Recruitment of consultants 12 March 2014

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Regional Multi-lateral Development Bank with HQ in Manila, Philippines



ADB in 2013

In 2013, Asian Development Bank's (ADB) operations totaled \$21.02 billion, \$14.38 billion financed by ADB and Special Funds and \$6.64 billion by cofinancing partners. The total \$14.38 billion consists of (i) \$13.19 billion loans, (ii) \$35 million in guarantees, (iii) \$142.0 million in equity investments, (iv) \$849 million in grants, and (v) \$149 million in technical assistance (TA).

Top five recipients ranking

The top five recipients including cofinancing are

- 1)India (\$2.66 billion)
- 2) Pakistan (\$2.58 billion)
- 3) People's Republic of China (\$2.36 billion)
- 4) Viet Nam (\$2.06 billion)
- 5) Indonesia (\$2.05 billion)

Excluding cofinancing, the top five recipients ranking changes as follows:

- 1) India (\$2.45 billion)
- 2) People's Republic of China (\$2.05 billion)
- 3) Pakistan (\$1.54 billion)
- 4) Indonesia (\$1.02 billion)
- 5) Philippines (\$0.88 billion)



- Infrastructure
- Environment
- RegionalCooperation andIntegration
- Finance Sector Development
- Education

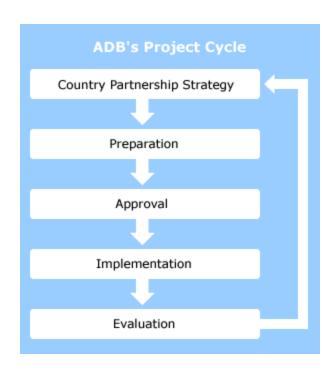


Limited opportunities for consultants

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 (exception – request for ADB to assist)



Rank	2011	2012	2013
1 st	IND	KOR	IND
2 nd	KOR	AUS	AUS
3 rd	INO	IND	FRA
4 th	PAK	CAN	VIE
5 th	SWI	FRA	BAN

^{*}based on Nationality of Bidder

^{**} ADB has 67 member countries

Procurement Ranking Consulting Services (EA Administered Grants)

Rank	2011	2012	2013
1 st	USA	NEP	NEP
2 nd	PRC	AUS	NET
3 rd	NEP	UKG	GER
4 th	VIE	KOR	AUS
5 th	KOR	CAN	LAO

*based on Nationality of Bidder
** ADB has 67 member countries

Procurement Ranking Consulting Services (ADB Administered Grants)

Rank	2011	2012	2013
1 st	AUS	UKG	CAM
2 nd	GER	NET	BAN
3 rd	IND	IND	INO
4 th	PHI	CAM	PHI
5 th	NZL	AUS	USA

Procurement Ranking Consulting Services (TAs)

Rank	2011	2012	2013
1 st	USA	PHI	AUS
2 nd	AUS	AUS	USA
3 rd	NZL	UKG	UKG
4 th	UKG	USA	IND
5 th	IND	IND	INO

^{*}based on Nationality of Bidder

^{**} ADB has 67 member countries



Guidelines on the Use of Consultants by ADB and its Borrowers (2013)

