

### ADB Business Opportunities Fair 2013 Recruitment of consultants

#### Galia Ismakova, Senior Procurement Specialist, Asian Development Bank

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### Where most opportunities are?

- Infrastructure
- 2. Environment
- 3. Regional
  Cooperation and
  Integration
- 4. Finance Sector Development
- 5. Education

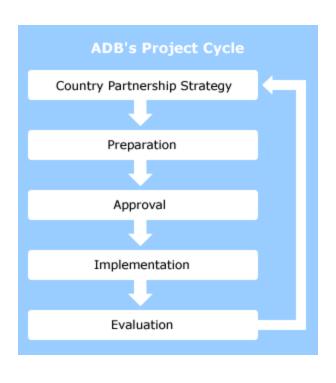


# Limited opportunities for consultants

Health
Agriculture
Disaster and Emergency
Assistance



### ADB Project Cycle and Business Opportunities



### **Business Opportunities**

**Consultants** 

Technical

Assistance\*

Staff Consulting\*

Grants\*\*

Loans\*\*

Suppliers and

**Contractors** 

•Grants\*\*

•Loans\*\*

Institutional

Procurement\*

\* Procured by ADB (exception – delegated TA)

\*\* Procured by the Borrower

### Procurement Ranking Consulting Services (Loans)

Rank	2010	2011	2012
st	IND	IND	KOR
2 <sup>nd</sup>	INO	KOR	AUS
3rd	AUS	INO	IND
4 <sup>th</sup>	VIE	PAK	CAN
5 <sup>th</sup>	BAN	SWI	FRA

<sup>\*</sup>based on Nationality of Bidder

<sup>\*\*</sup> ADB has 67 member countries

# Procurement Ranking Consulting Services (EA Administered Grants)

Rank	2010	2011	2012
st	AFG	USA	NEP
2 <sup>nd</sup>	PRC	PRC	AUS
3 <sup>rd</sup>	NZL	NEP	UKG
4 <sup>th</sup>	NEP	VIE	KOR
5 <sup>th</sup>	AUS	KOR	CAN

<sup>\*</sup>based on Nationality of Bidder

<sup>\*\*</sup> ADB has 67 member countries

# Procurement Ranking Consulting Services (ADB Administered Grants)

Rank	2010	2011	2012
st	CAM	AUS	UKG
2 <sup>nd</sup>	IND	GER	NET
3 <sup>rd</sup>	NEP	IND	IND
4 <sup>th</sup>	USA	PHI	CAM
5 <sup>th</sup>	NZL	NZL	AUS

<sup>\*</sup>based on Nationality of Bidder

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### Procurement Ranking Consulting Services (TAs)

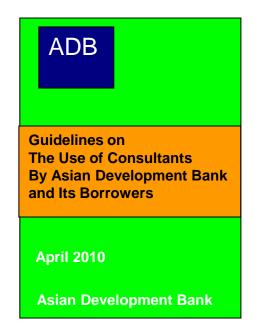
Rank	2010	2011	2012
st	USA	USA	PHI
2 <sup>nd</sup>	AUS	AUS	AUS
3 <sup>rd</sup>	IND	NZL	UKG
4 <sup>th</sup>	UKG	UKG	USA
5 <sup>th</sup>	PHI	IND	IND

<sup>\*</sup>based on Nationality of Bidder

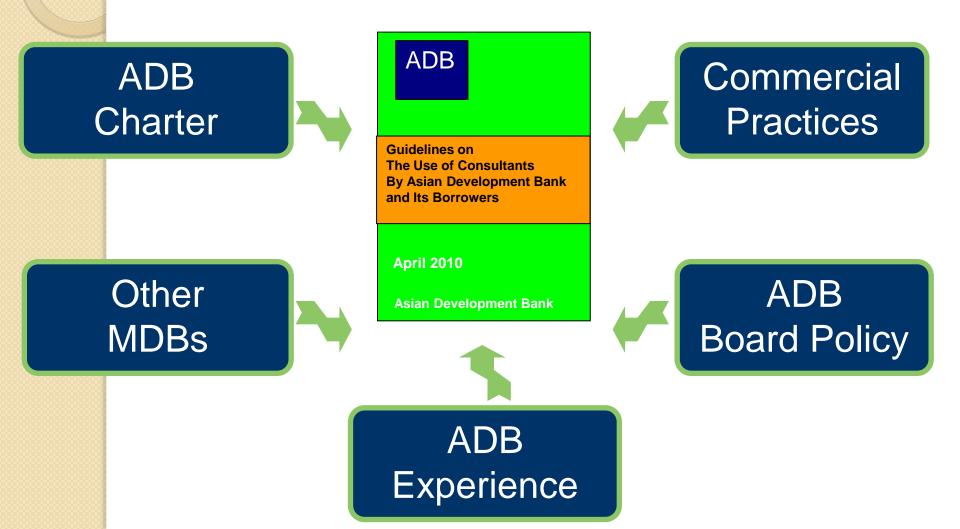
<sup>\*\*</sup> ADB has 67 member countries

### Guidelines on the Use of Consultants by ADB and its Borrowers (2010)

- •Policies and procedures for selecting, contracting and monitoring consultants.
- Applicable to both ADB and Borroweradministered contracts



### Guidelines on the Use of Consultants by ADB and Its Borrowers - Sources



### Coverage of the Guidelines

- ProcurementGuidelines
- •Procedures apply to all contracts for goods and works financed in whole or in part by ADB.

