submitted certificate/s or documents.

To qualify for shortlisting, the prospective CSP/bidder should achieve an overall minimum score of 70 points based on the following allocation:

- i. Applicable experience of the firm (40%)
- ii. Qualification of principal and key staff of the Firm who may be assigned to the job vis-à-vis extent and complexity of the undertaking (40%)
- iii. Current workload (20%)

No.	Evaluation Criteria	Maximum Score
1	Applicable Experience of the CSP	40
	With proven track record in conducting organizational assessment and compensation and benefits with clients from private and government sectors <ol style="list-style-type: none"> a. More than 10 years (40 points) b. More than 7 years to 10 years (30 points) b. More than 5 years to 7 years (20 points) c. 3 years to 5 years (15 points) 	
2	Qualifications of Key Personnel who may be assigned to the job vis-à-vis extent and complexity of the undertaking	40
	2.1 Team Leader	
	1.1.1 Professional Experience <ol style="list-style-type: none"> a. More than 10 years of conducting organizational assessment and compensation and benefits as a team leader (10 points) 	

	<ul style="list-style-type: none"> b. 7 to 10 years of conducting organizational assessment and compensation and benefits as a team leader (5 points) c. Less than 7 years of conducting organizational assessment and compensation and benefits as a team leader (2 points) 	
	<ul style="list-style-type: none"> 1.1.2 Educational Qualification <ul style="list-style-type: none"> a. Relevant Master's degree graduate (5 points) b. Relevant Bachelor's degree graduate (3 points) 	
	<ul style="list-style-type: none"> 1.1.3 Prior engagements in conducting organizational assessment and compensation and benefits <ul style="list-style-type: none"> a. 3 to 4 active and completed relevant projects (10 points) b. 1 to 2 active and completed relevant projects (4 points) 	
	1.2 Team Members	
	<ul style="list-style-type: none"> 1.2.1 Professional Experience <ul style="list-style-type: none"> a. More than 7 years of conducting organizational assessment and compensation and benefits (5 points) b. 5 to 7 years of conducting organizational assessment and compensation and benefits (4 points) c. Less than 5 years of conducting organizational assessment and compensation and benefits (2 points) 	
	<ul style="list-style-type: none"> 1.2.2 Training Attended/Conducted relevant to Organizational Assessment and compensation and benefits <ul style="list-style-type: none"> a. More than 80 hours of relevant training (2 points) b. 40 to 80 hours of relevant training (1 point) c. Less than 40 hours of relevant training (0.50 points) 	
	<ul style="list-style-type: none"> 1.2.3 Educational Qualification <ul style="list-style-type: none"> a. Relevant Master's degree graduate (4 points) b. Relevant Bachelor's degree graduate (2 points) 	
	<ul style="list-style-type: none"> 1.2.4 Prior engagements in conducting organizational assessment and compensation and benefits <ul style="list-style-type: none"> a. 3 to 4 active and completed relevant projects (4 points) b. 1 to 2 active and completed relevant projects (3 points) 	
3	Current Workload	20
	<ul style="list-style-type: none"> 1.1 Positive Feedback <ul style="list-style-type: none"> a. Work Acceptance Report/Certification by previous client or any equivalent document (5 points) 	
	<ul style="list-style-type: none"> 1.2 Overall Work Commitment (CSP with no ongoing projects will get the maximum points) <ul style="list-style-type: none"> a. Higher than 1.5 ratio (number of consultants divide ongoing projects) (15 points) b. Between 1.0 and 1.5 ratio (number of consultants divide ongoing projects) (10 points) c. Between 0.5 and 1.0 ratio (number of consultants divide ongoing projects) (5 points) d. Lower than 0.5 ratio (number of consultants divide ongoing projects) (3 points) 	

Technical Proposal of the CSP

For the evaluation of the Technical Proposal, the following numerical weight and the minimum required points for each criterion shall be used:

- Quality of key personnel to be assigned to the project which covers suitability of key staff to perform the duties of the particular assignments and general qualifications and competence including education and training of the key staff (40 points);
- Experience and capability of consultant which include records of previous engagement and quality of performance in similar and in other projects (40 points);
- Plan of approach or methodology with emphasis on the clarity, feasibility, innovativeness and comprehensiveness of the support services that will be provided by the Consultant as listed in the Terms of Reference (20 points).

The minimum points required to pass in 70/100 points.

