PROCUREMENT MANUAL

Module 3: Consulting Services

of the

CARIBBEAN COMMUNITY CLIMATE CHANGE CENTRE

policies • procedures • productivity

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List of abbreviations

CQS	Consultant Qualification Selection
CAC	Contract Advisory Committee
CARICOM	Caribbean Community
CV	Curriculum Vitae
DSA	Daily Subsistence Allowance
EoI	Expression of Interest
FA	Framework Agreement
FB	Fixed Budget
FBS	Fixed Budget Selection
ICS	Individual Consultant Selection
ITC	Instructions to Consultants
LCS	Least Cost Selection
LOI	Letter of Invitation
MOU	Memorandum of Understanding
NIA	Notification of Intention to Award
NGOs	Non-governmental organizations
PDMU	Project Development Management Unit
PPPs	Project Procurement Plans
PMs	The Project Managers
QBS	Quality Based Selection
QCBS	Quality and Cost Based Selection
RFP	Request for Proposal
REOI	Request for Expression of Interest
RCQ	Request for Consultant Qualification
SSS	Single Source Selection
SPD	Standard Procurement Document
TOR	Terms of Reference
UN	United Nations
USD	United States Dollars
VFM	Value for Money

Table 1: List of Abbreviations

1. INTRODUCTION AND DEFINITIONS

This module **Procurement Procedures for Consulting Services** documents the procedures for selecting and contracting consultants for projects implemented by the Centre.

The term **"Consultants"** in this instance can be a private or public entity, natural or legal person that provides a consulting service to the Centre under a Contract. This includes individual qualified experts, established consulting firms, and consortia of individual experts or firms. Specialized agencies, research institutions, regional and international organizations, government agencies, non-governmental organizations (NGOs) and multinational organizations are considered as consultants.

The Centre will use the services of consultants when the scope of work is beyond the expertise of the Centre technical staff, or when the time constraints of the Centre technical staff do not permit.

The Centre will conclude service contracts with consultants for the provision of studies, technical assistance, policy advice, design and supervision services, capacity building and training, engineering services, institutional reform, social, gender and environmental studies, identification and preparation of projects, feasibility studies. This is not to be confused with non-consulting services such as land surveying, audit, graphic design, training, conference management, web design & maintenance.

Consultants interested in participating in procurement opportunities launched by the Centre will be required to register at https://www.caribbeanclimate.bz/invitation-for-consultants-and-suppliers-to-register.

The core procurement principles and policy statements as outlined in **Module 1: Centre Procurement Policy** apply to all aspects of the procurement of consulting services and shall be read together with this manual.

Project Procurement Plans (PPPs) will initiate the procurement of consulting services. The Project Managers (PMs) will prepare and submit the completed and signed Service Requisition Form and Terms of Reference (TOR) to the Procurement Unit.

Where donors have specific eligibility criteria and requirements for procuring consultancy services, these shall be followed. Where donor funds do not have eligibility criteria and requirements, the provisions of this Manual shall apply.

2. METHODS OF SELECTION AND THRESHOLDS

The core procurement principles of Value for Money (VFM), Economy, Efficiency, Equality and Fairness, Transparency and Integrity are central to the procurement policy of the Centre. This can be best achieved through competition among qualified consultants. In cases where competition is not possible or justified, the Centre will apply the guidelines for direct selection procedure[1].

The following solicitation methods for consulting services will be utilized by the Centre.

Method of Procurement	Price Levels	Scope of Competition[2]	Consulting Services USD
Direct Selection	**1**	**Single Source** Written solicitation to one Bidder only for a written Bid. Reasonableness of price to be assessed.	< $7,500
	2	**Sole Source** Written solicitation to the only bidder that can supply the service.	>$7,500
National/Regional & Limited Bidding (REOI)	**4**	**National/Regional & Limited** Request for Expression of Interest (REOI) Firm/Individual issued to a minimum of 3 bidders. In specific cases, requests can be advertised if a short-list cannot be compiled from the centre database or other sources.	>$7,500 - $100,000
National/Regional bidding (RFP)	**6**	**National/Regional** **Request for Proposal (RFP)** Invitation to Tender issued to a minimum of 3-5 bidders. [3]	>$100,000 -$300,000
International Competitive Bidding (RFP)	**7**	**Open - International** EOI launched. Short-list firms invited though an RFP. The EOI must be advertised on an international platform.	>$300,000

Table 2 Consulting Services Procurement Thresholds

It is not allowed to utilize a method of procurement that is in a lower threshold. For example, it is permissible to use the RFP for Consulting Services between US$7,500 to US$100,000. However, an REOI cannot be utilized for Services greater than US$100,000.

[1] Also referred to as Direct Contracting

[2] In cases where a short-list cannot be defined, an Expression on Interest may be utilized for the short-listing of companies (pre-qualification) or a Request without pre-qualification can be published on the Centre webpage and other relevant media.

[3] if 3 bidders cannot be identified, an REOI can be used to identify a minimum of 3-5 qualified firms or open solicitation is utilized where the procurement notice and SPD are advertised. If a minimum of three quotations are not received, this must be recorded in the Evaluation Report.

3. ELIGIBILITY, EXCLUSION AND SELECTION CRITERIA

See Module 1 Section 4 for details on the Eligibility, Exclusion and Selection Criteria

3.1 Eligibility

In order to foster competition, the Centre allows eligible entities (firms, consultants, consortia and individuals) from all countries to participate in procurement opportunities. Any conditions for participation shall be limited to those that are essential to verify the entities capability to fulfill the contract in question.

As an exception to the above, when the services of government-owned universities or research centers or other institutions are of a unique and exceptional nature, including the absence of a suitable private sector alternative, and their participation is critical to project implementation, the Centre may contract those institutions. On the same basis, university professors, scientists from research institutes and civil servants with special expertise may be contracted individually.

Where eligibility for participation in procurement and grant awards is stipulated in the specific Financing/Project Agreements, the Centre shall honor such stipulations.

3.2 Exclusion

See Module 1 Section 4.2 Exclusion Criteria

The consultant (including each member of the consortium) will be required submit a signed Declaration to confirm their status with respect to the exclusion criteria as outlined in Module 1 Section 4.2 Exclusionary Criteria. This Declaration is mandatory for Price Levels 3, 4 and 5, i.e. above USD7,500. The Bidding documents must include the eligibility criteria.