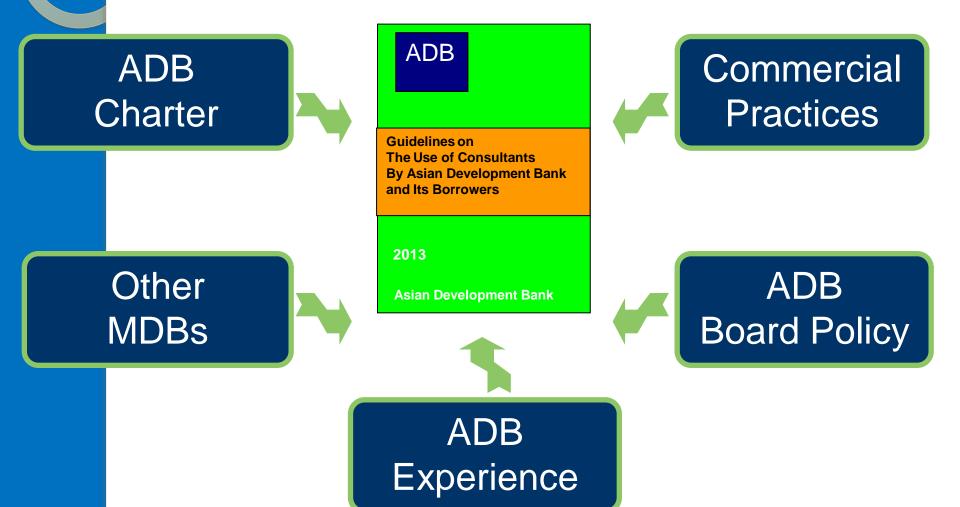
- Policies and procedures for selecting, contracting and monitoring consultants.
- Applicable to both ADB and Borroweradministered contracts

Guidelines on
The Use of Consultants
By Asian Development Bank
and Its Borrowers

2013

Asian Development Bank

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



Coverage of the Guidelines

Procurement Guidelines

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).



- 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
- 4. 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)



- Use of e-Procurement by ADB (CMS) and its Borrowers
- Gradual increase of national inputs.
- Gradual decrease of international inputs.
- Individual consultants' selection
- 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 and have at least 2 LinkedIn connections to be able to use the facility
- ADB Consultants Network: <u>http://www.linkedin.com/e/qfo72y-gkf0zuh8-6r/vgh/3796524/</u>
- As of 4 March 2013, the group has 2822 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	<u>-</u>	Firm with lowest priced responsive proposal wins
QCBS – Quality and Cost based selection	>= 750 out of 1000	1	Firm representing the best combination of quality and price wins
FBS – Fixed Budget Selection	>= 750 out of 1000 And Highest Technical Score		Firm with the best technical proposal and the financial proposal within the budget wins
		prove financial position of	Negotiations are conducted with the firm that presented the best technical proposal
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		prove financial position of	Negotiations are conducted with the firm that is selected without benefit of competition

Factors Affecting the 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

"pre-2006" contracting arrangements

- Time based contract
- Lump sum contract

After 2006

- Indefinite delivery contract (Price Agreement)
- Retainer and/ or Contingency (Success)
 Fee Contract
- Performance based contracts/hybrid



Standard Request for Proposal (SRFP)

- Mostly harmonized document with other MDBs
- Effectivity date for implementation shortlists finalized after 2 July 2012.
- ADB made over 12 editorial rounds of changes in 2012 and 2013, thus version of the RFP issued to the consultants is important in responding to specific questions/ queries/ issues



- 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 ADB's</u> online Consultant Management System (CMS).
- If ADB is asked to conduct selection on behalf of the Borrower/ Grant recipient, the CMS RFP is issued for tendering, but Standard RFP contract forms are used for negotations by the Borrower.

Loan and Grant Consulting Selection of firms

Standard Request for Proposals Summary of major changes



SRFP format (after 2012)

- Letter of Invitation (LOI)
- Instructions to Consultants (ITC)
- 3. 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

PART I – SELECTION PROCEDURES AND REQUIREMENTS

- 1: 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)



Section 1: 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



- "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 <u>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.</u> 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.).



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)



- 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 (including desired format). Final reports shall be delivered in soft copies 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."



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

8: Standard Forms of Contract

Large assignments:

Lump sum or Time based

Small assignments (below 300 K):

One form for lumpsum/ time based (trial basis)

Consultants contracted by ADB

Major differences:

- ADB uses electronic procurement platform (Consultant Management System)
- Tax-exemption status may 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 not used by ADB since 2008.
- 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.



- 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 time-outs. 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.



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;
- NEW! submit claims, requests for advances and variations (Staff consultants contracts)
- submit feedback on completed projects.



- Individual consultants and resource persons accept the ADB offers online using their login and password and attaching necessary documents (updated and signed CV, health certificate etc).
- Consultants that are contracted by ADB need to submit the Bank information details (including intermediary bank details). Banks located in USA with payment instructions in USD would not need intermediary bank information. Banks located in Europe need to have IBAN number.
- Failure to provide intermediary bank details may result in delays or processing payments. If you don't know the intermediary bank information, visit your bank branch and ask.