- Consulting Guidelines
- Consulting services to which these Guidelines apply are generally of an intellectual and advisory nature covering a wide range of sectors, both public and private, and a wide range of services at all stages of the project cycle. These guidelines do not normally apply to other types of services in which the physical aspects of the activity predominates (e.g. construction of works).

#### General Considerations

- need for high-quality service
- 2. Need for economy and efficiency
- Need to give all qualified consultants an opportunity to compete in providing the services financed by ADB
- ADB's interest in encouraging the development and use of national consultants from developing member countries (DMCs)
- 5. Need for transparency in the selection process
- Need for increasing focus on anticorruption and observance of ethics

#### Governance

- Conflict of Interest is any situation in which a party has interests that could improperly influence that party's performance of official duties or responsibilities, contractual obligations, or compliance with applicable laws and regulations
  - Conflict between consulting and procurement activities
  - Conflict among consulting assignments
  - 'Family' relationship between the consultant and the borrower
  - Government officials a special case
- Unfair Competitive Advantage
  - Equal access to information
  - Upstream (PPTA) and downstream (Loan Projects) issues
- Fraud and Corruption
- Penalties (Misprocurement and Sanctioning)

### **Consulting Trends**

- Use of e-Procurement by ADB (CMS) and its Borrowers
- Gradual increase of national inputs.
- Gradual decrease of international inputs.
- Inter-disciplinary assignments
- PPP/ PSP/ Non-sovereign lending

### Web-Networking Opportunities

- ADB set-up network to facilitate collaboration between consultants looking for business partners to pursue ADB-funded opportunities. Consultants/consulting entities will need to have LinkedIn profile to be able to use the facility
- ADB Consultants Network: <a href="http://www.linkedin.com/e/qfo72y-gkf0zuh8-6r/vgh/3796524/">http://www.linkedin.com/e/qfo72y-gkf0zuh8-6r/vgh/3796524/</a>
- As of 5 March 2012, the group has 2116 members

# Guidelines on the Use of Consultants

 Selection Methods and Determination of Consultants' source (International or National)

### Selection Methods (Firms)

Selection Method	Technical Proposal Evaluation	Financial Proposal	Selection procedure
LCS – Least Cost Selection	>= 750 out of 1000	Lowest priced	Firm with lowest priced responsive proposal wins
QCBS – Quality and Cost based selection	>= 750 out of 1000	Competitive (Quality-cost ratio 70:30; 80:20; 90:10)	Firm representing the best combination of quality and price wins
FBS – Fixed Budget Selection	>= 750 out of 1000 And Highest Technical Score	<= budget	Firm with the best technical proposal and the financial proposal within the budget wins
QBS – Quality Based Selection	>= 750 out of 1000 And Highest Technical Score	Supporting documents to prove financial position of the firm, remuneration of experts, social and overhead charges	Negotiations are conducted with the firm that presented the best technical proposal
CQS – Consultants' Qualification Selection	Amplified Expression of Interest (EOI) Structured EOI submission >= 750 out of 1000		Negotiations are conducted with the firm that presented the best expression of interest
SSS – Single Source Selection	>= 750 out of 1000	Supporting documents to prove financial position of the firm, remuneration of experts, social and overhead charges	Negotiations are conducted with the firm that is selected without benefit of competition

### Factors Affecting Choice of Selection Method

- ADB's recruitment principles emphasize competition
- Technical complexity of the assignment
- Size and value of the assignment
- Assessment of national consulting industry
- Budget constraints/transaction costs
- Urgency / response to emergency situations/ natural disasters

#### Guidelines on the Use of Consultants

- Commercial Practices.
- 2.33. In the case of loans on-lent by a financial intermediary to private sector enterprises or autonomous commercial enterprises in the public sector, the sub-borrower may follow well-established private sector or commercial practices that have been determined by ADB to be acceptable to it.
   Consideration shall also be given to the use of competitive procedure outlined earlier, particularly for large assignments.

### Contract Types

- "Old" contracting arrangements
- Time based contract
- Lump sum contract
- New additions
- Indefinite delivery contract (Price Agreement)
- Retainer and/ or Contingency (Success) Fee Contract
- Performance based contracts/hybrid

# New Standard Request for Proposal (SRFP)

- Harmonized document with other MDBs
- Effectivity date for implementation shortlists finalized after 2 July 2012.
- Please note that some changes were made in October 2012 and in February 2013 (mostly editorial)

### Standard RFP - Applicability

- Standard RFP is used for consulting engagements of teams of experts recruited through firms by ADB borrowers/ grant recipients
- Standard RFP is issued for all selection methods (including Single Source Selection – SSS and Consultants' Qualification Selection – CQS). Please note that other MDBs do not issue RFPs for SSS and CQS selections
- The use of SRFP is not required for selections conducted under commercial practice, selection of individual consultants and <u>selections through</u> <u>ADB's online Consultant Management System</u> (CMS).