3.3 Selection Criteria for Consultants

In all cases, only Consultants found to meet the experience and qualification requirements of the relevant approved studies/projects will be considered.

The selection criteria are devised for the purpose of assessing that the Consultant has sufficient financial, economic, technical and professional capacity to implement the tasks of the contract. The chosen criteria must be proportionate to the scope and complexity of the assignment. For contracts divided into lots, different minimum levels of capacity can be set for each lot.

The selection criteria set out in the REOI and/or RFP must be: (i) drafted clearly without any ambiguity, (ii) easy to check on the basis of the information submitted by the Consultant, (iii) devised to allow a graded assessment to be made as to whether or not the consultant satisfies a particular selection criterion (iv) possible to prove by the Consultant.

3.4 Preferential Selection

As a policy, unless otherwise prohibited by the agreement under which the services are funded, qualified national/regional consultants will be utilized in priority where possible. International firms will be encouraged to make use of national/regional experts. In this case, the REOI/RFP must include:

- the requirement for the involvement of national/regional experts whether as key or non-key experts
- that any capacity building activities must be undertaken for national counterparts and
- identify the minimum team composition for national experts.

In the event that the procurement procedure leads to firms of equal scores, preference will be given to a national firm, regional firm or international firm that has the greatest proportion of national/regional experts.

4. SELECTION PROCEDURES

The following selection methods involve competition amongst qualified short-listed Consulting Firms where the selection decision is determined by the quality offered through a technical proposal, and, where appropriate, the cost offered, through a financial Proposal.

Procurement Type	Use	Maximum Budget stated	Submissions	Evaluation
Quality and Cost Based Selection (QCBS)	Where outputs/ToR are precise, well defined, not to complex e.g., studies, designs	State maximum budget **or** Estimates of indicative key staff inputs	Separate technical & financial bids (2 envelope system)	Technical submission reaching qualifying mark proceeds to financial evaluation. Ratio of Technical (Quality) to financial (cost)
Quality Based Selection (QBS)	Complex, highly specialized where best experts/highest technical quality required	Estimated budget not to be provided. Estimates of indicative key staff inputs may be provided	Technical only OR Technical and Financial (2 envelope system)	Financial Bid of highest technical ranked bidder opened, and financial bid negotiated. If not successful move to next highest scoring bidder.
Fixed Budget (FB)	Simple assignments, for studies, review of designs. Where budget is fixed and outcome and scope are very well defined.	RFP states the available budget	Technical and Financial (2 envelope system)	Technical evaluation undertaken first. Bidders price envelope opened. Bids over budget disqualified. Highest ranked proposal invited to negotiate contract
Least Cost Selection (LCS)	For consultant selection for routine assignments - audits, supervision, national coordinators etc. Small contract amount	RFP states the available budget	Technical and Financial (2 envelope system)	Those not meeting the published minimum qualifying technical mark disqualified. The firm/consultant with lowest price within the available budget is selected.
Consultant Qualification Selection (CQS) Individual Consultant Selection (ICS)	Where evaluation of competitive proposals is not justified	As part of Negotiation	Expressions of interest submitted based on ToR. (Centre also allows for a simplified Methodology and Work Plan with Budget to be evaluated with the EOI, the methodology and work plan should	Firm/Individual scoring the highest asked to submit a combined technical-financial proposal if required and invited to negotiate.

Procurement Type	Use	Maximum Budget stated	Submissions	Evaluation
			not score more than 20points)	
Single Source Selection (SSS)	Clear advantage over competition, proprietary supplies, single qualified firm, additional services with already contracted firm	As part of Negotiation	Technical and financial proposal on basis of prepared ToR	Technical and Financial Proposal negotiated

Table 3: Methods of Selection for Consulting Services

4.1 Quality and Cost-Based Selection (QCBS)

QCBS uses a competitive process among firms that takes into account the quality of the proposal and the cost of the services in the selection of the successful firm. Cost as a factor of selection shall be used judiciously. The relative weight to be given to the quality and cost shall be determined for each case depending on the nature of the assignment. However, the general guidance is an 80:20 ratio for Quality: Cost.

The selection process shall include the following steps:

4.1.1 Preparation of the Terms of Reference (TOR)

The project manager in consultation with the beneficiaries shall prepare the Terms of Reference (TOR) in accordance with the standard Centre Template. In some cases, due to the specialized nature of the services TOR can be prepared by a specialized external consultant who must sign a declaration of objectivity and confidentiality. TORs shall meet the following minimum characteristics:

- Define clearly the background, objectives, purpose and scope of the assignment
- Ensure that the scope of the services is proportionate and compatible with the available budget.
- Be clear and non-discriminatory, in particular with respect to the requirements of the experts.
- Should not be too detailed and inflexible therefore limiting ability of the consultants to propose a sound methodology and expert (s).
- Outline the relative responsibilities of the Centre and the consultants.

The TORs are confidential and may not be disclosed to any third party until they are made available to the bidders simultaneously as part of the Bidding process.

The PMs must ensure that the beneficiaries of the services under the TOR have been consulted and provided input to the TORs.

See Appendix 1 for standard templates for simplified and full Terms of Reference indicating the minimum information to be included.

4.1.2 Selection of the type of Contract and preparation of the budget estimate

A lump sum contract is used when the outputs are clearly defined for the duration of the services into discrete deliverables. These contracts are widely used for feasibility studies, environmental studies, and detailed design of standard or common structures. Payment(s) is/are based on the approval of this/these deliverable(s). Partial payment has to be determined according to the partial implementation of the output(s). Lump sum contracts do not require the submission of supporting documents such as reimbursable receipts and time sheets, however in order to ensure that no output has been omitted, the submission by the bidders must provide a detailed breakdown.

Time-based contract/Fee based contracts are used when the output is not predictable and when it is difficult to define the scope and the length of services. This type of contract is widely used for complex studies, project supervision, advisory services, and most training assignments. Payments are based on agreed hourly, daily, weekly, or monthly rates for staff (who are normally named in the contract) and on reimbursable items using actual expenses and/or agreed unit prices. Time-based contracts need to be closely monitored to ensure that the assignment is progressing satisfactorily and that payments claimed by the consultants are appropriate.

