

# **PHILIPPINE BIDDING DOCUMENTS**

**ELIGIBILITY DOCUMENTS**

# **Procurement of CONSULTANCY SERVICES**

for the

## **Fifth Rate Rebasing**

Contract No. RO-CS2021-002

Government of the Republic of the Philippines

**Fifth Edition  
August 2016**

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***Section I. Request for Expression of  
Interest***



## **REQUEST FOR EXPRESSION OF INTEREST FOR THE PROCUREMENT OF CONSULTANCY SERVICES FOR THE FIFTH RATE REBASING**

1. The Metropolitan Waterworks and Sewerage System Regulatory Office (MWSS RO), through the Corporate Operating Budget (COB) CY 2021 intends to apply the sum of **SIXTY-FIVE MILLION TWO HUNDRED SEVENTY-SIX THOUSAND SEVEN HUNDRED THIRTY-SIX and 0/100 PESOS (PhP 65,276,736.00)** being the Approved Budget for the Contract (ABC) to payments under the contract for the **Procurement of Consultancy Services for the Fifth Rate Rebasing with Contract No. ROCS2021-002**. Bids received in excess of the ABC shall be automatically rejected at the opening of the financial proposals.
2. The MWSS RO now calls for the submission of eligibility documents for the above contract on Consultancy Services. Eligibility documents of interested consultants must be duly received by the BAC Secretariat on or before **17 September 2021, 11:30 AM** at the office address indicated below. Applications for eligibility will be evaluated based on a non-discretionary “pass/fail” criterion.
3. Interested bidders may obtain further information from the MWSS RO and inspect the Bidding Documents at the address given below from **8:00 AM to 3:00 PM**. For purposes of compliance with community quarantine and social distancing protocols given the current COVID-19 pandemic, interested bidders intending to inspect or purchase bidding documents are advised to first set an appointment with the MWSS RO through the contact details provided below before proceeding to the MWSS RO premises.

The bidding process shall be governed by the **Advisory/Quick Guide Re: Conduct of Procurement Activities by the MWSS RO Bids and Awards Committee** (Annex “A”), **Google Hangouts Meet Quick Guide** (Annex “B”), and **Office Order No. 55, Series of 2020, “Interim Quarantine and Social Distancing Protocols”** (Annex “C”). Accordingly, interested bidders must strictly comply with the foregoing issuances as well as all laws, guidelines, rules, and regulations on community quarantine and social distancing.

4. The Bidding Documents for eligibility may be acquired by interested Bidders starting **8 September 2021** from the address below and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of **FIVE THOUSAND AND 0/100 PESOS (PhP 5,000.00)**. Payment for the applicable fee shall be through electronic fund transfer (ETF) or deposit at any Land Bank of the Philippines branch to the **MWSS RO Current Account No. 1462-1011-78**. Proof of payment shall be sent to Mr. Alan Chuegan, Mr. Ranjev Garcia, and Mr. Justine Irish Ignacio through the e-mail addresses **[alan.chuegan@ro.mwss.gov.ph](mailto:alan.chuegan@ro.mwss.gov.ph)**, **[ranjev.garcia@ro.mwss.gov.ph](mailto:ranjev.garcia@ro.mwss.gov.ph)**, and **[justineirish.ignacio@ro.mwss.gov.ph](mailto:justineirish.ignacio@ro.mwss.gov.ph)** on or before the deadline of submission of bidding documents, subject to verification.

The Bidding Documents may also be downloaded free of charge from the website of the Philippine Government Electronic Procurement System (PhilGEPS) at <https://www.philgeps.gov.ph> and the website of the MWSS RO at <https://ro.mwss.gov.ph>, provided that Bidders shall pay the applicable fee for the Bidding Documents not later than the submission of their bids.

5. The BAC shall draw up the short list of consultants from those who have submitted Expression of Interest, including the eligibility documents, 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 short list shall consist of at most five (5) prospective bidders who will be entitled to submit bids. The criteria and rating system for short listing are:

<b>Criteria</b>	<b>Rating</b>
<b>Applicable Experience</b>	50 Points
<b>Quality of Personnel to be Assigned</b>	30 Points
<b>Job Capacity</b>	20 Points

6. Bidding will be conducted through open competitive bidding procedures using nondiscretionary “pass/fail” criterion as specified in the IRR of RA 9184.