- 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 1st week of September 2010, use webmailing facility to inform consultants on currently advertised opportunities.
- In 2012 CSRN became fully integrated with CMS



- 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.
- For 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.
- If CSRN requests answering specific questions or attaching specific documentation, follow the instructions!
- Standard EOI templates are available at <u>http://www.adb.org/site/business-opportunities/operational-procurement/consulting/documents</u>



- 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.
- Please aim to attach required attachments in PDF format. Failure to do so may affect formatting when "convert to PDF" is used and may result in lower scoring for "presentation"
- Key lesson: Be prepared; aim to submit proposal several days prior, communicate with ADB if there are technical difficulties prior to the deadline, not after.



QBS submissions require financial proposal at the same time as technical. 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
- If the proposal is submitted by JV/ association, include JV/ association letter.
- 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.



- 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.
- Offers are now processed online. Unless all required attachments are in place, consultants are not able to proceed with accepting the offer.
- If for any reason, you don't accept the offer, you may attach the documents that support your decision to reject the offer.
- Consultants need to enter payment instructions (including intermediary bank account information) as part of contract negotiations for individual consultant contract



How to access CMS?

<u>http://www.adb.org/Consulting/cms.asp</u> or http://cms.adb.org

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



ADB supports users of CMS through variety of Business Change Management Solutions:

Quick Reference Guides (QRGs) on use of CMS modules (available at the right hand side of CMS portal)

CMS e-learning materials for consulting firms are available at:

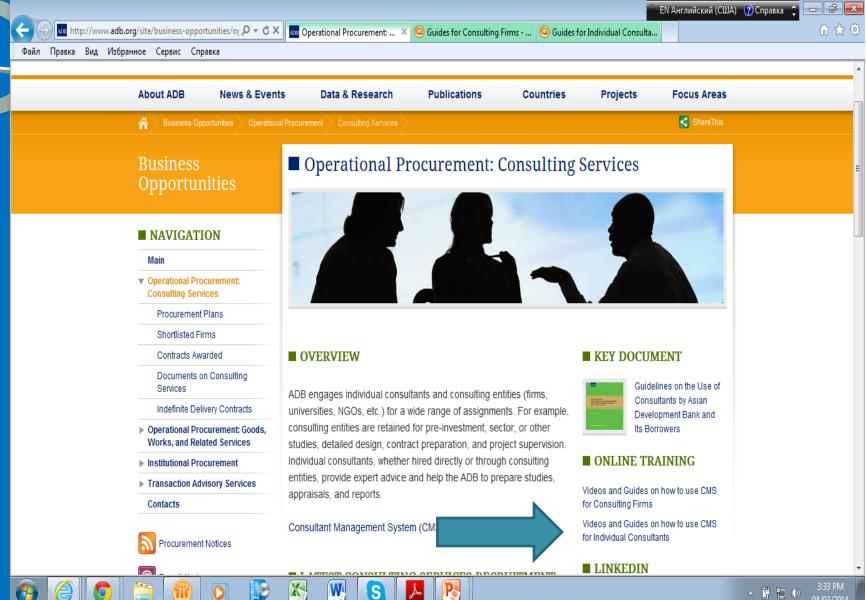
https://wpgr4.adb.org/LotusQuickr/consultanttutor/Page Library48257B740021056D.nsf/h_Toc/26bef2dad507c7 d948257b7400210f03/?OpenDocument

CMS e-learning materials for individual consultants are available at:

https://wpgr4.adb.org/LotusQuickr/consultanttutor/Page Library48257B740020CC60.nsf/h_Toc/faf2aa0b10198d f248257b740020de9b/?OpenDocument

