

BAC-C RESOLUTION NO. BC-2017-006

RESOLUTION TO HIRE A HIGHLY TECHNICAL CONSULTANT FOR CLARK GREEN CITY – PROJECT MANAGEMENT OFFICE

WHEREAS, the Vice President of the Business Development and Operations Group and Head of the Clark Green City – Project Management Office (CGC-PMO) endorsed to the BCDA Bids and Awards Committee for Consulting Services (BAC-C) the hiring of a highly technical consultant with extensive background and experience in architectural pre-design services, such as, but not limited to, architectural programming, space management studies, site selection and analysis, size utilization and land-use studies and schematic design and development. (Annex)

WHEREAS, the Technical Consultant shall render the following highly technical services for the initial areas of development in Clark Green City:

- a. Undertake architectural planning, which will entail the structured investigation, identification and documentation of various needs to be taken into account for the design of BCDA projects;
- b. Conduct site selection and analysis, which will include an evaluation of sites for BCDA projects with regard to technical considerations, such as topography, sub-surface conditions and utilities and development costs, among others;
- c. Prepare technical studies, including, but not limited to site utilization, land-use and space management studies, which will entail detailed analyses of BCDA project sites to ensure proper and optimal utilization and management;
- d. Prepare comprehensive schematic design and design development, which provides an over-all site plan with project walkthroughs and perspectives showing the size, functionality, aesthetic and character of the entire BCDA project. This will include notes on the kinds of materials, specifications, type of structure, estimated project cost and other engineering requirements of the project.

WHEREAS, the engagement of **Architect Daniel A. Lichauco** was recommended to render the aforesaid services, having over twenty eight (28) years of experience in total project delivery process and over fifteen (15) years of experience in urban planning.

WHEREAS, Section 48.2 of the Revised Implementing Rules and Regulations (IRR) of RA 9184 reiterates the general rule that public bidding is the general mode of procurement, the same section allows procuring entities to resort to alternative modes of procurement in highly exceptional cases and subject to the conditions required by RA 9184, its Revised IRR, and applicable guidelines. Among these highly exceptional cases is Negotiated Procurement of Highly Technical Consultants under Section 53.7 of the Revised IRR;

WHEREAS, Section 53 of the Revised IRR of RA 9184 defines Negotiated Procurement as “a method of Procurement of Goods, Infrastructure Projects and Consulting services, whereby the Procuring Entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or consultant xx”;

WHEREAS, Section 53.7 of the IRR of RA 9184 allows negotiated procurement as a mode of procuring the services of “individual consultants hired to do work that is (i) highly technical or proprietary; or (ii) primarily confidential or policy determining, where trust and confidence are primary considerations for the hiring of the consultant...” in this case, the main consideration for hiring the consultant is the highly technical nature of the activities involved;

WHEREAS, pursuant also to Section 53.7 of the Revised IRR of RA 9184, the term of the individual consultant shall, at the most, be on a six month basis, renewable at the option of the appointing Head of the Procuring Entity (HoPE), but in no case shall exceed the term of the latter;

WHEREAS, pursuant to Section 54.6 of the Revised IRR of RA 9184 highly technical consultants are mandated to register with PhilGEPS and provide a PhilGEPS Registration Number as a condition for award of the contract;

WHEREAS, the BAC-C in its determination and evaluation of the foregoing circumstances finds merit in the procurement of the abovementioned consultant to the above said activities with a monthly consultancy fee of One hundred seventeen thousand, six hundred forty-seven pesos and six cents (Php117,647.06);

NOW, THEREFORE, we the members of the Bids and Awards Committee for Consultancy, hereby RESOLVE, as it is hereby RESOLVED:

1. To recommend the procurement of the services of an individual consultant for the Clark Green City – Project Management Office who shall render the highly technical activities mentioned above, renewable at the option of the appointing HoPE, but in no case shall exceed his term, through Negotiated Procurement of Highly Technical Consultants under Section 53.7 of the Revised IRR of RA 9184;
2. To recommend the award of contract to **ARCHITECT DANIEL A. LICHAUCO** with a monthly consultancy fee of One hundred seventeen thousand, six hundred forty-seven pesos and six cents (Php117,647.06) for a period of six (6) months from February 6, 2017 on the condition that the consultant register with the PhilGEPS and provide a PhilGEPS Registration Number; and
3. To require the end-user to issue certification that the scope of services to be performed by the consultant will not result to duplication of work with the existing consultancy services in Clark Green City.