Some contracts may combine lump sum and fee based. The method and measure of payment and verification should be clear in the ToR and Price Breakdown. For example, a design and supervision contract where design is lump sum and supervision is time based or a training contract where training are on a fee basis but development of training material on a lump sum basis.

Therefore, in the preparation of the budget estimate for a service contract, the PM must consider two cost categories (i) fee or remuneration (according to the type of contract used); and (ii) reimbursables. The cost of staff time shall be estimated on a realistic basis for foreign and national personnel. This ceiling amount should include a contingency allowance for unforeseen work and duration, and provision for price adjustments, as necessary.

4.1.3 Short-listing of Consultants

In such cases where it is necessary to establishing a short list and a consultation of the Centre database does note yield the required minimum number of firms, the Centre shall where possible advertise requests for expressions of interest (REOI) in international and regional media and publish the REOI on the Centre's website. The final short-list should include a minimum of 3 and max 6 firms. The selection criteria as published may not be changed during the short-listing process.

The REOI should contain the minimum required to make a judgment on the firm's suitability and not be so complex as to discourage consultants from expressing interest. The information contained in the REOI should include at a minimum: background to the assignment, required qualifications and experience, estimated start date, short-listing criteria, and fraudulent and prohibitive practice provisions.

The deadline for receipt of EOIs should be no less than 10-14 calendar days from the publication date depending on the complexity of the assignment. The late submission of a response to a REOI shall not be a cause for its rejection unless the Centre has already prepared the short list.

If the same Firm is considered for inclusion in short lists for concurrent assignments, the Centre shall assess the Firm's overall capacity to perform multiple contracts before including it in more than one short list. The short list should preferably comprise consultants of the same category, similar capacity and business objectives. Consequently, the short list should be composed of firms of similar experience or of not-for-profit organizations (NGOs, universities, Specialized Agencies, among others) acting in the same field of expertise. If mixing is used, the selection should be made using Quality-Based Selection (QBS) or Selection

Based on the Consultants' Qualifications (CQS) (for small assignments). The short list shall not include individual consultants.

The following criteria is a guide for the evaluation of the EOIs adapted from the Caribbean Development Bank.

Criteria	General Description	Percentage
Technical Competence of Consultant	Number of projects for which consultant was previously engaged and its similarity in the application of expertise to the assignment are some of the considerations. This criterion is related to the experience of the firm and not consultant staff.	30
Qualification and Experience of Staff	There should be pre-determined minimum criteria for qualification against which the submissions are measured. Personnel must demonstrate significant familiarity with the subject area(s) to be covered by the consultancy. Experience gained outside the current firm is acceptable. The presence of the same individual expert (s) on one or more EOI is allowed	30
Local and Regional Experience	This is important especially on similar projects as it is a good indicator of the closeness with which the consultant's experience matches the current assignment. Local/regional experience can also contribute to the reduction of the implementation period/avoidance of delays because of the familiarity of the consultants with local norms and nuances.	20
Financial Capability	This mostly to ensure that the consultant has the financial capacity to complete the assignment under the proposed payment arrangements without requesting unscheduled payments. Unlike the supply of goods or the construction of works, the consultant will not be required to incur major expenditures prior to receiving payment nor will it be likely that the consultant will be receiving a large advance payment. In any case when that time comes, the consultant will have to provide a Bank Guarantee	10
Commitments /Ability to mobilise for contract start.	From the consultant's submission, it must be determined whether the consultant's workload will allow his resources to be available to be utilised for the successful performance of the proposed consultancy assignment during the anticipated period of execution. The firms which are not based in the country where the services will be implemented and depending on the complexity of the assignment and requirement for an in-country presence, the criteria may consider the inclusion of suitably qualified national experts and/or suitably qualified national firms.	10
		100

Table 4: Guide for the evaluation of the EOIs adapted from the CDB

4.1.4 Request for Proposals (RFP)

4.1.4.1 RFP Procedures based on Price Level 4 & 5 contracts>USD100,000

The Centre will utilize two procedures for RFP which are dependent on the estimated budget available for services.

>US$100,000 – < US$300,000 Limited Regional/National	***Combined Procedure***

<table>
<tr><td></td><td>There shall be no REOI. The RFP shall request a Full Technical with a deadline of submission of 4 weeks.
The experience/qualification of the firm shall be taken into consideration in the evaluation grid.[4]

<table><tr><td>RFP deadline to submit.</td><td>Evaluate Proposal in</td><td>Negotiation and contracting</td></tr></table>
4 weeks 2 weeks 2 weeks
<----------- min time of 8 weeks----------></td></tr>
<tr><td>>US$300,000
Open International</td><td>Two-step Procedure
Step 1: REOI shall be launched. The EOI must be advertised on an international platform. The deadline for submission of EOIS shall be no less than 14 calendar days. The number of firms to be short-listed shall be between 3 and 6.

Step 2: The short-list firms are invited to submit a Technical and Financial Proposal through a RFP. The deadline for submission of the Technical Proposal shall be a minimum of 14 calendar days.

<table><tr><td>Launch of EOI</td><td>Shortlisting Process</td><td>RFP submission</td><td>Evaluation of Proposals</td><td>Negotiation and contracting</td></tr></table>
2 weeks 2 weeks 2 weeks 2 weeks 2 weeks
<----------- min time of 10 weeks----------></td></tr>
</table>

Table 5: Procedures for RFP

4.1.4.2 Content of the RFP

The RFP shall include a Letter of Invitation (LOI), Instructions to Consultants (ITC) – General Conditions and Data Sheet, the TOR, and the proposed draft contract. See Appendix 3 and 4 for the standard Procurement Documents.

The RFP shall be distributed electronically and in the case of short-listed consultants, a confirmation of receipt shall be kept for the procurement file.

The letter of invitation (LOI) should state at a minimum the intention of the Centre to enter into a contract for the provision of consulting services, scope of the assignment, donor/ the source of funds, and the date, time and address for submission of proposals.

Instructions to consultants (ITC): the ITC shall contain all the necessary information to allow the short-listed consultants to prepare a responsive proposal including: the procedures to follow, the

[4] Alternatively, a short-list of companies can be prepared by the Procurement Unit and approved by the Head of PDMU based on the responsiveness to established minimum criteria for the assignment. The company should be registered in the Centre database.

documents to provide, cases of non-compliance, award criteria and their weightings, minimum passing score, and proposal validity period. The ITC shall indicate either an estimate of the level of key staff inputs (in staff time) required of the consultants or the total budget. The technical and financial annexes for completion by the consultant form part of the ITC.

