

PHILIPPINE BIDDING DOCUMENTS

Services of Production House for ALA General Assembly 2015

TOURISM PROMOTIONS BOARD
4th Floor Legaspi Towers 300
Roxas Boulevard, Manila

January 2015

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TPB-BAC-REI No. 2015-

REQUEST FOR EXPRESSION OF INTEREST

The **Tourism Promotions Board**, is staging the **ASEAN Law Association (ALA) 2015 General Assembly** scheduled on 25 February 2015 in San Diego Garden, Intramuros and invites prospective bidders/consultants to Apply for Eligibility for the hereunder project:

Name of the Project: Services of the Production House who will conceptualize and implement the theme and entertainment dinner plan, manage and implement the programme scenario for the TPB-Hosted dinner reception:

1. Conceptualize and manage the program scenario for the TPB-hosted dinner reception.
2. Assign a technical person to direct the presentations and oversee the light, sound, audio-visual and other physical/technical requirements, blocking, etc.
3. Recommend and provide the best performers (artists) in the Philippines including new, fresh and/or regional talents to include the Emcee / Master of Ceremony and negotiate on behalf of the TPB the most reasonable rates / professional fee/s of the performers
4. Prepare detailed program scenario for the show to include cue sheet and spiel of the emcee based on the approved entertainment plan.
5. Oversee and coordinate rehearsals of performers and present a final dry-run and technical dress rehearsal of the show. Provide venue for the rehearsals and dry run.

Description of the Project : The Department of Tourism (DOT), through the Tourism Promotions Board (TPB), is assisting the ASEAN Law Association Philippines in organizing the *12th ASEAN Law Association (ALA) General Assembly on 25-28 February 2015 at the Makati Shangri-La Hotel.*

Part of DOT-TPB's assistance is the provision of a cultural entertainment during their Welcome Dinner Reception on 25 February 2015 at the San Diego Garden in Intramuros for ALA delegates and Chief Justices attending the ASEAN Chief Justices' Summit Meeting in Boracay.

Established in 1979, ALA is a non-governmental organization of lawyers in the ASEAN region that brings together all the different branches of the law profession under one roof to promote a common ASEAN focus on key issues and policies. It is a dynamic organization that moves forward in collaborative efforts to understand and harmonize laws in the region.

Approved Budget for the Contract : **PhP 950,000.00 (VAT included)**

Bids received in excess of the ABC shall be automatically rejected at bid opening.

1. The Tourism Promotions Board now calls for the submission of eligibility documents. Interested consultants must submit their eligibility documents for the above project on or before **9:30 a.m. of January 20, 2015** at the Tourism Promotions Board, Administrative Department, 4th Floor Legaspi Towers 300, Roxas Boulevard, Metro Manila. Applications for eligibility will be evaluated based on a non-discretionary "pass/fail" criterion.
2. The BAC shall draw up the shortlist of consultants from those who have submitted eligibility documents/Expression of Interest and have been determined as eligible in accordance with the provisions of Republic Act 9184 (RA 9184), otherwise known as the "Government Procurement Reform Act", and its Implementing Rules and Regulations (IRR). The shortlist shall consist of a maximum of five (5) prospective bidders who will be entitled to submit bids.
3. Bidding will be conducted through open competitive bidding procedures using non-discretionary "pass/fail" criterion as specified in the IRR of RA 9184 and is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest belonging to citizens of the Philippines. In accordance with Revised IRR of R.A. 9184, only bids from shortlisted consultants will be opened.
4. The evaluation procedure to be adopted shall be Quality Cost Based Evaluation (QCBE). The technical proposal shall carry eight-five percent (85%) weight and financial proposal shall be fifteen percent (15%) in the bid evaluation.

The criteria and rating system for the evaluation of bids shall be provided in the Instruction to Bidders.

5. The schedule of activities is as follows:

Activities	Schedule and Venue
1. Submission of Letter of Intent and Application for Eligibility/ Issuance of Eligibility Requirements	January 9-16, 2015 (8:00 a.m. to 12:00 N.N.. – 1:00 p.m. to 5:00 p.m.) January 21, 2015 up to 9:30 a.m. only Administrative Department Tourism Promotions Board (TPB) 4 th Flr. Legaspi Towers 300 Roxas Boulevard, Manila
2. Eligibility Checking and Short Listing	10:00 a.m., January 20, 2015 Tourism Promotions Board (TPB) – Activity Room 4 th Flr. Legaspi Towers 300 Roxas Blvd., Manila
3. Issuance of Bid Documents to Short Listed Consultants	January 21, 2015 BAC Secretariat, Administrative Department Tourism Promotions Board
4. Submission and Receipt of Bids	up to 9:30 a.m. of January 27, 2015 BAC Secretariat, Administrative Department Tourism Promotions Board 4 th Flr. Legaspi Towers 300 Roxas Blvd., Manila
5. Opening of Bids	10:00 a.m., January 27, 2015 Tourism Promotions Board (TPB) – Activity Room
6. Presentation of bidders	January 27, 2015, TPB Activity Room (right after the opening of bids - order of presentation to be announced)