X. Confidentiality Information

The CSP agrees and acknowledges that the performance of the services covered by the Contract may result in the CSP acquiring/obtaining confidential information, and that any disclosure of such information may subject the SEC to financial, material and operational loss. Therefore, the CSP hereby agrees as follows:

1. The CSP shall protect all confidential information which the SEC provides to it (whether verbal, in writing or in any other form) using the same standards as the CSP applies to its own confidential information, but in no event less than reasonable measures, and subject to the implementation of appropriate technical, physical, and organizational/administrative measures to protect personal data against accidental or unlawful destruction or accidental loss or unauthorized alteration, disclosure or access.
2. The CSP or any of its employees, agents or representatives, shall not, either during the term of the contract or at any time thereafter, reveal, disclose or furnish, in any manner, to any person, firm or corporation any information relating to the SEC which it or other members of the work staff/team, may have acquired or which came to its/their knowledge or possession during the subsistence of the contract.
3. The CSP shall comply with the provisions of the Data Privacy Act, its implementing rules and regulations and circulars issued by the National Privacy Commission pertaining to the processing and retention of personal information subject of this contract as may be applicable. The CSP is strictly prohibited from accessing the records, making photocopies thereof, or transferring/allowing third parties access thereto without the prior written permission or instruction from the SEC.
4. The CSP shall be liable for any disclosure of confidential information by its employees, agents, or representatives and other violations under the Data Privacy Act and Bank Secrecy Law, without prejudice to other legal remedies available to the SEC.
5. All data and information related to the project furnished by the SEC to the CSP shall be treated with strict confidentiality and shall be returned to the SEC upon completion of the works without need of a demand. The same shall not be released to third parties without the written consent of the SEC.
6. The CSP agrees to assume sole responsibility and hereby undertakes to

indemnify the SEC, for any damage, which the SEC may sustain by reason of breach of any of the above conditions.

7. Nothing in the contract shall be deemed to limit or restrict the rights of the SEC to assert any claim for violation/infringement of patent, copyright, trade secrets or other intellectual property rights against the CSP.

XI. Representation and Warranties

The CSP represents, warrants, and undertakes to the SEC that:

1. It is a domestic corporation duly registered and existing under and by virtue of the laws of the Republic of the Philippines.
2. It has full legal power, authority and right to carry on its present business. It further warrants that that its representative has full legal power to sign, execute, and deliver this project and that it will comply, perform and observe the terms and conditions hereof.
3. All corporate and other actions necessary to validate or authorize the execution and delivery of this project have been taken.
4. To the knowledge of the CSP, there are no pending or threatened action or proceeding before any court or administrative agency of any jurisdiction which may materially or adversely affect the financial condition or operation of the CSP or the consultant’s ability to comply with the terms and conditions of this TOR.

XII. Performance Monitoring and Evaluation

The performance of the CSP of its obligations under the project shall be monitored and evaluated by the SEC, through its Human Resource and Administrative Department (HRAD) and the Financial Management Department (FMD). From time to time and/or whenever necessary, the SEC through its HRAD and FMD, shall conduct a review of the activities and/or convene meetings in connection with the services/deliverables of the CSP/Project Team. This is for the purpose of determining compliance with the project standards and timelines.

XIII. Performance Guarantee/Security

To guarantee the faithful performance of the obligations and services required under this project, the CSP shall post in favor of the SEC a performance security as follows:

Form of Security	% of Total Contract Price
1. Cash or Cashier’s/Manager’s Check issued by a Universal or Commercial Bank	Five percent (5%)
2. Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank, provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank.	
3. Surety bond callable on demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.	Thirty percent (30%)

XIV. Event and Default Consequences

1. The performance security shall be forfeited in favor of SEC in the event that the CSP is in default or breach of its obligations under the contract.
2. The CSP or any of its representatives shall be liable for any loss, damage or injury caused to the SEC, its employees and guests, as a result of either willful, unlawful or negligent act or lapses.
3. SEC shall have the right to suspend, in whole or in part, any of the work or payment due under this TOR in the event of default on the part of the CSP to perform its obligations.
4. The successful bidder shall be charged the amount equivalent to 1/10 of 1% of the total contract price for every day of delay in schedule.

XV. Turn-Over of Documents and/or Milestones

Upon pre-termination/termination of the project, the CSP shall properly turn-over to SEC, without need of any demand letter, all documents, files, and records which come into its possession, including other accountabilities.

XVI. Other Terms and Conditions

Herein engagement shall be subject to other terms and conditions, as may be contained in the corresponding Contract for Consulting Services to be executed by and between the SEC and the winning CSP.

Republic of the Philippines



Government Procurement Policy Board