The time for the preparation of proposals should be determined based on the particular conditions and complexity of the services. However, for the combined RFP procedure the deadline for submission should not be less than 4 weeks from the dissemination of the LOI. Where a REOI was utilized to prepare the short-list, the deadline can be shortened to a minimum of 2 weeks. Any derogation for a shorter timeframe must be approved by the Contract Approval Authority (CCA).

Terms of Reference (ToR): To be prepared with the guidance in section 4.1.1 above and in accordance with the minimum requirements of the standard template.

Draft Contract: The standard draft contract for services approved by the Centre is to be utilized. Changes can only be made to the Special Conditions to fit the specific requirements of the assignment.

4.1.4.3 Additional information for the RFP:

(i) Weights for selection

Methodology of selection and award – including the relative weight given to quality and cost and the minimum passing score. Default weighting for cost is 20 points out of a total score of 100. As a guide, a combination of the following weights can be utilized:

Section	***Description***	***Points***
The Technical Competence of the Firm for the Assignment	This should not be heavily weighted in particular if the firm was already assessed as part of a short-listing procedure. Otherwise, the number of projects and the similarity in relation to the proposed assignment is to be considered and local/regional expertise.[5]	0-10
The methodology and organization proposed	To be weighted higher in instances where the assignment is complex.	20-50
The qualifications of the key experts and personnel proposed	Only the evaluation of the key personnel is recommended. Additional non key staff and back up function as well as the involvement of all members (if it is a consortium) is evaluated under the methodology and organization proposed. The Curricula vitae shall be evaluated as per the sub criteria below: (i) General qualifications: general education and training, length of experience, positions held, time with the consulting firm as staff, experience in developing countries, etc;	30-60

[5] Not to be utilized if an REOI lead to shortlisting

	(ii) Adequacy for the assignment: education, training and experience in the specific sector, field, subject, etc. relevant to the particular assignment; and (iii) Experience in the region: knowledge of the local language, culture, administrative system, government organization, etc.	

Table 6: Guidance for scoring criteria

(ii) *Expert Classification*: The Centre recognizes the following classification of individual experts/key personnel by experience as follows:

Category I – Senior Consultant

- Qualifications and skills: Education at least Master's degree or, in its absence, equivalent professional experience. The Specific ToR will further define the required education sector and type and duration of the equivalent experience (equivalent experience which must be above the general professional experience duration fixed below);
- General professional experience: At least 12 years' experience in the related sector(s)
- Specific professional experience: to be specified in the Specific ToR

Category II

- Qualifications and skills: Education at least Master's degree or, in its absence, equivalent professional experience. The Specific ToR will further define the required education sector and type and duration of the equivalent experience (equivalent experience which must be above the general professional experience duration fixed below);
- General professional experience: At least 6 years' experience in the related sector(s) Specific professional experience: To be specified in the Specific ToR;

Category III

- Qualifications and skills: Education or type of experience will be identified in the Specific ToR;
- General professional experience: At least 3 years' experience in the related sector(s)
- Specific professional experience: To be specified in the Specific ToR;

Optional/dependent on the nature and complexity of the assignment		
Participation by nationals	In particular regional/international firms will be encouraged to include qualified national and regional experts in their proposals	0-10
Transfer of knowledge/capacity building	If this is one of the objectives of the assignments, this should be clearly outlined in the ToR	0-10

These criteria can be further broken down into sub criteria, but these should be kept to a minimum to avoid having scores that do not allow for a professional opinion by the evaluators.

(iii) *Reimbursables:* These shall be as defined in the Centre Financial Policy and Accounting Manual.

(iv) *RFPs shall state that the Centre may reject all Proposals,* when:

- no responsive proposal is received, and all proposals fail to respond to important aspects of the TOR or present major deficiencies in complying with the TOR;
- all Proposals fail to achieve the minimum technical score specified in the RFP;
- if the offered price of the successful Proposal is substantially higher than the available budget or a recently updated cost estimate or
- the project circumstances has changed requiring a cancellation of the tender.

Then the Centre has the option to negotiate with one or more of the firms as recommended by the Evaluation Committee.

4.1.5 Tendering process

Bidders may request clarifications on the information provided in the RFP in writing and the Centre shall provide clarifications in writing to all Bidders. The confidentiality and proprietary information, marked as such, in Requests for Clarifications, including commercial and financial information and trade secrets must be protected, when preparing clarifications. If necessary, the Centre shall extend the deadline for submissions. For procurement involving complex requirements the Centre is encouraged to convene information sessions after the issuance of the RFP.

During this interval, the firms may request clarifications in writing about the information provided in the RFP. The Centre shall provide these clarifications in writing and copy them to all firms on the short list (who intend to submit proposals). The bidding documents shall state the deadline for the request for clarification from bidders and the deadline for the Centre to respond. The response shall be published on the Centre website in the case of open tenders or submitted to all short-listed candidates simultaneously.

4.1.6 Receipt of proposals

The Centre utilizes both an electronic system and the hard copy system for the receipt of the technical and financial proposals.

Electronic Submissions.

For submissions requiring separate sealed technical and financial proposal as in QCBS – the e-bid system of the Centre shall be utilized. The Centre has developed an e-bid system that is secure, maintains the integrity, confidentiality and authenticity of the Proposals submitted and used an authentication system or equivalent to keep consultants bound to their proposals. In this case, consultants shall continue to have the option to submit their proposals in hard copy. Consultants will be unable to upload proposals once the deadline for submission has expired.

The Centre's electronic-procurement system shall be used to manage the submission, withdrawal, substitution, or modification of Bids.

Technical Proposals must be uploaded as one (1) single password protected PDF file to http://www.caribbeanclimate.bz/bid- submission/.

The password for the Technical Proposal must be emailed to the named procurement officer no later than 15 minutes prior to the deadline for bid submission. The subject matter for emails containing password must read: "Consultancy Name & bidder's name".

All parts of the tender other than the financial offer must be submitted in the Technical Proposal electronic file (i.e., including the tender submission form, statements of exclusivity and availability of the key experts and declarations).