The Eligibility Documents/Checklist may be obtained at the TPB-BAC Secretariat c/o Ms. Salve Ponting, Administrative Department, Tourism Promotions Board, 4th Floor Legaspi Towers 300, Roxas Boulevard, Metro Manila. It may also be downloaded Free of Charge from the website of the Philippine Government Electronic Procurement System (PhilGEPS) www.philgeps.gov.ph or TPB website at www.tpb.gov.ph.

Bid documents shall be available only to shortlisted eligible bidders upon payment of non-refundable amount of **One Thousand Pesos (P1,000.00)** to the TPB Cashier's Unit.

For further information on the Terms of Reference (TOR), please refer to **Ms. Ma. Anita Caramat** at telephone numbers 525-9318 loc. 238.

The Tourism Promotions Board reserves the right to reject any or all bids, declare a Failure of Bidding at any time prior to contract award, or not to award the contract, without thereby incurring any liability and make no assurance that a contract shall be entered into as a result of the bidding. Likewise, the TPB-BAC may waive any minor defect therein and accept the offer most advantageous to the government. Further, the TPB-BAC assumes no responsibility whatsoever to compensate or indemnify bidders for any expenses incurred in the preparation of the bid.

January 8, 2015

SOLITA D. SORIANO
Chairperson
Bids and Awards Committee

Section II. Eligibility Documents

Notes on the Eligibility Documents

This Section provides the information necessary for prospective bidders to prepare responsive Eligibility Documents in accordance with the requirement of the Procuring Entity.

The provisions contained in this Section are to be used unchanged. Additional information or requirements specific to each procurement shall be specified in the EDS.

1. Eligibility Criteria

- 1.1. The following persons/entities shall be allowed to participate in the bidding for Consulting Services:
 - (a) Duly licensed Filipino citizens/sole proprietorships;
 - (b) Partnerships duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the interest belongs to citizens of the Philippines;
 - (c) Corporations duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the outstanding capital stock belongs to citizens of the Philippines;
 - (d) Cooperatives duly organized under the laws of the Philippines, and of which at least sixty percent (60%) interest belongs to citizens of the Philippines; or
 - (e) Persons/entities forming themselves into a joint venture, *i.e.*, a group of two (2) or more persons/entities that intend to be jointly and severally responsible or liable for a particular contract: Provided, however, That Filipino ownership or interest thereof shall be at least sixty percent (60%). For this purpose, Filipino ownership or interest shall be based on the contributions of each of the members of the joint venture as specified in their JVA.
- 1.2. When the types and fields of Consulting Services involve the practice of professions regulated by law, those who will actually perform the services shall be Filipino citizens and registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions specified in the **EDS**.
- 1.3. If the Request for Expression of Interest allows participation of foreign consultants, prospective foreign bidders may be eligible subject to the qualifications stated in the **EDS**.
- 1.4. Government corporate entities may be eligible to participate only if they can establish that they (a) are legally and financially autonomous, (b) operate under commercial law, and (c) are not dependent agencies of the GOP or the Procuring Entity.

2. Eligibility Requirements

- 2.1. The following eligibility requirements shall be submitted on or before the date of the eligibility check specified in the Request for Expression of Interest and Clause 5 for purposes of determining eligibility of prospective bidders:

(a) Class “A” Documents –

Legal Documents

- (i) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives, or any proof of such registration as stated in the **EDS**;
- (ii) Mayor’s permit issued by the city or municipality where the principal place of business of the prospective bidder is located;

Technical Documents

- (iii) Statement of the prospective bidder of all its ongoing and completed government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, within the relevant period provided in the **EDS**. The statement shall include, for each contract, the following:
 - (iii.1) the name and location of the contract;
 - (iii.2) date of award of the contract;
 - (iii.3) type and brief description of consulting services;
 - (iii.4) consultant’s role (whether main consultant, subcontractor, or partner in a JV)
 - (iii.5) amount of contract;
 - (iii.6) contract duration; and
 - (iii.7) certificate of satisfactory completion or equivalent document specified in the **EDS** issued by the client, in the case of a completed contract;
- (iv) Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions in accordance with Clause 1.2.