#### Old RFP

- Letter of Invitation (LOI)
- Instructions to Consultants (ITC)
- Tech. Proposal TECH Forms 1-8
- 4. Fin. Proposal FIN Forms 1-5
- Terms of Reference (TORs)
- Standard Forms of Contract
- List of ADB Member Countries

#### New SRFP

- PART I SELECTION PROCEDURES AND REQUIREMENTS
- I: Letter of Invitation (LOI)
- 2: Instructions to Consultants,
- 3: Technical Proposal Forms
- 4: Financial Proposal Forms
- 5: Eligible Countries
- :6 Bank's Policy Corrupt and Fraudulent Practices
- 7: Terms of Reference (TORs)
- PART II CONDITIONS OF CONTRACT AND CONTRACT FORMS
- 8: Standard Forms of Contract (includes Section 6 above)

### Standard Request for Proposals – Loan and Grant Consulting Summary of major changes

### PART I – SELECTION PROCEDURES AND REQUIREMENTS

#### **Section I: Letter of Invitation (LOI)**

 This Section is a template of a letter from the Client addressed to a shortlisted consulting firm inviting it to submit a proposal for a consulting assignment. The LOI includes a list of all shortlisted firms to whom similar letters of invitation are sent, and a reference to the selection method and applicable guidelines or policies of the financing institution that govern the selection and award process.

## Section 2: Instructions to Consultants, Data Sheet, Summary and Personnel Evaluation Forms and Grounds for Disqualification of the Experts.

- This Section consists of two parts: "Instructions to Consultants" and "Data Sheet". "Instructions to Consultants" contains provisions that are to be used without modifications. "Data Sheet" contains information specific to each selection and corresponds to the clauses in "Instructions to Consultants" that call for selection-specific information to be added. This Section provides information to help shortlisted consultants prepare their proposals. Information is also provided on the submission, opening and evaluation of proposals, contract negotiation and award of contract. Information in the Data Sheet indicates whether a Full Technical Proposal (FTP), Simplified Technical Proposal (STP) or Biodata Technical Proposal (BTP) shall be used.
- Summary and Personnel Evaluation Forms and Grounds for Disqualification of the Experts are attached as well

### Section 2 – Instructions to Consultants

- New definitions: "Key expert(s) means an individual professional whose skills, qualifications, knowledge and experience are critical to the performance of the Services under the Contract and whose CV is taken into account in the technical evaluation of the Consultant's proposal"
- "Non-Key Expert(s)" means an individual professional provided by the Consultant or its Sub-Consultant and who is assigned to perform the Services or any part thereof under the Contract and whose CVs are not evaluated individually.

### Section 2 – Instructions to Consultants - COI and Unfair Competitive Advantage

- 3. The Consultant has an obligation to disclose to the Client any situation of actual or potential conflict that impacts its capacity to serve the best interest of its Client. Failure to disclose such situations may lead to the disqualification of the Consultant or the termination of its Contract and/or sanctions by the Bank.
- 4. Fairness and transparency in the selection process require that the Consultants or their Affiliates competing for a specific assignment do not derive a competitive advantage from having provided consulting services related to the assignment in question. To that end, the Client shall indicate in the **Data Sheet** and make available to all shortlisted Consultants together with this RFP all information that would in that respect give such Consultant any unfair competitive advantage over competing Consultants. (potentially problematic, as Client is assumed to possess all information related to unfair competitive advantage)

## Section 2. Data Sheet - Guidance on legal status of the firm

- Proof of legal status establish Consultant's legal capacity to enter into binding and enforceable contracts and may be supported by:
- Certificate of incorporation in an ADB member country.
- Partnerships duly organized in an ADB member country
- Universities, institutions, public sector organizations, and NGOs that are not legally incorporated shall provide other documentation that establishes their legal capacity to enter into binding and enforceable contracts with the Client (such as charter, statute, etc.).

### Section 3. Technical Proposal – Standard Forms Section 4. Financial Proposal – Standard Forms

#### **Technical Forms**

- Form TECH-6 (for FTP, STP and BTP)
   Team Composition, Assignment, and Key Experts' inputs
- Made adjustments to table all "Key" and "Non-Key" experts to check eligibility
- Included ADB template for CV (other MDBs do not have templated CV for the purpose of SRFP)

#### **Financial Forms**

 Breakdown of remuneration includes remuneration of Non-key experts

# Section 5. Eligible Countries Section 6 Bank Policy – Corrupt and Fraudulent Practices

Section 5 - No substantive change Section 6 is now forming part of RFP and part of the contract as well

### Section 7. – Terms of Reference

- Expanded coverage/ Templated approach
- 1. Background \_\_\_\_\_
- 2. Objective(s) of the Assignment \_\_\_\_\_
- 3. Scope of Services, Tasks (Components) and Expected Deliverables
- 3.1
- 3.2 [indicate if downstream work is required]
- 3.3 [indicate if training is a specific component of the assignment]
- 4. Team Composition & Qualification Requirements for the Key Experts (and any other requirements which will be used for evaluating the Key Experts under Data Sheet 21.1 of the ITC)

### Section 7. – Terms of Reference

- 5. Reporting Requirements and Time Schedule for Deliverables At a minimum, list the following:
- (a) format, frequency, and contents of reports;
- (b) number of copies, and requirements to electronic submission (or on CD ROM). Final reports shall be delivered in CD ROM in addition to the specified number of hard copies;
- (c) dates of submission;
- (d) persons (indicate names, titles, submission address) to receive them; etc.
- If the Services consist of or include the supervision of civil works, the following action that require prior approval by the Client shall be added: "Taking any action under a civil works contract designating the Consultant as "Engineer", for which action, pursuant to such civil works contract, the written approval of the Client as "Employer" is required."