Financial Proposals must be uploaded as one (1) single password protected PDF file to http://www.caribbeanclimate.bz/bid- submission/.

The password for the Financial Proposal must be emailed to tsanderson@caribbeanclimate.bz upon request which will occur after the completion of the technical evaluation by the Centre Evaluation Committee.

The bidder and the procurement unit will receive a notification receipt once the consultants had uploaded the files. Only the procurement officer is authorized to access the e-bids. A log of the e-bid portal access can be requested from the Centre Webmaster.

Submission by hard copy.

When the bidding documents require the submission of technical and price proposals at the same time, the following procedure applies. No amendments to the technical or price proposal shall be accepted after the deadline.

The technical and price proposals shall be submitted in separate sealed envelopes. The submissions must be registered, stating the date and time of submission, and a receipt provided for those delivered by hand. The envelopes containing the tenders must remain sealed and be kept in a safe place until they are opened. The outer envelopes of tenders must be numbered in order of receipt (whether they are received before the deadline for submission of tenders).

The technical envelopes received by the deadline shall be opened in public in the presence of consultant representatives who choose to attend. The price proposals shall remain sealed and shall be kept in a secure location by the Procurement Unit. Any proposal received after the closing time for submission of proposals shall be returned unopened.

4.1.7 Evaluation of proposals

The evaluation shall be carried out in two stages, (i) the technical proposal shall be assessed for quality and (ii) the cost will be considered for those consultants that have meet the minimum published score. The methodology and evaluation criteria as published in the RFP should be strictly followed. See Appendix 5-7 for templates for the Evaluation Reports.

Assessment of Responsiveness:

Proposals shall be assessed for administrative responsiveness, i.e., a check shall be completed by the Procurement Unit to determine whether all requested documentation was submitted. This checklist shall be discussed and verified with the Evaluation Committee. Any rejection at this stage must be fully justified in the evaluation report.

Refer to Module 2 Section 3 for additional criteria related to rejection of bids.

Technical Evaluation:

The technical proposals shall be evaluated by an Evaluation Committee as described in Module 2 Section 3. The Evaluators shall evaluate each proposal on the basis of its responsiveness to the TOR. The evaluation grid criteria and weightings as stated in the RFP should be strictly utilized. These criteria can be further broken down into sub criteria, but these should be kept to a minimum to avoid having scores that do not allow for a professional opinion by the evaluators.

A proposal shall be considered unsuitable and shall be rejected at this stage if it does not respond to important aspects of the TOR or it fails to achieve a minimum technical score specified in the RFP. Any rejection on these grounds must be fully justified in the evaluation report. The minimum passing score for the technical proposal is 75 points.

The RFP will contain the formula for calculation of the technical score.

An interview process if foreseen by the RFP can be used to confirm the scoring associated with Key Experts. In this case results of the interview for the key experts shall be included in the Evaluation Report.

Financial Evaluation:

Upon completion of the technical evaluation, the envelopes containing the financial proposal for consultants that were not eliminated (i.e., those that scored an average score of 75 points or more) are opened by the evaluation committee. In the case of proposals submitted electronically, the financial bids shall not be shared with the evaluation committee until the technical evaluation has been concluded and those consultants not meeting the minimum technical average score has been eliminated.

The evaluation committee ensures that the financial offer satisfies all formal requirements of the RFP.

A financial offer not meeting these requirements may be considered inadmissible and be rejected.

Any rejection on these grounds must be fully justified in the evaluation report. The evaluation committee checks that the financial offers contain no obvious arithmetical errors. Any obvious arithmetical errors are corrected without penalty

The envelopes/files containing the financial offers of rejected tenderers following the technical evaluation must remain unopened and be kept. They will be archived together with the other tender procedure documents.

The cost evaluation shall be determined as follows:

- Any financial proposal which exceeds the maximum budget available for the contract shall be eliminated.
- **Professional Fees**: The cost shall include all consultant's remuneration and other expenses such as overheads, management fees, profits, taxes and all indirect taxes levied on the contract invoices at the national level, such as contract tax, income tax, business tax payable to the country of the assignment)
- **Reimbursables:** Travel, DSA, Hotel accommodation and other justifiable costs. These shall be as defined in the Centre Financial Policy and Accounting Manual.

The proposal with the lowest cost may be given a financial score of 100 and other proposals given financial scores that are inversely proportional to their prices. The RFP will contain the formula for calculation of the financial score.

Combined Quality and Cost Evaluation

The total score shall be obtained by weighting the quality and cost scores and adding them. The weight for cost shall be 20-30 out of a total score of 100 reflective of the specific circumstances of the selection process.

4.1.8 Negotiations and award of the contract to the selected firm.

The Firm obtaining the highest total score shall be informed of the award of contract pending the successful outcome of the negotiation and invited for contract negotiations.

Negotiations shall include discussions of the TOR, the methodology, Centre inputs, and special conditions of the contract. Negotiations shall not result in substantially altering the original scope of work or terms of contract. The final TOR and the agreed methodology shall be incorporated in the "Description of Services" which shall form part of the contract.

The selected firm must confirm the availability of Key Expert(s). If key experts are not available, and it is determined that the key experts were included in the Proposal without confirming their availability, the Firm may be disqualified and suspended or sanctioned, and the process continued with the next ranked Firm. If the Centre agrees that the key experts proposed can be substituted and the proposed replacement expert does not either meet or exceed the total scores of the originally proposed expert, the Centre will decide either to award the contract to the next ranked firm (also giving them a chance to replace an expert in case of justified unavailability).

Financial negotiation shall not include negotiation of personnel/expert rates unless these rates are substantially higher than market rate. The negotiations shall confirm, for lump sum contracts that all costs are included: experts' time, overhead, travel, hotel, etc. Where the contracts include reimbursables the method of verification shall be discussed. Reimbursables are to be paid on actual expenses incurred at cost upon presentation of receipts and therefore are not subject to negotiations.

If the negotiation with the highest ranked Bidder fails, the firm shall be informed in writing of all pending issues and disagreements and provided with a final opportunity to respond in writing. If there is still disagreement, the firm shall be informed in writing of the intention of the Centre to terminate negotiations. The next ranked Bidder will then be invited for negotiations. The notes of all negotiations shall form part of the procurement file.