Bidding is open to all interested local bidders, subject to the conditions for eligibility provided in the IRR of RA 9184. The consultant firm and any key member of the proposed team of Consultants had no previous professional relationship or engagement, directly or indirectly with the Concessionaires, their parent companies and subsidiaries in the past one year immediately preceding the day of submission of bids. Any key member of the proposed team of Consultants has not been a partner, director, officer, or employee of the East and West Zone Concessionaires of the MWSS within the prohibitive period; five (5) years for a partner, director or officer and three (3) years for an employee; immediately preceding the day of submission of bids. Any key member of the proposed team of Consultants has no familial relationship within the 3<sup>rd</sup> civil degree of consanguinity or affinity with any of the employees or officers of the CO, the RO or any of the Concessionaires, or current members of the Bids and Awards Committee of the CO or the RO; and The provision of Section 47 (Disclosure of Relations) of the Implementing Rules and Regulations (IRRs) of Republic Act No. 9184 (“RA 9184”) shall apply to all personnel of the Consultant.

7. The MWSS RO shall evaluate bids using the **Quality Based Evaluation/Selection (QBE/QBS)**. The criteria and rating system for the evaluation of bids shall be provided in the Instructions to Bidders.

8. The contract shall be completed within **nine (9) months** reckoned from receipt of the Notice to Proceed (NTP).

9. The MWSS RO reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.

10. For further information, please refer to:

**LEE ROBERT M. BRITANICO**

MWSS Regulatory Office Bids and Awards Committee

3rd Floor, Engineering Building, MWSS Complex

Katipunan Road, Balara, Quezon City

Telefax Number: (02) 3435-8903 / (02) 8925-6619

E-mail address: [ranjev.garcia@ro.mwss.gov.ph](mailto:ranjev.garcia@ro.mwss.gov.ph)

[justineirish.ignacio@ro.mwss.gov.ph](mailto:justineirish.ignacio@ro.mwss.gov.ph)

08 September 2021

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**LEE ROBERT M. BRITANICO**

Chairperson, MWSS RO BAC

## ***Section II. Eligibility Documents***

## **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; 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 conditions stated in the **EDS**.

1.4. Government owned or –controlled corporations (GOCCs) 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 attached agencies of the Procuring Entity.

## **2. Eligibility Requirements**

2.1. The following eligibility requirements, together with the Eligibility Documents Submission Form, 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) PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR, except for foreign bidders participating in the procurement by a Philippine Foreign Service Office or Post, which shall submit their eligibility documents under Section 24.1 of the IRR, provided, that the winning Consultant shall register with PhilGEPS in accordance with Section 37.1.4 of the IRR;

### Technical Documents



(ii) 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:

(ii.1) the name and location of the contract;

(ii.2) date of award of the contract;

(ii.3) type and brief description of consulting services;

(ii.4) consultant's role (whether main consultant, subconsultant, or partner in a JV)

(ii.5) amount of contract;

(ii.6) contract duration; and

(ii.7) certificate of satisfactory completion or equivalent document specified in the **EDS** issued by the client, in the case of a completed contract;

(iii) 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, including their respective curriculum vitae.

(b) Class "B" Document –

If applicable, the Joint Venture Agreement (JVA) in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners in accordance with Section 24.1(b) of the IRR of RA 9184.

2.2. The eligibility requirements or statements, the bids, and all other documents to be submitted to the BAC must be in English. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in foreign language other than English, it must be accompanied by a translation of the documents in English. The documents shall be translated by the relevant foreign government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. The English translation shall govern, for purposes of interpretation of the bid.

2.3. 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, subconsultants 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.

### **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 Submission Form shall be signed by the duly authorized representative/s of the Bidder. Failure to do so shall be a ground for the rejection of the eligibility documents.

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. Prospective bidders shall enclose their original eligibility documents described in Clause 2.1, in a sealed envelope marked “ORIGINAL – ELIGIBILITY DOCUMENTS”. Each copy thereof 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 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. Eligibility documents that are not properly sealed and marked, as required in the bidding documents, shall not be rejected, but the bidder or its duly authorized representative shall acknowledge such condition of the documents as submitted. The BAC shall assume no responsibility for the misplacement of the contents of the improperly sealed or marked eligibility documents, or for its 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 0 shall be declared “Late” and shall not be accepted by the Procuring Entity. The BAC shall record in the minutes of submission and opening of eligibility documents, the Bidder’s name, its representative and the time the eligibility documents were submitted late.