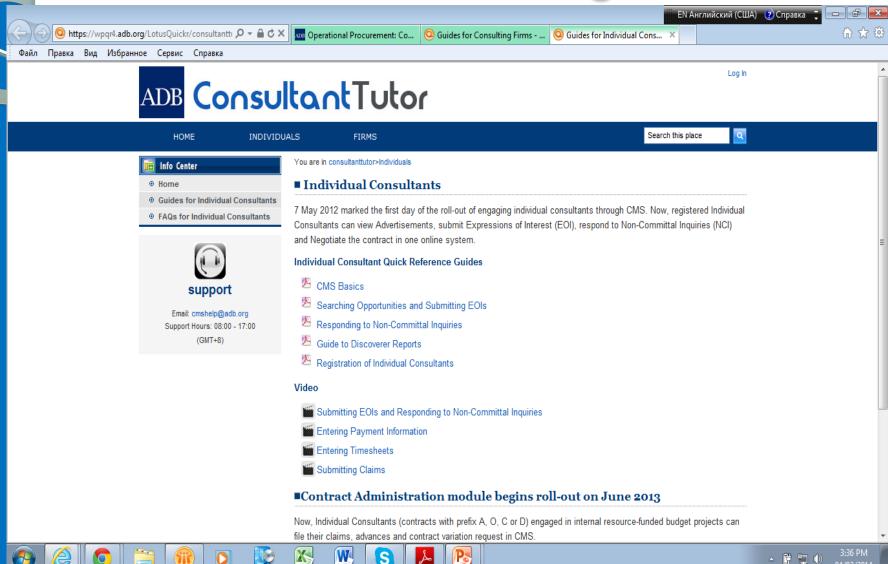
Dedicated line of user support at cmshelp@adb.org (available Monday-Friday, 8 am – 5 pm Manila time). Also, call ADB trunk line at 632 -632 4444 and ask to be connected to CMS Help, if the matter is very urgent and no response was received to your email.

