



Annex A. TOR

TERMS OF REFERENCE

NAME OF THE PROJECT: PROCUREMENT OF CONSULTANCY SERVICES FOR THE ENVIRONMENTAL IMPACT STATEMENT (EIS) AND ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC) ACQUISITION OF THE KALINGA STATE UNIVERSITY-BULANAO CAMPUS (REPOST)

I. INTRODUCTION

Based on the revised guidelines for coverage screening and standardized requirement under the Philippine Environmental Impact Statement System under Department of Environment and Natural Resources – Environmental Management Bureau (DENR-EMB) Memorandum Circular 005 dated July 2014, the Kalinga State University is under Category B, which is required to submit a complete Environmental Impact Statement before the issuance of an Environmental Compliance Certificate (ECC).

To comply with the foregoing, Kalinga State University needs the services of a reputable consultancy firm who shall prepare the Environmental impact Statement and facilitate the application of Environmental Compliance Certificate to DENR-EMB.

The Kalinga State University, as the procuring entity, wishes to engage a consulting firm with expertise in environmental study to provide the necessary professional and technical services to ensure the successful application for Environmental Compliance Certificate.

II. OBJECTIVES

1. To ensure the safety and welfare of all employees, students and clients of the Kalinga State University.
2. To help Kalinga State University detect potential risks and hazards and put precautions in place to prevent accidents and incidents.
3. To help Kalinga State University lessen its negative effects on the environment by putting into practice sustainable measures.
4. To comply with legal and regulatory obligations by using compliance methods to address issues including environmental protection, health and safety, and other concerns.

III. SCOPE OF WORK

The Consultant shall conduct an Environmental Impact Assessment Study (EIA) which shall be the basis in the preparation of Environmental Impact Statement (EIS). The EIS includes an Environmental Management Plan/Program. The EIS shall be submitted by the Consultant to DENR-EMB and it shall serve as an application for an Environmental Compliance Certificate (ECC) of the Kalinga State University-Bulanao Campus.

A. SCOPING ACTIVITIES

- It is the stage in the EIS where information and project impact assessment requirements are established to provide the proponent and the stakeholders the scope of works and terms of reference for the EIS.

B. ENVIRONMENTAL BASELINE CHARACTERIZATION

- This activity will focus on the assessment and evaluation of the environmental quality of the project site and its vicinity. Eco-profiling establishes the ecological baseline characteristics of the potential impact areas of the project, which serves as a basis in the formulation of Environmental Impacts Management Plans (EIMP) and Environmental Monitoring Plan (EMP).



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C. FORMULATION OF ENVIRONMENTAL MANAGEMENT PLAN/PROGRAM AND MONITORING PLANS

- Impact mitigation measures, which can be incorporated into the design, during the construction, operation and abandonment phases will be determined. The end view positive impacts. This will serve as inputs to the environmental and social management and monitoring plans. An analysis of project alternatives will also be done which include discussion on the alternatives in terms of site (relocation, no project, with project), technology scale and route options.

D. ENVIRONMENTAL RISK ASSESSMENT

- It is an evaluation tool for an activity that determines the level of hazard that it may pose to humans, properties, and to the environment, in the context of the Philippine EIS System, this ERA primarily focused on safety risks characterized by low probability, high consequence, accidental nature and acute effects. ERA shall be conducted in accordance with Annex 2-7 of the RPM (DAO 2003-30) which also outlines the level of coverage of an ERA for projects which are handling, storing, and using hazardous substances and mixtures.

E. PREPARATION OF THE ENVIRONMENTAL IMPACT STATEMENT OUTLINE

- The preparation of EIS Report shall be in conformity to the format specified under the Revised Procedural Manual (DAO 2003-30), EMB MC 2010-014 Annex-A (Outline for EIA Reports for Proposed (New) Single project, and other related DENR Administrative Order and Memorandum Circulars. An EIS Summary for Public, both in English and Filipino shall also be prepared if required by DENR-EMB.

A minimum of four (4) sets of hard copy and a soft copy shall be submitted by the consultant to the Kalinga State University upon completion of the report.

IV. CONSULTANCY SERVICE REQUIREMENTS

Consultancy firm with experience in Environmental Impact Assessment and ECC application with the following minimum qualifications:

- a. Must be operational and engaged as an environmental services consulting firm for at least five (5) years.
- b. The consultant must pass eligibility requirements under Section 24 of Republic Act 9184.
- c. Must have satisfactorily completed a contract similar to the proposed project.

V. DELIVERABLES

1. Scoping Reports
2. Draft Copy of the EIS Report for the review of the procuring entity
3. Revised EIS Report addressing the comments of DENR-EMB Review Committee
4. Final Copy of EIS Report
5. Original Copy of Environment Compliance Certificate

VI. PERSONNEL QUALIFICATION REQUIREMENTS

The Consultant shall provide licensed and professional personnel with an adequate technical experience in Environmental Studies, Environmental Impact Assessment and in securing an Environmental Compliance Certificate:



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Key Position/s	Number of Personnel	Minimum years of Experience in such Position (in years)	License / Certification Required
Senior Environmental Specialist – Team Leader	1	10	Bachelor’s Degree Holder
Environmental Engineer	1	3	Bachelor’s Degree Holder
Sociologist	1	3	Bachelor’s Degree Holder

The consultant shall provide additional personnel as may be required and pertinent to the accomplishment of the project in its entirety at no additional cost to the procuring entity.