## **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 that withdraws its eligibility documents shall not be permitted to submit another set, directly or indirectly, for the same project. A prospective bidder that acquired the eligibility documents 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.

## **8. Opening and Preliminary Examination of Eligibility Documents**

8.1. The 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.

In case the submitted eligibility envelopes cannot be opened as scheduled due to justifiable reasons, the BAC shall take custody of the said envelopes and reschedule the opening on the next working day or at the soonest possible time through the issuance of a Notice of Postponement to be posted in the PhilGEPS website and the website of the Procuring Entity concerned.

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.

8.3. 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.

8.4. 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 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 Notice of Eligibility and Short Listing issued by the BAC.

## **10. Protest Mechanism**

Decision of the Procuring Entity at any stage of the procurement process may be questioned in accordance with Section 55 of the IRR of RA 9184.

## ***Section III. Eligibility Data Sheet***

# Eligibility Data Sheet

Eligibility Documents		
1.2	The minimum required experience of proposed professional staff is as follows:	
	Proposed Personnel	Length of Experience Requirement
	Project Manager	<ul style="list-style-type: none"> <li>● Must have at least a Bachelor’s degree in Economics, Finance or Engineering;</li> <li>● Must have at least 10 years’ solid work experience in financial, economic and technical analysis of large infrastructure projects, preferably in the water/sewerage or power sector, 5 years of which should be as team leader/project manager of a multi-disciplined team with a mix of technical, financial, legal and economic expertise.</li> </ul>
	Financial Expert	<ul style="list-style-type: none"> <li>● Must have at least a Bachelor’s Degree in Finance, Accountancy, Economics or Business administration;</li> <li>● Must have at least five (5) years’ extensive work experience and exposure in financial analysis, financial valuation and/or financial planning, with special focus on, project costing and revenue forecast for large infrastructure projects, preferably of the water, sewerage, and power sectors.</li> </ul>
	Financial Audit Manager	<ul style="list-style-type: none"> <li>● Must be a Certified Public Accountant and preferably with a Master’s degree in Finance, Economics, or Business Administration or related courses;</li> <li>● At least ten (10) years of extensive work experience and exposure in financial audit, financial analysis, financial valuation, and/or financial planning, for rate setting and/or due diligence audit required for valuation such as merger and acquisition of companies with large infrastructure projects preferably in the water, sewerage and power sectors.</li> </ul>
	Economist	<ul style="list-style-type: none"> <li>● Must have a Bachelor’s degree in Economics;</li> <li>● At least five (5) years of extensive relevant professional experience in economic analysis within the context of economic regulation, preferably in the water, sewerage, and power sectors. Preferably with international experience</li> </ul>

Financial Modeler	<ul style="list-style-type: none"> <li>• Must have a Bachelor's degree in Economics, Accountancy or Finance;</li> <li>• At least five (5) years of extensive work experience and exposure in financial modeling, financial analysis, financial valuation, and/or financial planning for companies with large infrastructure/CAPEX projects, preferably in the water, sewerage, and power sectors</li> </ul>
Technical Head - Water Supply System Operations Expert	<ul style="list-style-type: none"> <li>• Must have a Bachelor's degree in Engineering</li> <li>• At least ten (10) years of relevant professional experience, three (3) years of which must be international and/or worked on at least three (3) international projects, as an Engineer in water supply and sewerage system design, implementation and management of water supply and sewerage projects as well as operation and management of water supply and sewerage systems</li> <li>• Must have five (5) years' experience as project manager/team leader</li> </ul>
NRW Specialist	<ul style="list-style-type: none"> <li>• Must have a Bachelor's degree in Engineering;</li> <li>• At least ten (10) years of professional experience as an Engineer in the water and sewerage sector, five (5) years of which as a NRW Expert;</li> <li>• Must have experience in the reduction of physical losses and the rehabilitation of distribution networks for NRW reduction, preferably with exposure in performance-based contracts for NRW reduction.</li> </ul>
Water Supply Specialist	<ul style="list-style-type: none"> <li>• Must have a Bachelor's degree in Engineering;</li> <li>• At least ten (10) years of experience in the water and sewerage sector, five (5) years of which should be in water supply systems design and operation.</li> </ul>
Sewerage and Sanitation Expert	<ul style="list-style-type: none"> <li>• Must have a Bachelor's degree in Engineering;</li> <li>• At least ten (10) years of professional experience, three (3) years of which must be international and/or worked on at least three (3) international projects, as an Engineer in the analysis, planning, design and management of sewerage and sanitation facilities</li> </ul>
Sewerage and Sanitation Specialist	<ul style="list-style-type: none"> <li>• Must have a Bachelor's degree in Engineering;</li> <li>• At least ten (10) years of experience in the water and sewerage sector, five (5) years of</li> </ul>