CMS Online Training

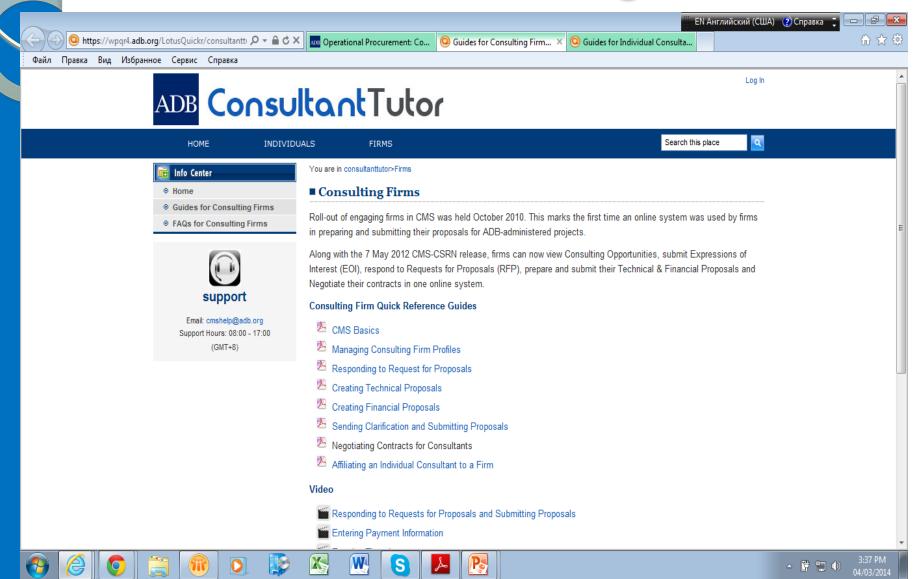




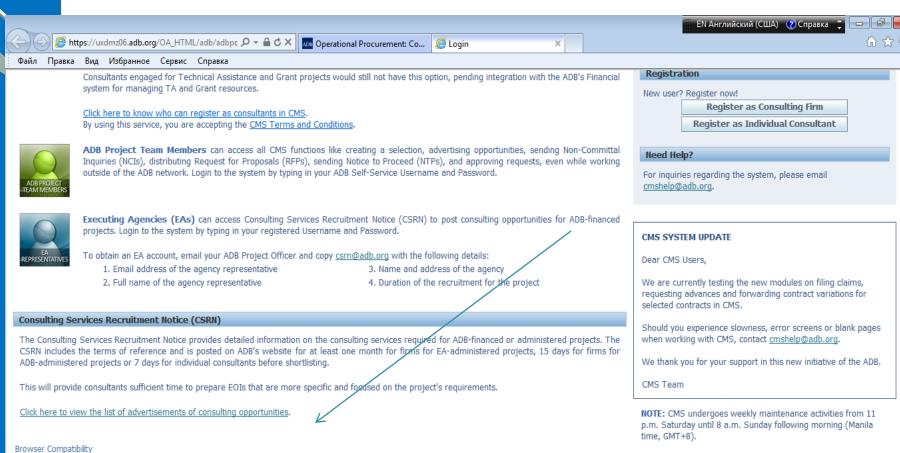
CMS Online Training



CMS Online Training



ADB Business Opportunities – Where to Find?



CMS works best using the following browsers:

 32-bit Internet Explorer Browser Internet Explorer 6 to 8 on Windows XP (32-bit) Internet Explorer 7 to 9 on Windows Vista (32-bit) Internet Explorer 8 to 10 on Windows 7 (32-bit & 64-bit) Internet Explorer 10 on Windows 8 (Desktop Mode) (32-bit & 64-bit) 64-bit Internet Explorer Browser