Financial Document

- (v) The consultant’s audited financial statements, showing, among others, the consultant’s total and current assets and liabilities, stamped “received” by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which

should not be earlier than two (2) years from the date of bid submission.

(b) Class “B” Document –

Valid joint venture agreement (JVA), in case a joint venture is already in existence. In the absence of a JVA, duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful, shall be included in the bid. Failure to enter into a joint venture in the event of a contract award shall be ground for the forfeiture of the bid security. Each partner of the joint venture shall submit the legal eligibility documents. The submission of technical and financial documents by any of the joint venture partners constitutes compliance.

- 2.2. In the case of foreign consultants, the foregoing eligibility requirements under Class “A” Documents may be substituted by the appropriate equivalent documents, if any, issued by the foreign consultant’s country.
- 2.3. The eligibility requirements or statements and all other documents to be submitted to the BAC must be in English. A translation of the documents in English certified by the appropriate embassy or consulate in the Philippines must accompany the eligibility requirements under Classes “A” and “B” Documents if they are in other foreign language.
- 2.4. Prospective bidders may obtain a full range of expertise by associating with individual consultant(s) and/or other consultants or entities through a JV or subcontracting arrangements, as appropriate. However, subcontractors may only participate in the bid of one short listed consultant. Foreign Consultants shall seek the participation of Filipino Consultants by entering into a JV with, or subcontracting part of the project to, Filipino Consultants.
- 2.5. If a prospective bidder has previously secured a certification from the Procuring Entity to the effect that it has previously submitted the above-enumerated Class “A” Documents, the said certification may be submitted in lieu of the requirements enumerated in Clause 2.1 above.

3. Format and Signing of Eligibility Documents

- 3.1. Prospective bidders shall submit their eligibility documents through their duly authorized representative on or before the deadline specified in Clause 5.
- 3.2. Prospective bidders shall prepare an original and copies of the eligibility documents. In the event of any discrepancy between the original and the copies, the original shall prevail.

- 3.3. The eligibility documents, except for unamended printed literature, shall be signed, and each and every page thereof shall be initialed, by the duly authorized representative/s of the prospective bidder.
- 3.4. Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialed by the duly authorized representative/s of the prospective bidder.

4. Sealing and Marking of Eligibility Documents

- 4.1. Unless otherwise indicated in the EDS, prospective bidders shall enclose their original eligibility documents described in Clause 2.1, in a sealed envelope marked “ORIGINAL – ELIGIBILITY DOCUMENTS”. Each copy of shall be similarly sealed duly marking the envelopes as “COPY NO. ____ - ELIGIBILITY DOCUMENTS”. These envelopes containing the original and the copies shall then be enclosed in one single envelope.
- 4.2. The original and the number of copies of the eligibility documents as indicated in the EDS shall be typed or written in indelible ink and shall be signed by the prospective bidder or its duly authorized representative/s.
- 4.3. All envelopes shall:
 - (a) contain the name of the contract to be bid in capital letters;
 - (b) bear the name and address of the prospective bidder in capital letters;
 - (c) be addressed to the Procuring Entity’s BAC specified in the EDS;
 - (d) bear the specific identification of this Project indicated in the EDS; and
 - (e) bear a warning “DO NOT OPEN BEFORE...” the date and time for the opening of eligibility documents, in accordance with Clause 5.
- 4.4. If the eligibility documents are not sealed and marked as required, the Procuring Entity will assume no responsibility for its misplacement or premature opening.

5. Deadline for Submission of Eligibility Documents

Eligibility documents must be received by the Procuring Entity’s BAC at the address and on or before the date and time indicated in the Request for Expression of Interest and the EDS.

6. Late Submission of Eligibility Documents

Any eligibility documents submitted after the deadline for submission and receipt prescribed in Clause 5 shall be declared “Late” and shall not be accepted by the Procuring Entity.