4.1.9 Rejection of all proposals and re-invitation

If all proposals are nonresponsive because they present major deficiencies in complying with the TOR or if they involve costs substantially higher than the original estimate, the procedure may be cancelled. If the budget can be increased or the scope of work scaled down, the CAC or PM depending on the value of the assignment will determine whether this is possible and agree on any necessary revisions for re-invitation or negotiation/direct engagement following cancellation of the tender process.

4.1.10 Standstill period

In international competitive selection process (>US$300,000), a standstill period shall apply to give the consultants time to examine the Notification of Intention to Award (NIA) and to assess whether it is appropriate to submit a complaint. The NIA is a written notice transmitted to each bidder that submitted a bid, informing them of the intention to award the contract to the successful bidder.

The NIA will be made using electronic means. The contract with the successful tenderer can only be signed after the expiry of the standstill period. The duration of the standstill period is 10 business days starting

from the day following the date on which the notification to tenderers was sent. Notwithstanding the above, there shall not be a requirement for a standstill period when only one Proposal was submitted in the process. At the end of the standstill period, if no complaint from an unsuccessful consultant or all complaints have been addressed, the contract shall be awarded.

The full process procurement process shall be documented in the Evaluation Report, which will be signed by the Chair, Evaluators and Project manager. The draft contact will be reviewed by the legal advisor prior to first signature by the authorized representative of the successful firm and countersignature by the Executive Director.

4.1.11 Debriefing

Any requests for debriefing shall be accepted following the expiration of the standstill period, the debriefing should be accommodated as soon as is practicable but normally no later than fifteen (15) Business Days from the date of signature of the contract with the successful bidder.

4.1.12 No Objection by Project Beneficiaries

All efforts must be made to fully involved project beneficiaries in the preparation of Terms of Reference and in the evaluation process. Where project beneficiaries require specific inclusions in the Standard Bidding Documents, these will be considered on a case-by-case basis. Where project beneficiaries raise a formal objection in writing to the proposed award of contract and if found justifiable, this shall be taken into consideration in the recommendation for award of contract.

4.1.13 Vendor Performance Management

A Contract Performance Evaluation Form must be completed at the conclusion of each contract. (See template in Appendix 9.

5. OTHER APPROVED SELECTION METHODS

When QCBS is not utilized and an alternative method will be more economical, cost efficient and practicable based on the nature, scope and complexity of the assignment, the following other approved selection methods shall be utilized.

5.1 Quality Based Selection

This method is appropriate when the assignment is:

(a) complex or highly specialized assignments for which it is difficult to define precise TOR and the required input from the Consultants, and which requires the Consultants to demonstrate innovation in their Proposals (for example, country economic or sector studies, multi-sectoral feasibility studies, design of a hazardous waste remediation Plant or of an urban master plan, financial sector reforms).

(b) assignments that have a high downstream impact and in which the objective is to have the best experts (for example, feasibility and structural engineering design of such major infrastructure as large dams, policy studies of national significance, management studies of large government agencies); and

(c) assignments that can be carried out in substantially different ways, such that Proposals will not be comparable (for example, management advice, and sector and policy studies in which the value of the services depends on the quality of the analysis).

Bidders can be pre-qualified/shortlisted via an REOI.

In QBS, the RFP may request submission of a technical proposal only (without the price proposal), or request submission of both technical and price proposals at the same time, but in separate envelopes (two-envelope system). Where the electronic-bid systems is utilized, the files shall be password protected.

The RFP shall provide either the estimated budget or the estimated number of key staff time, specifying that this information is given as an indication only and that consultants shall be free to propose their own estimates.

If technical proposals alone were invited, after evaluating the technical proposals using the same methodology as in QCBS, the consultant with the highest ranked technical proposal shall be requested to submit a detailed price proposal which shall be negotiated. All other aspects of the selection process shall be identical to those of QCBS.

If consultants were requested to provide price proposals initially together with the technical proposals, safeguards shall be built in as in QCBS to ensure that the price proposal of only the selected firm is opened and the rest returned unopened (in the case of hard copy submission), after the negotiations are successfully concluded.

5.2 Selection under a Fixed Budget (FBS)

This method is appropriate only when the assignment is:

(a) simple in scope and can be precisely defined
(b) when the budget is limited and fixed.

The RFP shall indicate the available budget and request the consultants to provide their best technical and financial proposals in separate envelopes, within the budget. Where the electronic-bid systems is utilized, the files shall be password protected.

Bidders can be pre-qualified/shortlisted via an REOI.

TOR should be particularly well prepared to make sure that the budget is sufficient for the consultants to perform the expected tasks. Evaluation of all technical proposals shall be carried out first as in the QCBS method. Financial Proposals that exceed the budget as stated in the RFP shall be rejected. The Consultant who has submitted the highest ranked technical proposal and whose financial proposal is within the budget shall be selected and invited to negotiate a contract.

5.3 Least-Cost Selection (LCS)

This method is more appropriate to selection of consultants for assignments of:

a) standard or routine nature (audits, engineering design of noncomplex works).
b) where well-established practices and standards exist.
c) and in which the contract amount is small.

Under this method, a minimum qualifying mark for the quality based on the scoring of the technical proposal is established. The minimum mark shall be stated in the RFP. Proposals to be submitted in two envelopes are invited from a short list. Where a short-list is difficult to be defined the RFP shall be

advertised or Bidders can be pre-qualified/shortlisted via an REOI. Technical envelopes are opened first and evaluated as with QCBS.

Those proposals securing less than the minimum are rejected and the financial envelopes of those meeting the minimum score are opened. The firm with the lowest price within the available budget shall then be selected.

5.4 Consultants' Qualifications Selection (CQS)

This method may be used for assignments with small scope, in particular for assignments <US$100,000, for which the need for preparing and evaluating competitive proposals is not justified.

In such cases, a TOR and REOI is prepared with information on the consultants' experience and competence relevant to the assignment. The selection of the firm with the most appropriate qualifications and references will be undertaken, i.e., the firm that scores the highest. The selected firm shall be asked to submit a combined technical-financial. Both the technical and the financial proposal can be negotiated. If the negotiations are unsuccessful, consecutive negotiations are concluded with next best qualified EOI respondent.

Alternatively, depending on the nature of the assignment, the REOI may request the submission of a short 5-page methodology/work plan and a draft budget. The draft methodology will receive a score of not more the 20% of the total technical score. The documents will also form the basis for negotiation with the top ranked firm.