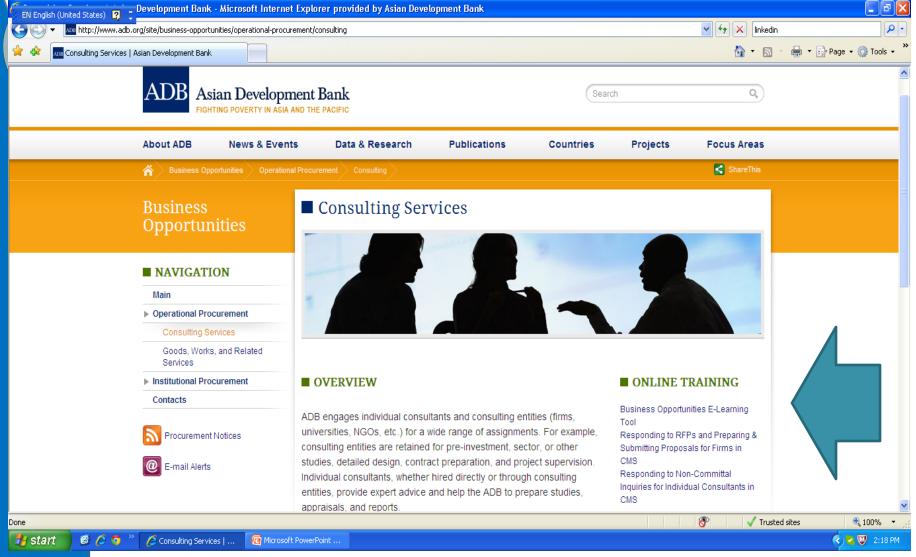




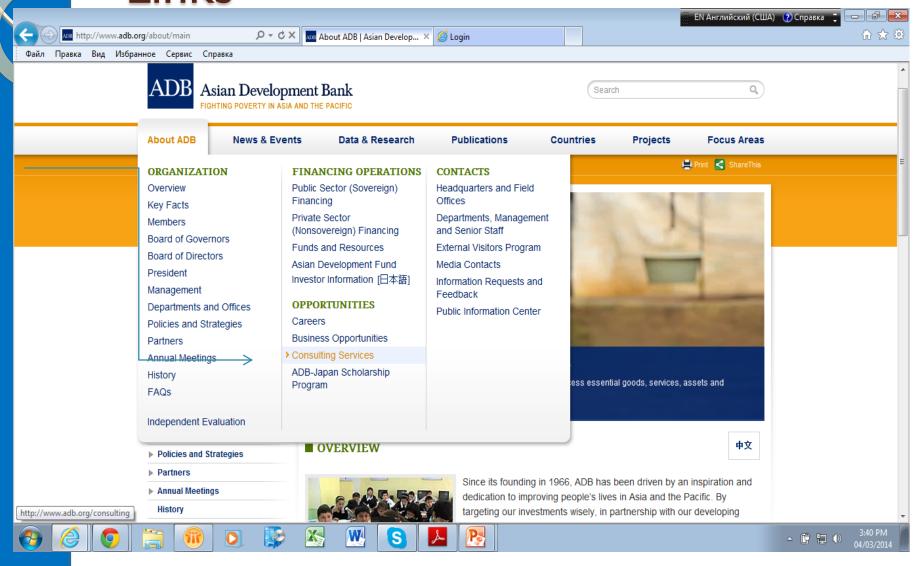




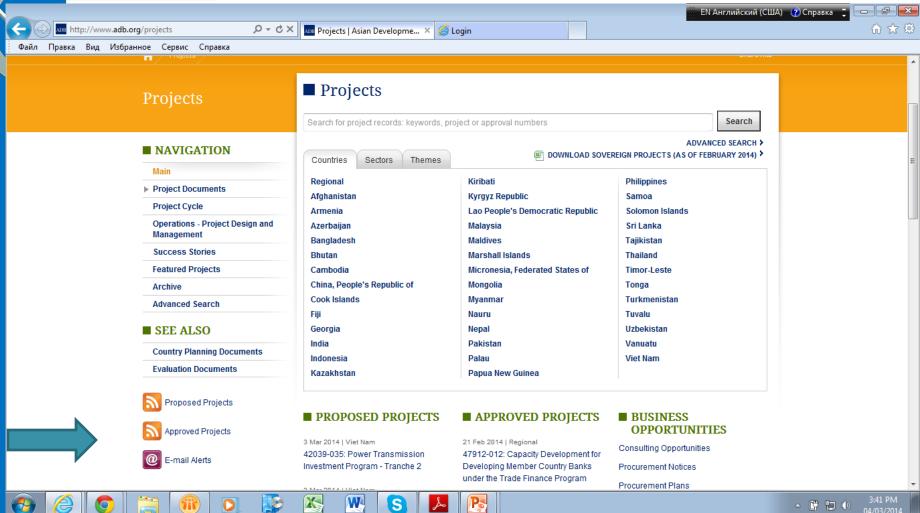
ADB Business Opportunities



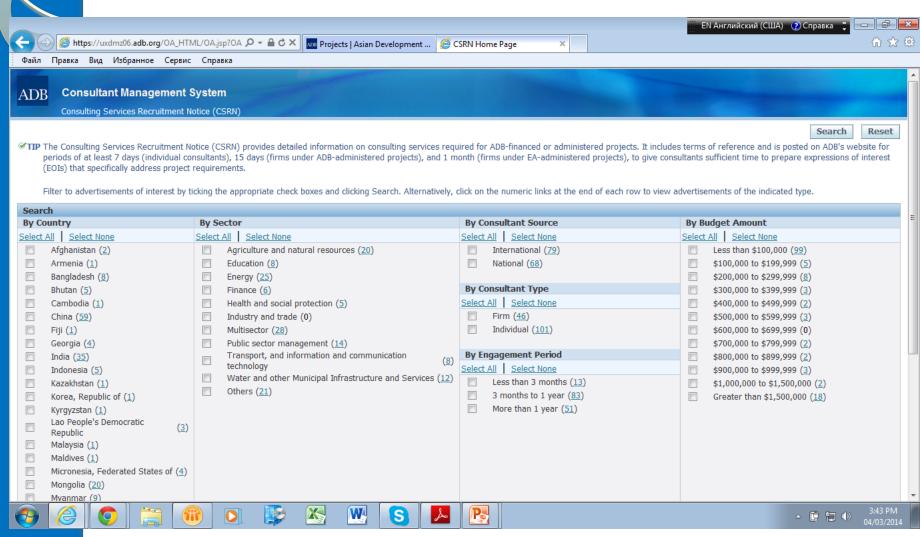