# Section 7. – Terms of Reference – Client's Inputs

- 6. Client's Input and Counterpart Personnel
- (a) Services, facilities and property to be made available to the Consultant by the Client: \_\_\_\_\_\_ [list/specify]
- (b) Professional and support counterpart personnel to be assigned by the Client to the Consultant's team:

  [list/specify]

7. Client will provide the following inputs, project data and reports to facilitate preparation of the Proposals: (list/ specify/ attach. If none, state N/A

# PART II – CONDITIONS OF CONTRACT AND CONTRACT FORMS

Standard Forms of Contract

Large assignments:

Lump sum or Time based

Small assignments:

One form for lumpsum/ time based (trial basis)

## Consultants recruited by ADB

#### Major differences:

- ADB uses electronic procurement platform (Consultant Management System)
- Tax-exemption status apply to contracting party (but not to subconsultants), except "where a member deposits with its instrument of ratification or acceptance a declaration that such member retains for itself and its political subdivisions the right to tax salaries and emoluments paid by the Bank to citizens or nationals of such member" (Article 56 of ADB Charter)

## Consultant Management System

- Is an integrated system for registration and maintaining profiles of both consulting entities and individuals. DACON (for consulting entities registration) and DICON (for individual consultant registration) are no longer being used by ADB.
- Allows consultants to register online via the Internet. The registration need to be updated at least once per year to avoid deactivation.
- Consultant Management System (CMS) registration of consultant or consulting entity is necessary to express interest online. There are 2 types of CMS registration i) simplified (shall not take more than 15 minutes to complete; ii) full (depends on the qualifications). Full registration is required prior to issuance of contract. Full registration (project information) is necessary for new CSRN, otherwise EOIs through new CSRN would not be accepted.

#### CMS - Simplified and Full Registration

- Simplified Registration Allows consultants to register quickly.
   Information required in the simplified registration process would be the Basic Information and Attachments and Certification for both individuals and firms
- Tip: Registration must be completed within 30 minutes to avoid timeouts. Consultant information must be ready prior to registration.
- **Full Registration** ADB encourages consultants to complete the full registration to increase chances of being selected as the selection process of consultants starts with a search based on the consultants' experience and other related information. Allows consultants to provide additional information about their consultancy experience.
- Information required in the full registration of individual consultants would include Work Experience, Credentials and Additional Information
- Consulting firm full registration would require Business Details, Employees of the Organization and Key Experts
- Note: It is mandatory for consultants to be registered in CMS prior to expressing interest in ADB-financed TA projects and staff consulting assignments. During negotiations, consulting firms must have their team members register in CMS before contract award.

#### CMS features

- Consultant Management System (CMS) provides facility for online registration, recruitment and management of qualified and eligible consultants for <u>ADB-administered</u> projects.
- Through CMS, consultants can:
- register and keep their profiles updated;
- receive weekly email notifications on new consulting opportunities;
- receive and respond to Requests for Proposals (RFPs) for firms' engagements;
- receive and respond to Non-Committal Inquiries (NCI) for individual consultants' engagements;
- create and submit proposals online;
- negotiate and finalize contracts; and
- submit feedback on completed projects.

# Consulting Services Recruitment Notice (CSRN)

- The Consulting Services Recruitment Notice (CSRN) provides detailed information on the consulting services required for ADB financed or administered technical assistance, loans and grants and provides the ability to collect expressions of interest (EOI).
- Starting from 26 January 2009, the system also allows advertisements of Staff Consulting Assignments, Indefinite Delivery Contracts and Special Assignments.
- Starting Ist week of September 2010, use webmailing facility to inform consultants on currently advertised opportunities.
- In 2012 CSRN became fully integrated with CMS

#### Expressions of Interest (EOIs)

- For projects and assignments administered by ADB, EOIs are expected to be presented <u>online</u> through CSRN (Consulting Services Recruitment Notice)
- If for any reason, you are unable to use the e-facility, send the EOI to project officer stated in the CSRN. Standard template for EOI shall be followed. You may also attach EOI to your Consultant Management System registration page and cross-reference your submission.
- Fro EA administered assignments, submit EOI online (if option is available) and also send the copy of the EOI to EA contact person stated in the notice.
- Standard EOI templates are available at <a href="http://www.adb.org/site/business-opportunities/operational-procurement/consulting/documents">http://www.adb.org/site/business-opportunities/operational-procurement/consulting/documents</a>