In cases where a consortium of individual experts or a consortium of firms responds to the REOI, the consortium will be required to submit a Power of Attorney authorizing the leader to act on behalf of the members of the consortium.

5.5 Individual Consultant Selection (ICS)

This method is for services for which a team of experts is not required, no additional home office professional support is required, and the experience and qualifications of the individual are paramount. Under the following conditions, Individual experts are preferred:

- the qualifications and experience of the individual is the most important factor in ensuring the successful delivery of an output;
- the individual alone can perform the demands of the TOR without need for any form of company backstopping or other types of supporting experts in order to achieve the deliverables specified in the TOR; and
- a multi-disciplinary approach to performing an assignment is not necessary.

The selection of the individual expert with the most appropriate qualifications and references will be undertaken, i.e., the expert that scores the highest. The selected expert may be asked to submit a combined technical-financial. Both the technical and the financial proposal can be negotiated. If the negotiations are unsuccessful, consecutive negotiations are concluded with next best qualified EOI respondent.

Alternatively, depending on the nature of the assignment, the REOI may request the submission of a short 5-page methodology/work plan and a draft budget. The draft methodology will receive a score of not more the 20% of the total technical score. The documents will also form the basis for negotiation with the top ranked individual expert.

Whenever an assignment requires integration of technical work and collective inputs from more than one (1) field of expertise in order to deliver an output, the use of ICS is not the most appropriate approach. Engaging a legal entity, such as a consulting firm or a legally constituted consortia of experts is the preferred approach, especially when the nature or setting of the work is subject to significant risk.

5.5.1 Solicitation

The following types of consultants are contracted though ICS:

- Individual Consultant- Long Term. This consultant is embedded within the Beneficiary to support the implementation of projects.
- Individual Consultant- Short Term. This consultant is autonomous to the Beneficiary to provide services for the execution of activities under projects.

Advertisement for seeking EOIs is encouraged, to allow the identification of experienced and qualified Individual Consultants or in cases where the services are complex, or there is potential benefit from widespread advertising.

In such cases, a TOR and REOI is prepared with information on the individual consultants' experience and competence relevant to the assignment. The REOI will include the evaluation grid and minimum passing score.

Where the Individual Consultant cannot sign a contract directly with the Centre because of a prior agreement with a firm, the Centre may allow firms to provide the CV of the Individual Consultant. The Centre shall negotiate a contract with the selected consultant/ (Firm providing the individual consultant).

When Firms are allowed to propose Individual Consultants, REOIs should clearly state that **only** the experience and qualifications of Individual Consultant shall be used in the selection process, and that their corporate experience shall not be taken into account. The signature of the contract will be with the Firm or the proposed Individual Consultant. If the contract is concluded with the firm, the firm shall be held to the same confidentiality standard as the Individual Consultant.

No substitution of any Individual Consultant who was initially proposed and evaluated shall be permitted, and in such a case, the contract will be signed with the next ranked Individual Consultant.

5.5.2 Selection of Consultant:

The selection shall be carried out through the comparison of the relevant overall capacity of at least three (3) qualified candidates among those who have, directly or through a Firm, expressed interest in the assignment or have been invited directly by the Centre. The CVs are evaluated and the individual consultant who ranks first with the most appropriate qualifications and references (based on the published evaluation grid) will be selected. The Individual Consultant shall be invited to negotiate the contract. The Centre shall negotiate a contract with the selected Individual Consultant or the Firm as the case may be, after reaching agreement on satisfactory terms and conditions of the contract, including reasonable fees and other expenses.

When coordination, administration, or collective responsibility may become difficult because of the number of individuals, it would be advisable to employ a Firm.

5.6 Direct Selection – Single Source and Sole Source

Direct selection of consultants does not provide the benefits of competition in regard to quality and cost and lacks transparency in selection and could encourage unacceptable practices.

The justification must prepared by the Project Manager and approved by the Head of PDMU which shall show the compliance of the selected consultant with the technical and financial requirements of the assignment.

Where the threshold of the services is below US$7,500, single source is utilized. A quotation is received from the consultant based on a scope of work and qualification/experience required. In some cases, a work plan for the delivery of the services may be requested.

5.6.1 Justification for use of Direct Selection

The justification for direct selection shall be examined in the context of the overall interests of the project, where it presents a clear advantage over competition:

i. For very small assignments -the procurement is low value (<USD7,500) and low risk.
ii. Where there is no competitive marketplace for the requirement.
iii. Where there has been a previous determination or there is a need for standardization.
iv. For an existing contract for consulting services (including a contract funded under another programme/donor, awarded in accordance with the procedures acceptable to the Center, direct selection may be used for tasks that represent a natural continuation of work carried out by the firm. If possible and foreseen at the time of issuance of the RFP, this possibility for additional similar services or downstream works shall be outlined in the RFP.
v. There is a genuine exigency for the requirement for rapid selection such as urgent situations related to responding to natural disasters or national emergencies both declared by the CARICOM Member State.
vi. When only one firm is technically qualified or has experience of exceptional worth for the assignment.
vii. For tasks that represent a natural continuation of previous work carried out by a Consultant within the last twelve (12) months, where continuity in the technical approach, experience acquired, and continued professional liability of the same Consultant may make continuation with the initial Consultant preferable to a new competition, if performance has been satisfactory in the previous assignment(s);
viii. There has been an unsatisfactory response to competitive selection methods implemented in accordance with the Procedures and the Centre is satisfied that no advantage could be obtained by further competition, i.e., two failures of the procedure.
ix. Where collaborative partnerships exist between the Centre and an organization established through an MOU or letter of Agreement. That organization shall undertake the specific tasks in support of the project.
x. The direct selection is foreseen in the implementation agreement with the donor.

When continuity for downstream work is essential, the initial RFP shall outline this prospect and, if practical, the factors used for the selection of the Consultant should take the likelihood of continuation into account. Continuity in the technical approach, experience acquired, and continued professional liability of the same Consultant may make continuation with the initial Consultant preferable to a new competition subject to satisfactory performance in the initial assignment. For such downstream assignments, the Centre shall ask the initially selected Consultant to prepare technical and financial proposals on the basis of a TOR furnished by the Centre, which shall then be negotiated.