Business Opportunities – Quick Links



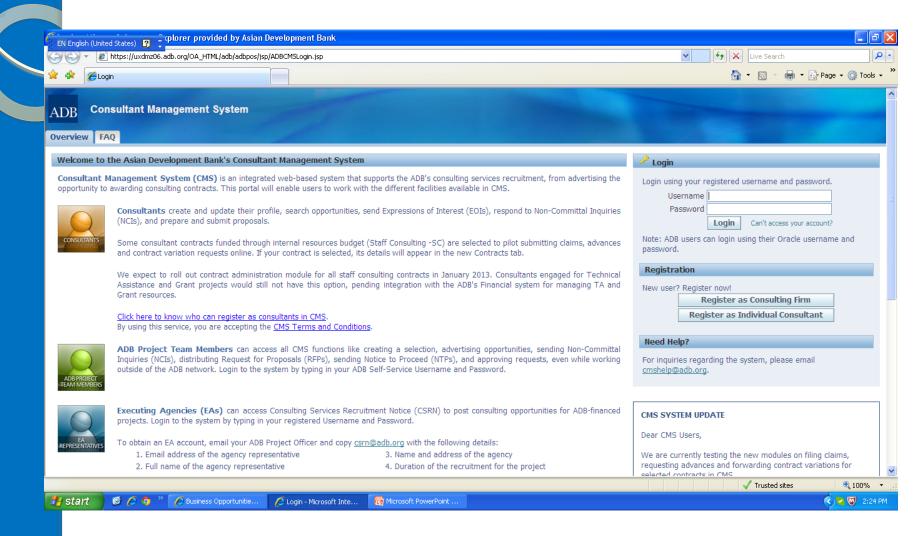
Information on ADB Projects – <u>Proposed</u> <u>Projects</u> and Approved Projects