The consultant shall likewise provide copies of the curriculum Vitae with Professional Regulation Commission (PRC) License (where needed) following the format in the attached bidding forms in “Annex C”.

VII. BUDGET FOR THE CONTRACT AND TERMS OF PAYMENT

a. Budget for the Contract

The Procuring Entity allotted a budget of Eight Hundred Fifty Thousand Philippine Pesos (Php 850,000.00) for the project to ensure that the full performance of all works and requirements under this project. All fees such as applicable taxes, fees and charges are included in the budget computation.

b. Advance Payment

An advance payment not to exceed fifteen percent (15%) of the Contract Price shall be made upon the submission of a written request by the consultant to cover the cost of mobilization. An advance payment shall only be made only upon the submission to and acceptance by the procuring entity on an irrevocable letter of credit of equivalent value from a commercial bank, a bank guaranty or a surety bond callable upon demand, issued by a duly licensed surety or insurance company and confirmed by the procuring entity.

c. Schedule of Payments

The payment scheme for the services shall be as follows:

1. **Advance Payment.** An advance payment may be paid upon complying with the requirements specified above. Advance payment should not exceed fifteen percent (15%) of the contract amount. The advance payment shall be repaid by deducting from payment of billing until fully repaid within the duration of the contract.
2. **First Partial Payment.** Sixty percent (60%) of the contract price shall be paid upon completion of EIS Study and filling of ECC Application at DENR.
3. **Final Payment. Forty.** Forty percent (40%) of the contract price shall be paid after the release of the ECC.

VIII. RESPONSIBILITIES OF CONSULTANT

- A. The Consultant shall undertake all works necessary for securing an ECC of the Kalinga State University;
- B. Conduct environmental studies and activities required for the EIA Report and all other reports required by DENR-EMB that shall be in compliance with the provisions of relevant environmental laws, rules and regulations;
- C. Consult and verify with the Kalinga State University to ascertain the requirements of the proposed project;



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- D. All documents, drawings, maps, survey reports and other forms related to the study shall be the properties of the Government and shall not be used or reproduced without the consent of the Kalinga State University.

IX. RESPONSIBILITIES OF THE PROCURING ENTITY

The Procuring Entity shall:

- A. Provide full information as to the requirements of the project;
B. Designate representative/s authorized to represent the Procuring Entity if the need arises; and
C. Evaluate documents submitted by the Consultant and render decisions to avoid delay in the progress of the Consultant/s' work.

X. QUALIFICATIONS OF CONSULTANT

- A. The Consultant should have the following minimum qualifications:
- (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, and of which at least sixty percent (60%) interest belongs to citizens 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.
- B. 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.
- C. Must be registered to any agency authorized by laws of the Philippines.

XI. SEALING AND MARKING OF BIDS

The bidder shall submit three envelopes labeled as “**Original Copy**”, “**Copy 1**” and “**Copy 2**”. Each copy shall contain two envelopes marked them as “**Technical Document/Component**” and “**Financial Proposal**” as appropriate.

All envelopes shall be addressed to the Procuring Entity as follows:

Dr. ROMUALDO U. WACAS
BAC Chairperson
Kalinga State University
Purok 6, Bulanao, Tabuk City
Kalinga 3800, Philippines



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XII. DURATION OF CONSULTING SERVICES

The consultant shall have Ninety (90) calendar days starting on the day when the Notice to Proceed (NTP) was received by the consultant.

XIII. RESERVATION CLAUSE

The procuring entity shall reject any bid under the following circumstances:

- a. When there is a compelling reason to suspect an evident collusion among bidders.
- b. Bid submitted by two or more bidders whose officers and stockholders and/or principal are the same.
- c. Conditional bids or bids offering alternative bid proposal other than the specified in the bidding documents.
- d. False Statement or declaration in the bid whether such statements or declarations were given by the bidder himself, or by the other person whose statements or declarations are being made part of any and/or a supporting document to the bid.
- e. Bids not properly signed or initialed pursuant to the clauses in this Terms of Reference.
- f. In the event that the winning bidder has been determined by the Kalinga State University that is "Blacklisted" by DENR, such bidder shall be automatically disqualified.

XIV. TERMINATION OF CONTRACT

The procuring entity may terminate the contract, in whole or in part, at any time for its convenience. The Head of the Procuring Entity may terminate a contract for the convenience of the Government if he has determined the existence of conditions that make Project Implementation economically, financially or technically impractical and/or unnecessary, such as, but not limited to, fortuitous event(s) or changes in law and national government policies.

I hereby certify to deliver all the Requirements and comply with all the above Terms of Reference.

Name of Company/Bidder

Signature Over Printed Name
of Representative

Date