7. Modification and Withdrawal of Eligibility Documents

- 7.1. The prospective bidder may modify its eligibility documents after it has been submitted; provided that the modification is received by the Procuring Entity prior to the deadline specified in Clause 5. The prospective bidder shall not be allowed to retrieve its original eligibility documents, but shall be allowed to submit another set equally sealed, properly identified, linked to its original bid marked as “ELIGIBILITY MODIFICATION” and stamped “received” by the BAC. Modifications received after the applicable deadline shall not be considered and shall be returned to the prospective bidder unopened.
- 7.2. A prospective bidder may, through a letter of withdrawal, withdraw its eligibility documents after it has been submitted, for valid and justifiable reason; provided that the letter of withdrawal is received by the Procuring Entity prior to the deadline prescribed for submission and receipt of eligibility documents.
- 7.3. Eligibility documents requested to be withdrawn in accordance with this Clause shall be returned unopened to the prospective bidder concerned. A prospective bidder may also express its intention not to participate in the bidding through a letter which should reach and be stamped by the BAC before the deadline for submission and receipt of eligibility documents. A prospective bidder that withdraws its eligibility documents shall not be permitted to submit another set, directly or indirectly, for the same project.

8. Opening and Preliminary Examination of Eligibility Documents

- 8.1. The Procuring Entity’s BAC will open the envelopes containing the eligibility documents in the presence of the prospective bidders’ representatives who choose to attend, at the time, on the date, and at the place specified in the **EDS**. The prospective bidders’ representatives who are present shall sign a register evidencing their attendance.
- 8.2. Letters of withdrawal shall be read out and recorded during the opening of eligibility documents and the envelope containing the corresponding withdrawn eligibility documents shall be returned unopened to the withdrawing prospective bidder. If the withdrawing prospective bidder’s representative is present during the opening, the original eligibility documents and all copies thereof shall be returned to the representative during the opening of eligibility documents. If no representative is present, the eligibility documents shall be returned unopened by registered mail.
- 8.3. A prospective bidder determined as “ineligible” has seven (7) calendar days upon written notice or, if present at the time of the opening of eligibility documents, upon verbal notification, within which to file a request for reconsideration with the BAC: Provided, however, that the request for reconsideration shall not be granted if it is established that the finding of failure is due to the fault of the prospective bidder concerned: Provided, further, that the BAC shall decide on the request for reconsideration within seven (7) calendar days from receipt thereof. If a failed prospective bidder signifies his intent to file a request for reconsideration, in the case of a

prospective bidder who is declared ineligible, the BAC shall hold the eligibility documents until such time that the request for reconsideration or protest has been resolved.

- 8.4. The eligibility documents envelopes and modifications, if any, shall be opened one at a time, and the following read out and recorded:
 - (a) the name of the prospective bidder;
 - (b) whether there is a modification or substitution; and
 - (c) the presence or absence of each document comprising the eligibility documents vis-à-vis a checklist of the required documents.

- 8.5. The eligibility of each prospective bidder shall be determined by examining each bidder's eligibility requirements or statements against a checklist of requirements, using non-discretionary "pass/fail" criterion, as stated in the Request for Expression of Interest, and shall be determined as either "eligible" or "ineligible." If a prospective bidder submits the specific eligibility document required, he shall be rated "passed" for that particular requirement. In this regard, failure to submit a requirement, or an incomplete or patently insufficient submission, shall be considered "failed" for the particular eligibility requirement concerned. If a prospective bidder is rated "passed" for all the eligibility requirements, he shall be considered eligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "eligible." If a prospective bidder is rated "failed" in any of the eligibility requirements, he shall be considered ineligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "ineligible." In either case, the BAC chairperson or his duly designated authority shall countersign the markings.

9. Short Listing of Consultants

- 9.1. Only prospective bidders whose submitted contracts are similar in nature and complexity to the contract to be bid as provided in the **EDS** shall be considered for short listing.
- 9.2. The BAC of the Procuring Entity shall draw up the short list of prospective bidders from those declared eligible using the detailed set of criteria and rating system to be used specified in the **EDS**.
- 9.3. Short listed consultants shall be invited to participate in the bidding for this project through a Letter of Invitation to Bid issued by the BAC of the Procuring Entity.
- 9.4. Only bids from short listed bidders shall be opened and considered for award of contract. These short listed bidders, whether single entities or JVs, should confirm in their bids that the information contained in the submitted eligibility documents remains correct as of the date of bid submission.

Section III. Eligibility Data Sheet

Notes on the Eligibility Data Sheet

This Section is intended to assist the Procuring Entity in providing the specific information and requirements in relation to corresponding clauses in the Eligibility Documents, and has to be prepared for each specific procurement.

The Procuring Entity should specify in this Section the information and requirements specific to the circumstances of the Procuring Entity, the processing of the eligibility, and the rules that will apply in the determination and evaluation of eligibility.