Done in Taguig City this 03 day of February, 2017.

**BIDS AND AWARDS COMMITTEE FOR CONSULTANCY SERVICES
(BAC FOR CONSULTANCY)**

JOSHUA M. BINGCANG
Chairman

CARLOS F. QUITA
Vice-Chairman

HEDDA LOURDES Y. RULONA
Member

MARIA SOLEDAD C. SAN PABLO
Member

RITCHIE P. PACLIBAR
Member

Approved by:

VIVENCIO B. DIZON
President and CEO



INTERNAL MEMO

FOR: THE CHAIRMAN AND THE MEMBERS
Bids and Awards Committee for Consultancy

FROM: JOSHUA M. BINGCANG
VP, BDOG and Head, CGC-PMO

DATE: 24 January 2017

SUBJECT: Procurement of Consultancy Services thru Negotiated Procurement for the
Clark Green City – Project Management Office (CGC-PMO)

Background:

1. By the nature of the matters to be handled which are more specifically described below, the CGC-PMO requires a consultant with extensive background and experience in architectural pre-design services, such as, but not limited to, architectural programming, space management studies, site selection and analysis, size utilization and land-use studies and schematic design and development.
2. In this regard, the services of Arch. Daniel A. Lichauco (Consultant) as a highly-technical consultant—as approved by OIC President/CEO Aileen An. R. Zosa on 23 January 2017—is sought. It should be noted that although BCDA has its technical staff capable of general architectural services, it does not have a focused architect with the expertise at par with the Consultant. In addition, hiring an individual instead of an architectural firm is more economical for the BCDA since the former can deliver the output expected of a whole firm at a lower contract price.
3. Considering the number of years that Arch. Lichauco has been outstanding in the area of spatial design and architecture, the Consultant is equipped with the necessary expertise imperative to the BCDA as it performs its mandate of area conversion and development. Thus, the Consultant shall render the following for the initial areas for development in Clark Green City:
 - 3.1. **Undertake Architectural Programming**, which will entail the structured investigation, identification and documentation of various needs to be taken into account for the design of BCDA projects;
 - 3.2. **Conduct Site Selection and Analysis**, which will include an evaluation of sites for BCDA projects with regard to technical considerations, such as topography, sub-surface conditions and utilities and development costs, among others.

- 3.3. **Prepare Technical Studies**, including, but not limited to, Site Utilization, Land-Use and Space Management Studies, which will entail detailed analyses of BCDA project sites to ensure proper and optimal utilization and management.
- 3.4. **Prepare Comprehensive Schematic Design and Design Development**, which provides an over-all site plan with project walkthroughs and perspectives showing the size and character of the entire BCDA project. This will include notes on the kinds of materials, type of structure, probable project cost and other engineering requirements of the project.
4. While Section 48.2 of the Revised IRR of RA 9184 states the general rule that public bidding is the general mode of procurement, the same section allows procuring entities to resort to alternative modes of procurement in highly exceptional cases and subject to the conditions required by RA 9184, its revised IRR, and applicable guidelines. Among these highly exceptional cases is Negotiated Procurement (Highly Technical Consultants) under Section 53.7 of the Revised IRR.
5. Section 53 of the Revised Implementing Rules (IRR) of RA 9184 defined Negotiated Procurement as “a *method of procurement* of goods, infrastructure projects and *consulting services*, whereby the procuring entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or *consultant* xx”
6. Pursuant to Section 53.7 of the revised IRR of RA 9184, the term of the individual consultants shall, at the most, be on a six month basis, renewable at the option of the appointing Head of the Procuring Entity, but in no case shall it exceed the term of the latter.

Request:

We recommend the approval to engage the services of ARCH. DANIEL A. LICHAUCO, to act as highly-technical consultant under the CGC-PMO, through Negotiated Procurement, specifically Section 53.7 of the Revised IRR of RA 9184, for a period of six (6) months starting 06 February 2017, renewable at the option of the P/CEO, but in no case shall exceed his term, for a monthly consultancy fee of Php100,000.00 (net), chargeable to the budget of the Clark Green City – Project Management Office.

FOR BAC'S DELIBERATION AND APPROVAL.

Enclosures:

1. Certificate of Funds Availability
2. Internal Memo – Procurement of Consultancy Services
3. Resume of Arch. Daniel A. Lichauco