#### CMS e-Sourcing for Consulting Firms

- E-sourcing facility electronic submission of technical and financial proposal
- Not a "drop-box" facility, e.g. requires sustainable internet connection and filling up templated forms.
- Checks technical proposal vis-à-vis data sheet
- Checks financial proposal submission vis-à-vis data sheet and technical proposal. Picks up inconsistencies, that result in "error" or "warning" messages.
- The conflict will need to be resolved prior to submission of the proposal. Internally inconsistent proposals can't be submitted.
- Proposal can be returned to "draft status" from "submitted" before deadline.
- Key lesson: Be prepared; aim to submit proposal several days prior, communicate with ADB if there are technical difficulties

### CMS eSourcing for Consulting Firms— Key procedural changes

- QBS submissions <u>require financial proposal at the same time as technical</u>. Financial proposal remain encrypted. Only first ranked consulting entity will need to present substantiation of rates. If you did not prepare financial proposal, you will not be able to submit proposal at all.
- All members of association/ JV shall be registered in CMS prior to submission
- All proposed personnel shall be registered in CMS prior to contract award.
- Copy of government issued IDs is required to establish identity of the individual consultant, his/ her willingness to participate in the tender and eligibility.

## CMS eSourcing for individual Consultants— Key procedural changes

- Copy of government issued IDs is required to establish identity of the individual consultant, his/ her willingness to be considered for ADB-funded assignment and eligibility.
- Non-committal Inquiries are now processed through CMS.
- Consultants need to enter payment instructions as part of contract negotiations for individual consultant contract

#### How to access CMS?

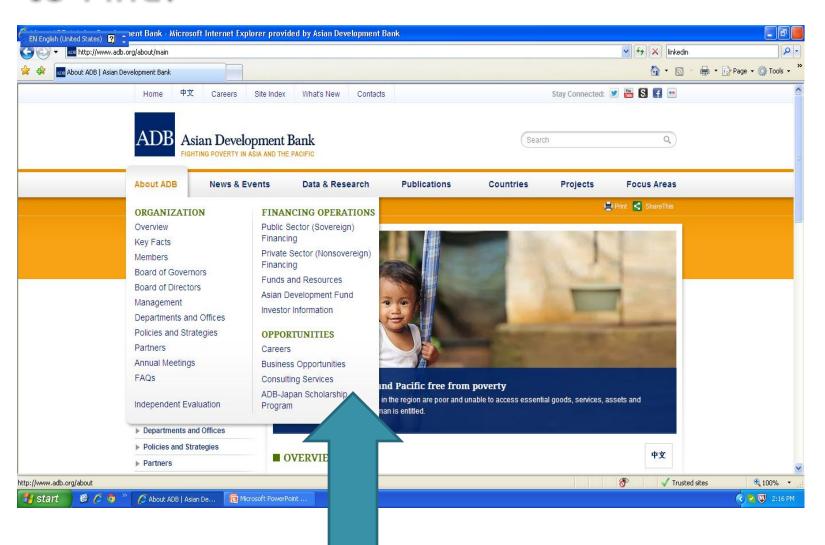
http://www.adb.org/Consulting/cms.asp

- Log-in to <a href="http://www.adb.org/">http://www.adb.org/</a>
- Click on the Opportunities tab <a href="http://www.adb.org/Opportunities/">http://www.adb.org/Opportunities/</a>
- Click on the Business Opportunities <a href="http://www.adb.org/Business/Opportunities/default.asp">http://www.adb.org/Business/Opportunities/default.asp</a>
- Click on Consulting Services
   http://www.adb.org/Consulting/default.asp
- Click on Consultant Management System (CMS) <u>http://www.adb.org/Consulting/cms.asp</u>
- Choose Appropriate Portal (e.g. consulting entity registration or individual consultant registration or consultant portal)