In preparing this Section, the following aspects should be checked:

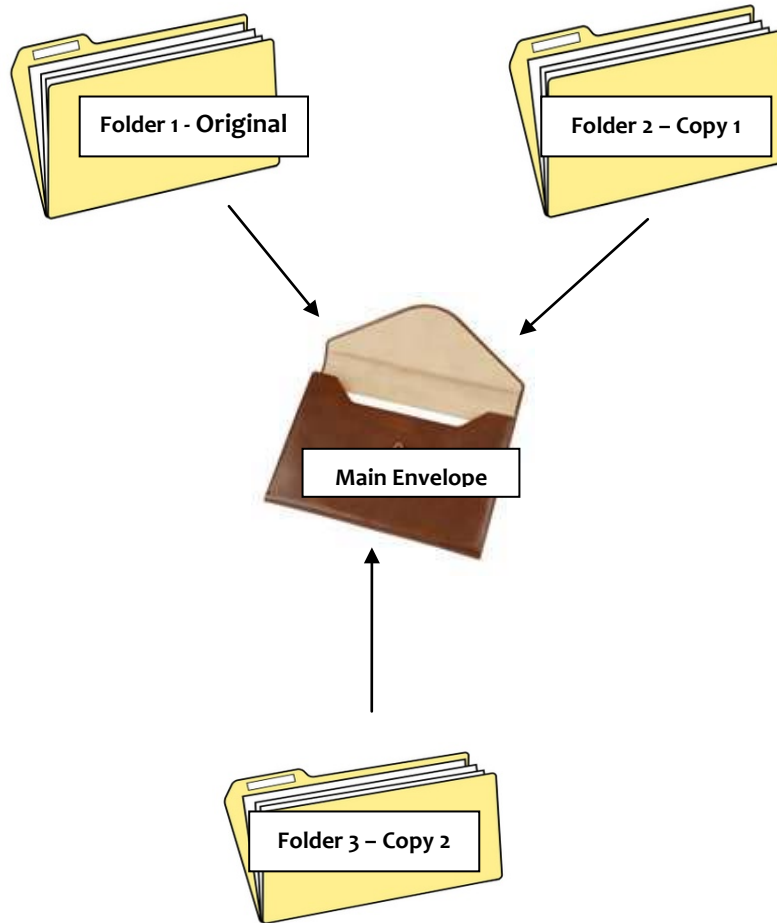
- (a) Information that specifies and complements provisions of the Eligibility Documents must be incorporated.
- (b) Amendments and/or supplements, if any, to provisions of the Eligibility Documents as necessitated by the circumstances of the specific procurement, must also be incorporated.

Eligibility Data Sheet

Eligibility Documents	
1.2	Services of the Production House for the ASEAN Law Association (ALA) 2015 who will conceptualize and implement the theme and entertainment dinner plan, manage and implement the programme scenario for the Welcome Dinner Reception in San Diego Garden, Intramuros on February 25, 2015
1.3	No further instructions.
(iii)	The statement of all ongoing and completed government and private contracts shall include all such contracts from 2011 to present, in organizing large scale local events and world-class entertainment productions featuring Filipino artists and talents.
(iii.7)	Attach proof of satisfactory completion of completed contracts and supporting documents: i.e., Notice of Award (for government projects) or Contract , as proof that the project has been undertaken by/awarded to the Consultant.
3.1	<p>Format and Signing of Eligibility Documents</p> <p>Prospective bidders shall submit their eligibility documents through their duly authorized representative on or before 9:30 a.m of January 20, 2015.</p>
3.3	The eligibility documents, except for unamended printed literature, shall be signed, and each and every page thereof shall be initialed, by the duly authorized representative/s of the prospective bidder.
4.1	<p>Sealing and Marking of Eligibility Documents</p> <p>Prospective bidders should submit and enclose their eligibility requirements in one sealed envelope marked “ORIGINAL – ELIGIBILITY DOCUMENTS”, and another copies shall be similarly sealed duly marking the inner envelopes as “COPY 1 and COPY 2– ELIGIBILITY DOCUMENTS”. These envelopes containing the original and the copy shall then be enclosed in one (1) single envelope”</p>

4.2

Each prospective bidder shall submit **one (1) original** and **two (2) certified copies** of its eligibility documents.