Consulting Opportunities – CSRN http://csrn.adb.org/

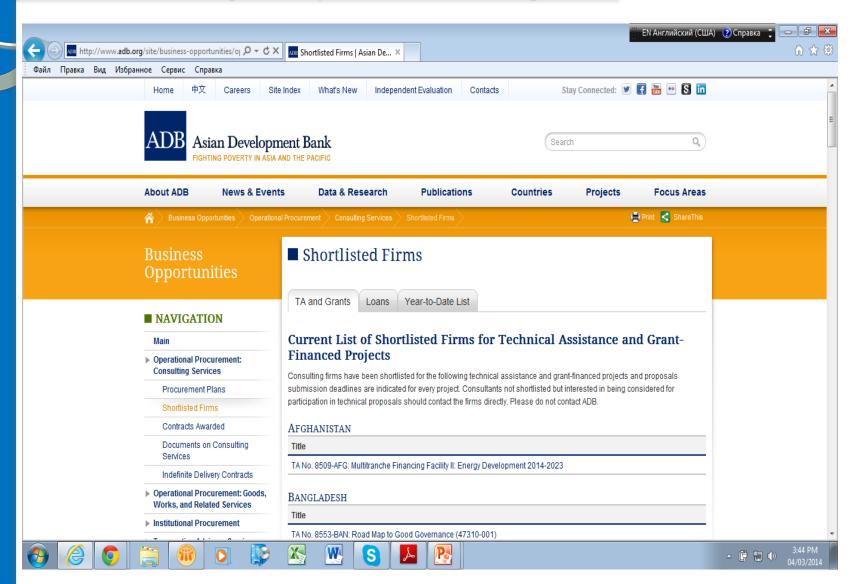


Consultant Management System

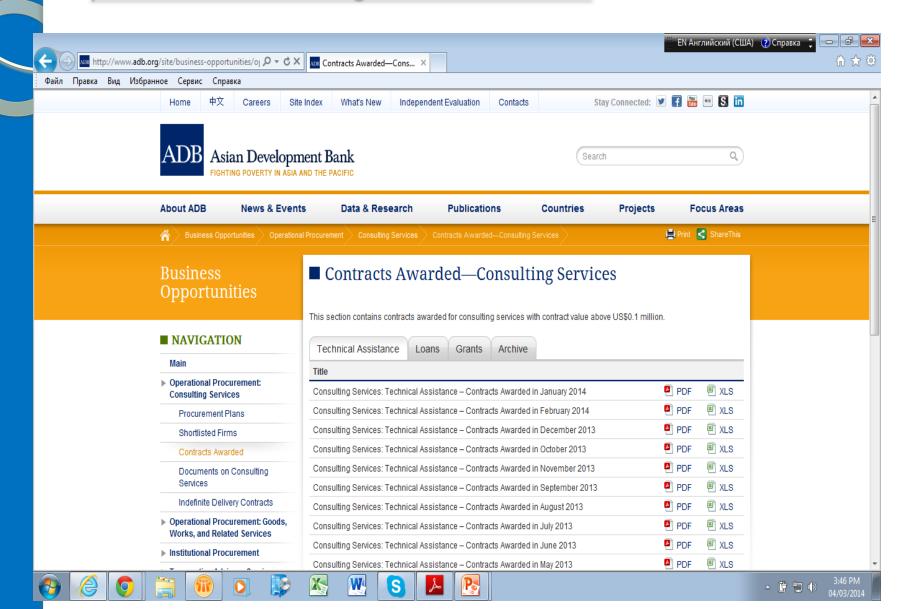


Consulting Services – Shortlisted Firms

http://www.adb.org/site/business-opportunities/operationalprocurement/consulting/shortlistprocurement/consulting/shortlist



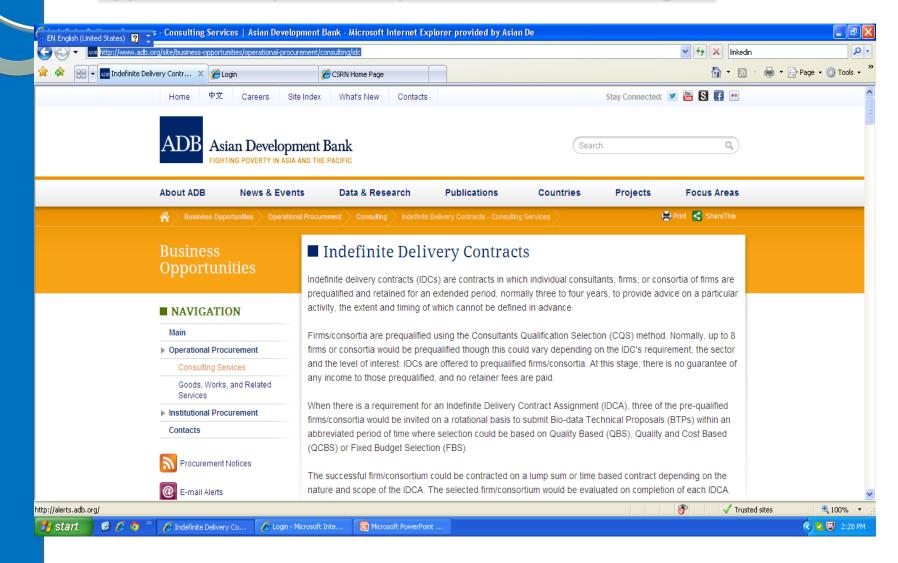
Consulting Services - <u>Contracts awarded</u> http://www.adb.org/site/business-opportunities/operational-procurement/consulting/contracts-awarded



Consulting Services – Indefinite Delivery

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

opportunities/operational-procurement/consulting/idc





- 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 http://www.adb.org/Integrity/
- Project Administration Instructions
- http://www.adb.org/Documents/Manuals/PAI/default.asp Project Cycle http://www.adb.org/Projects/cycle.asp
- Disclosure at ADB <u>http://www.adb.org/Disclosure/default.asp</u>
- TA Disbursement Handbook
- http://www.adb.org/Documents/Handbooks/TADisbursement.pdf
- Loan Disbursement Handbook <u>http://www.adb.org/Documents/Handbooks/Loan_Disbursement/loan-disbursement-final.pdf</u>

For More Information

www.adb.org

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

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