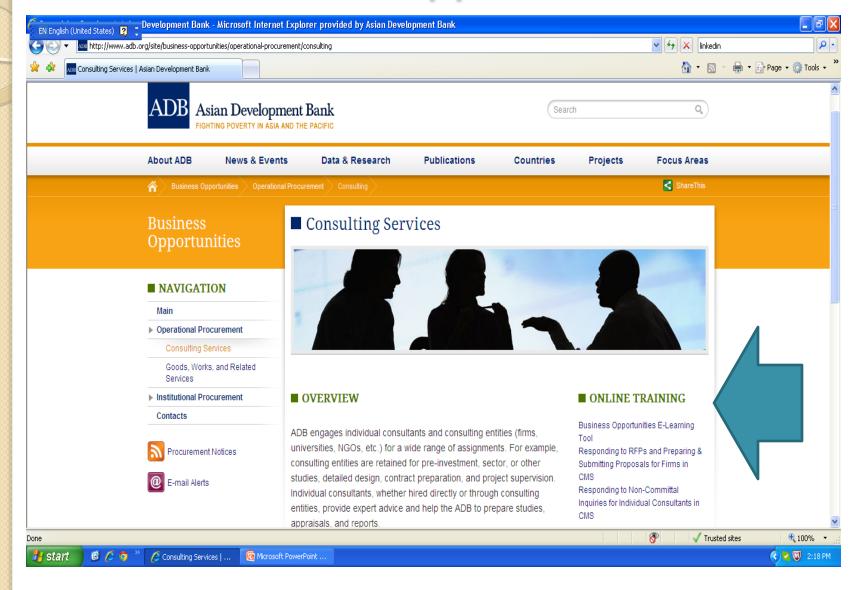
### CMS User Support

- ADB supports users of CMS through variety of Business Change Management Solutions:
- QRGs-Quick Reference Guides on use of CMS modules (available at the right hand side of CMS portal)
- E-learning video Responding to Request for Proposal and preparing Technical and Financial Proposals is available at <a href="https://uxdmz06.adb.org/OA\_HTML/adb/xxcrs/help/CMS%20Overview.htm">https://uxdmz06.adb.org/OA\_HTML/adb/xxcrs/help/CMS%20Overview.htm</a>
- E-learning video- Responding to Non-committal inquiry for Individual Consultants is available at
- https://uxdmz06.adb.org/OA\_HTML/adb/xxcrs/help/C MS%20NCIs.htm
- Dedicated line of user support at <a href="mailto:cmshelp@adb.org">cmshelp@adb.org</a>
   (available Monday-Friday, 8 am 5 pm Manila time)

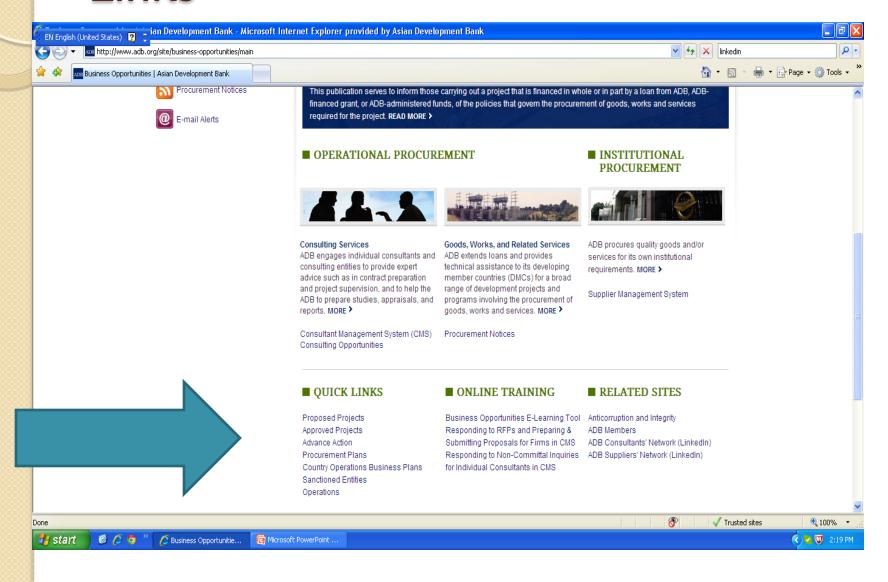
## ADB Business Opportunities – Where to Find?