Contents of the Folder

Folder 1 – Original

- DTI Business Name or SEC Reg Cert or CDA
- Mayor’s Permit
- Ongoing government & private projects
- Completed government & private contracts from 2007 to present (*attached Notice of Award or Contract*)
- Statement on Citizenship
- Audited Financial Statement
- Joint Venture Agreement, *if any*

Folder 2 & 3 – Copy 1 & Copy 2

- DTI Business Name or SEC Reg Cert or CDA
- Mayor’s Permit
- Ongoing government and private projects
- Completed government and private contract from 2007 to present (*attached Notice of Award or Contract*)
- Statement on Citizenship
- Audited Financial Statement
- Joint Venture Agreement, *if any*

Marking of Eligibility Documents**Folder 1 – Original****ORIGINAL – ELIGIBILITY DOCUMENTS****MS. SOLITA D. SORIANO**

Chairperson

Bids and Awards Committee

Tourism Promotions Board

4th Floor Legaspi Towers 300

Roxas Boulevard, Manila

Project: **Services of the Production House** relative to **ASEAN Law Association (ALA) 2015** scheduled on 25 February 2015 to be held in San Diego Garden, Intramuros

Submitted by: **BIDDER’S COMPANY NAME**
BIDDER’S CONTACT DETAILS

“DO NOT OPEN BEFORE January 20, 2015 / 10:00 a.m.”

Folder 2 – Copy 1**COPY 1 – ELIGIBILITY DOCUMENTS****MS. SOLITA D. SORIANO**

Chairperson

Bids and Awards Committee

Tourism Promotions Board

4th Floor Legaspi Towers 300

Roxas Boulevard, Manila

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BIDDER’S CONTACT DETAILS

“DO NOT OPEN BEFORE January 20, 2015 / 10:00 a.m.”

Folder 2 – Copy 2

COPY 2 – ELIGIBILITY DOCUMENTS

MS. SOLITA D. SORIANO

Chairperson

Bids and Awards Committee

Tourism Promotions Board

4th Floor Legaspi Towers 300

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BIDDER’S CONTACT DETAILS**

“DO NOT OPEN BEFORE January 20, 2015 / 10:00 a.m.”

Main Envelope

ELIGIBILITY DOCUMENTS

MS. SOLITA D. SORIANO

Chairperson

Bids and Awards Committee

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“DO NOT OPEN BEFORE January 20, 2015 / 10:00 a.m.”

4.3(c)	<p>Name of the Bids and Awards Committee of the Procuring Entity:</p> <p style="text-align: center;">Ms. SOLITA D. SORIANO Chairperson Bids and Awards Committee</p>						
4.3 (d)	<p>Identification of the Project:</p> <p>Established in 1979, ALA is a non-governmental organization of lawyers in the ASEAN region that brings together all the different branches of the law profession under one roof to promote a common ASEAN focus on key issues and policies. It is a dynamic organization that moves forward in collaborative efforts to understand and harmonize laws in the region.</p>						
5	<p>The address for submission of eligibility documents is:</p> <p style="text-align: center;">BAC Secretariat, Administrative Department TOURISM PROMOTIONS BOARD 4th Floor Legaspi Towers 300 Roxas Boulevard, Manila</p> <p>The deadline for submission of eligibility documents is January 20, 2015, 9:30 a.m</p>						
8.1	<p>The place of opening of eligibility documents is:</p> <p style="text-align: center;">Boardroom, Tourism Promotions Board 4th Floor Legaspi Towers 300 Roxas Boulevard, Manila</p> <p>The date and time of opening of eligibility documents is January 20, 2015, 10:00 a.m.</p>						
9.1	No further instructions.						
9.2	<p>The criteria and rating system for the evaluation to be used for the short listing of consultant:</p> <p>SHORT LISTING</p> <table border="1" data-bbox="411 1487 1347 1724"> <tr> <td data-bbox="411 1487 1238 1554">1. Applicable experience of Consultants</td> <td data-bbox="1238 1487 1347 1554">30%</td> </tr> <tr> <td data-bbox="411 1554 1238 1659">2. Qualification of personnel to be assigned to the job (education, work experience, number of years in firm, etc.)</td> <td data-bbox="1238 1554 1347 1659">50%</td> </tr> <tr> <td data-bbox="411 1659 1238 1724">3. Current workload relative to capacity</td> <td data-bbox="1238 1659 1347 1724">20%</td> </tr> </table>	1. Applicable experience of Consultants	30%	2. Qualification of personnel to be assigned to the job (education, work experience, number of years in firm, etc.)	50%	3. Current workload relative to capacity	20%
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