If the initial assignment was not awarded on a competitive basis or if the downstream assignment is substantially larger in value, a competitive process shall normally be followed in which the consultant carrying out the initial work is not excluded from consideration if it expresses interest. The Centre will

consider exceptions to this rule only under special circumstances and only when a new competitive process is not practicable. The justification must be prepared by the Project Manager and approved by the Head of PDMU.

5.6.2 Direct Selection of Individual Consultants

There are exceptional cases that allow for the direct selection of Individual Consultants. The justification must prepared by the Project Manager and approved by the Head of PDMU which shall show the compliance of the selected consultant with the technical and financial requirements of the assignment.

i. Services of value below US$7,500.
ii. When the Individual Consultant has relevant experience and qualifications of exceptional worth to the assignment or is the only qualified candidate
iii. Tasks that are a natural continuation of previous work that the Consultant has carried out satisfactorily and for which the Consultant was selected competitively.
iv. Assignments with total expected duration of less than three (3) months;
v. Urgent situations related to responding to natural disasters or national emergencies both declared by the CARICOM Member State.
vi. There has been an unsatisfactory response to competitive selection methods implemented in accordance with the Procedures and the Centre is satisfied that no advantage could be obtained by further competition, i.e., two failures of the procedure.
vii. When the Individual Consultant has relevant experience and qualifications of exceptional worth to the assignment or is the only qualified candidate.

An Individual Consultant may also be engaged by direct selection and paid a limited honorarium, which shall generally not exceed USD 7,500, when his/her services, in subject areas where he/she is an acknowledged expert, are required at fora such as workshops, seminars or conferences. There shall be no country eligibility restrictions for Individual Consultants who receive honorariums.

6. ALTERNATIVE SPECIFIC SELECTION PROCEDURES

6.1 Specialized Agencies: UN Agencies, Regional and International Organizations

Specialized Agencies may be hired as the consultants where they are qualified to provide technical assistance and advice in their area of expertise. These agencies include UN Agencies, Regional and International Organizations.

6.1.1 Competitive Selection

When specialized agencies participate in a competitive selection process, they shall not receive any preferential treatment except that the Centre may accept the privileges and immunities granted to the Specialized Agencies and their staff under existing international conventions and may agree with the Specialized Agencies on special payment arrangements required according to the agency's charter, provided these are acceptable to the Centre. To neutralize the privileges of Specialized Agencies, as well as other advantages such as tax exemption and facilities, and special payment provisions, the QBS method or the CQS method for small assignments shall be used.

6.1.2 Direct Selection

Specialized Agencies may be hired on a direct selection basis. The terms and conditions of the agreement with these agencies will be outline in a MOU signed between the Centre and the agency. This MOU may agree that UN agencies and other International and Regional Organizations follow their own eligibility

requirements for the selection of their sub-Consultants and individual experts, and the supply of the minimum necessary Goods to perform the contract.

6.2 Centre Staff

The Centre will make use of the services and expertise of its own staff to undertake, in full or in part, the Scope of Work as agreed within Financing and/or Project Agreements and will outsource only in situations where:

- the expertise specified is not resident within the Centre due to a lack of internal specialised knowledge or capacities; and/or
- specified duration and terms and conditions of the Scope of Work constrain the direct responsibility, in full or in part, of the Centre's services and expertise.

The cost associated with the provision of services and expertise provided by the Centre will be calculated in accordance with the provisions of the Centre Financial Manual and Accounting Policy and Procedure Manual.

The documentation required for the direct selection of Centre Staff will be at a minimum, terms of reference outlining the scope of work, deliverables and required qualifications and skill. The assignment of the staff require approval by the direct supervisor though a memo documenting that the staff member fulfils the qualifications and skills as set out in the terms of reference.

6.3 Non-Governmental Organizations

NGOs are not for profit organizations that may be uniquely qualified to assist in the preparation, management, and implementation of Projects, essentially because of their involvement and knowledge of local issues, community needs, and/or participatory approaches. NGOs may be included in the short list if they express interest and provided, they meet the required criteria. For assignments that emphasize inclusivity, participation and considerable local knowledge, the Shortlist may comprise entirely NGOs. If so an appropriate selection method, based on the nature, complexity and size of the assignment, from the procedures shall be followed, and the evaluation criteria shall reflect the unique qualifications of NGOs, such as local knowledge, understanding of social issues, operational capabilities, and reputation. NGOs can also be awarded contracts though Direct Selection in accordance with section 5.6.

6.4 Auditors

Auditors typically carry out auditing tasks under well-defined TOR and professional standards. They shall be selected according to QCBS, with cost as a substantial selection factor. (40-50 points) or by the “Least-Cost Selection” outlined in section 5.6. For very small assignments CQS may be used.

6.4 Framework Agreements/Master Service Agreements

A framework agreement (FA) is a procurement modality that can yield value for money and time savings where a significant volume of related consultancy services are envisaged. A Framework Agreement (FA) is not in itself a Contract. A consultancy framework agreement is an arrangements that will permit the Centre to retain one or more qualified individual consultants or consulting firms (collectively referred to as “consultants”) for multiple, planned consultancy assignments that belong to a category of technically and thematically similar assignments. In some instances, this is also referred to as a Master Service Agreement. FAs are used to:

- Safeguard a reliable source of supply for PPs at competitive prices, in accordance with pre-defined terms and conditions; and,
- Result in reduced Procurement transaction costs for the Centre.
- Support Collaborative Purchases

The Centre is in the process of developing its SPD for this procedure.

7. IMPORTANT PROVISIONS

7.1 Taxes

Sales taxes and customs duties: As the Centre enjoy immunity from taxes and duties in most instances, the RFP will clearly advise Bidders how such are to be treated in their financial Bids. For additional details see Module 2 Appendix 11.

7.2 Currency

RFPs and REOIs shall clearly state that firms may express the price for their services, in USD (for firms not registered in Belize) and Belize Dollars for Firms registered in Belize.

Payment under the contract shall be made in the currency in which the price is expressed in the proposal.

7.3 Applicable Law and Settlement of Disputes.

The contract shall include provisions dealing with the applicable law and the forum for the settlement of disputes. The applicable law is the law of Belize.

Consultants' contracts shall always include a clause for settlement of disputes. International commercial arbitration may have practical advantages over other methods for the settlement of disputes in cases where contracts are concluded with International and Regional Organizations.