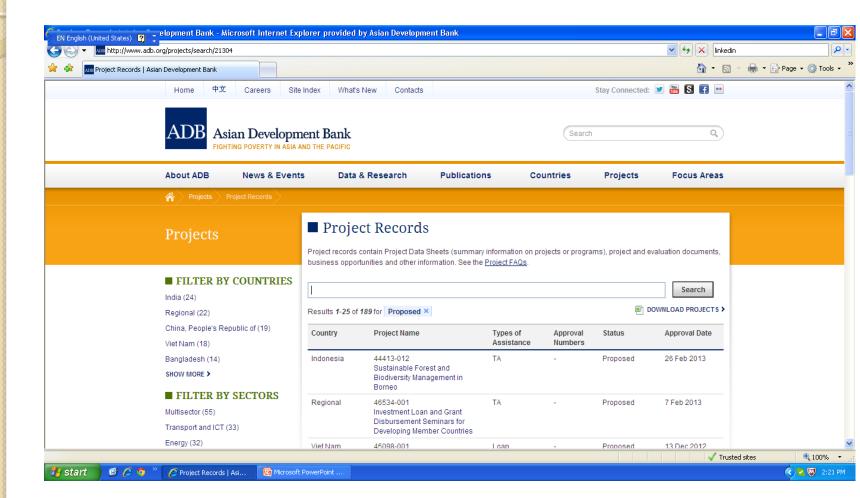
### **ADB** Business Opportunities



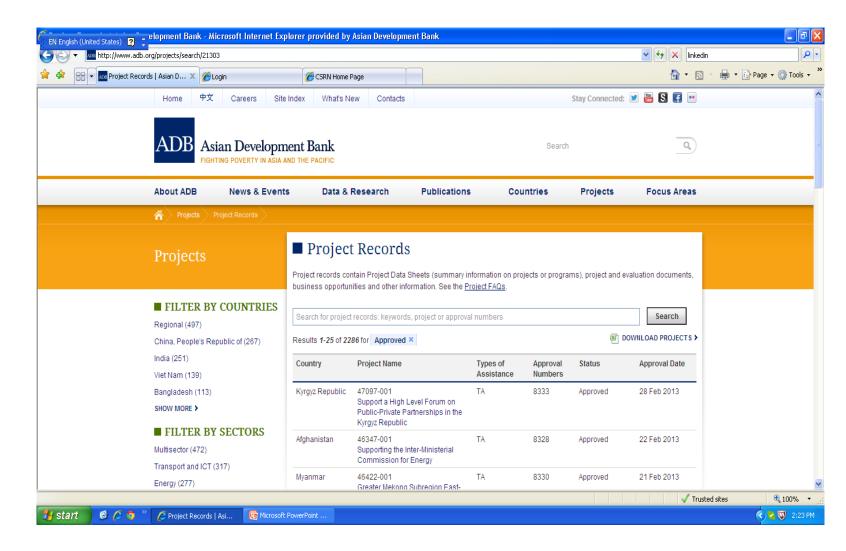
## Business Opportunities – Quick Links



### Information on ADB Projects – Proposed Projects

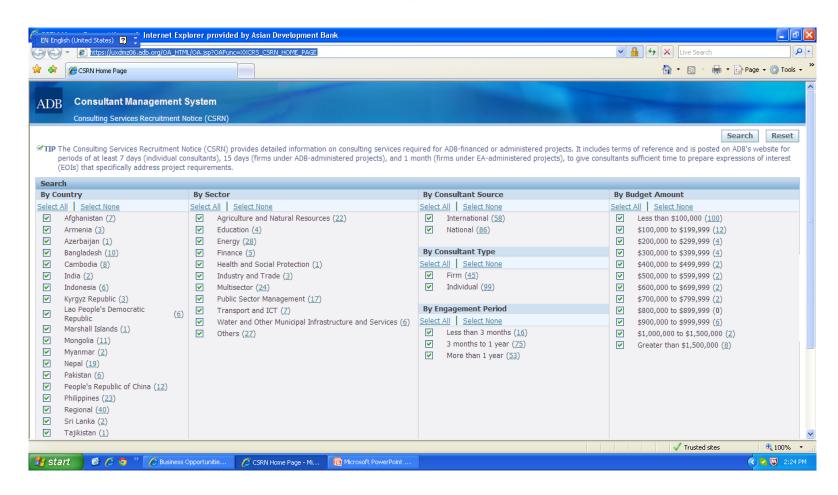


## Information on Projects – Approved Projects

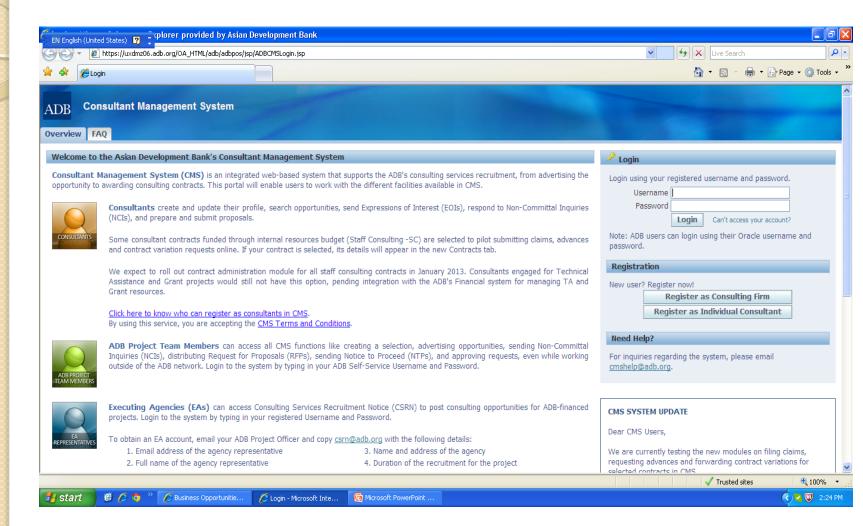


## Consulting Opportunities – CSRN

http://csrn.adb.org/

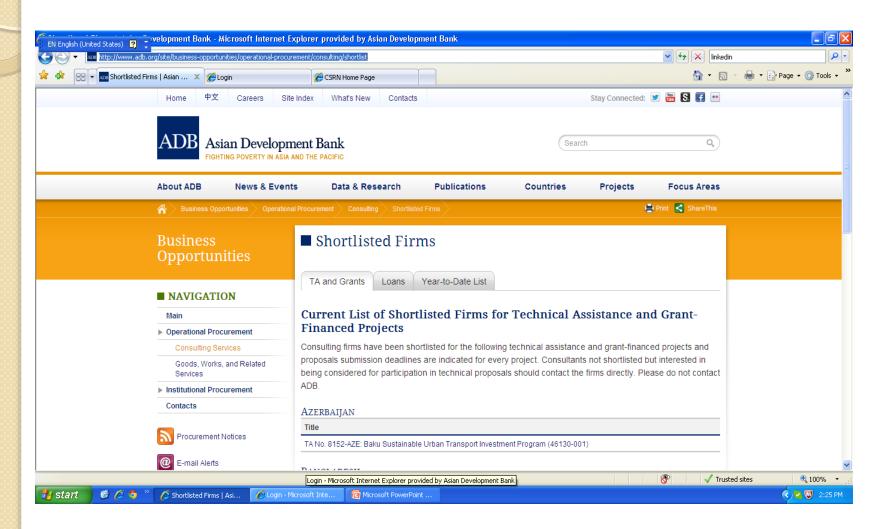


#### Consultant Management System



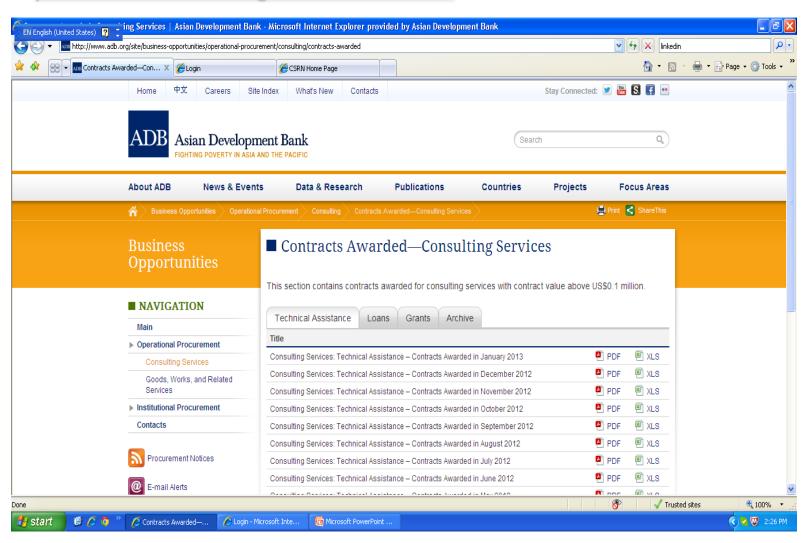
#### Consulting Services – Shortlisted Firms

http://www.adb.org/site/business-opportunities/operational-procurement/consulting/shortlist



#### Consulting Services - Contracts awarded

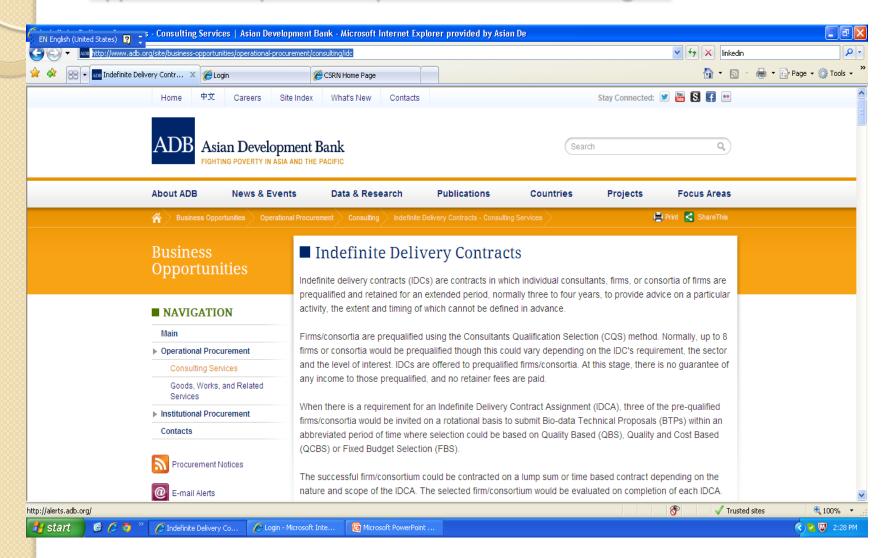
http://www.adb.org/site/business-opportunities/operational-procurement/consulting/contracts-awarded



#### Consulting Services – <u>Indefinite Delivery</u>

Contracts http://www.adb.org/site/business-

opportunities/operational-procurement/consulting/idc



#### Useful links

- List of ADB Member countries <u>http://www.adb.org/About/membership.asp</u>
- Consulting Guidelines
   http://www.adb.org/Documents/Guidelines/Consulting/Guidelines-Consultants.pdf
- Anticorruption and Integrity <a href="http://www.adb.org/Integrity/">http://www.adb.org/Integrity/</a>
- Project Administration Instructions
- http://www.adb.org/Documents/Manuals/PAI/default.asp
   Project Cycle <a href="http://www.adb.org/Projects/cycle.asp">http://www.adb.org/Projects/cycle.asp</a>
- Disclosure at ADB <a href="http://www.adb.org/Disclosure/default.asp">http://www.adb.org/Disclosure/default.asp</a>
- TA Disbursement Handbook
- <a href="http://www.adb.org/Documents/Handbooks/TADisbursement/t">http://www.adb.org/Documents/Handbooks/TADisbursement/t</a> <a href="mailto:adisbursement.pdf">adisbursement.pdf</a>
- Loan Disbursement Handbook
   http://www.adb.org/Documents/Handbooks/Loan\_Disbursement/loan-disbursement-final.pdf

#### For More Information

www.adb.org

http://www.adb.org/Procurement/contact.asp

http://www.adb.org/Consulting/contact.asp