		which should be in the analysis, planning, design and management of sewerage and sanitation facilities.
	Demographic/ Survey Specialist	<ul style="list-style-type: none"> <li>• Must have a Bachelor's degree in Statistics;</li> <li>• At least five (5) years of extensive experience in population/projection survey and demographic studies</li> </ul>
	Cost Engineers	<ul style="list-style-type: none"> <li>• Must have a Bachelor's degree in Engineering;</li> <li>• At least five (5) years of experience in unit cost development/price analysis and estimates of water supply and sewerage facilities.</li> </ul>
	Lawyer	<ul style="list-style-type: none"> <li>• Must be a member of the Philippine Bar;</li> <li>• At least five (5) years of extensive experience in corporate law practice in a regulated environment;</li> <li>• Must be proficient in contract review and resolving legal and regulatory issues, with exposure to large infrastructure projects, preferably in the water and sewerage sector</li> </ul>
	<p>Technical Services involving the following: (1) review of the historical financial and technical performance of MWSS concessionaires; (2) evaluation of short term, medium term, and long term technical and financial plans of MWSS concessionaires; and (3) rate setting in accordance with the rate rebasing framework of MWSS.</p> <p>If any document or report is required by law, policy, or regulation to be signed by a registered professional, then the key personnel signing such document or report must be a nominated key professional and must comply with the requirements provided in this EDS.</p> <p>Key staff who will actually perform the work shall be registered professionals by the Philippine Regulation Commission (PRC), Supreme Court, and/or other appropriate regulatory body.</p>	
1.3	No further Instructions.	
2.1(a)(ii)	The statement of all ongoing and completed government and private contracts shall include all such contracts within the last preceding 10 years prior to the deadline for the submission and receipt of eligibility documents.	
2.1(a)(ii.7)	Certificate of Completion, document or receipt indicating proof of Final Payment, and/or other equivalent documents.	
4.2	Each prospective bidder shall submit one (1) original copy and four (4) photocopies, preferably with one (1) electronic/scanned copy, of its eligibility documents. Failure to submit electronic/scanned copy shall not be a ground for disqualification.	

	<p>Each must be properly labeled, bound, and tabbed for easy reference. Moreover, all pages of documents submitted must be numbered.</p> <p>However, non-compliance with the labeling, binding, and tabbing, and page numbering requirement shall not be a ground for disqualification.</p>		
4.3(c)	<p><b>LEE ROBERT M. BRITANICO</b>  MWSS Regulatory Office Bids and Awards Committee  3rd Floor, Engineering Building, MWSS Complex  Katipunan Road, Balara, Quezon City  Telefax Number: (02) 3435-8903 / (02) 8925-6619  E-mail address: <a href="mailto:ranjev.garcia@ro.mwss.gov.ph">ranjev.garcia@ro.mwss.gov.ph</a>,  <a href="mailto:justineirish.ignacio@ro.mwss.gov.ph">justineirish.ignacio@ro.mwss.gov.ph</a></p>		
4.3(d)	<p>Consultancy Services for the Fifth Rate Rebasing Contract No. RO-CS2021-002</p>		
5	<p>The address for submission of eligibility documents is <b>3rd Floor, Engineering Building, MWSS Complex, Katipunan Road, Balara, Quezon City.</b></p> <p>The deadline for submission of eligibility documents is <b>17 September 2021, 11:30 AM.</b></p>		
8.1	<p>Opening of eligibility documents shall be on <b>17 September 2021, 2:00 PM</b> to be conducted through online video conferencing using the online video conferencing application. Eligibility documents will be opened in the presence of the prospective bidder's representatives who choose to attend the activity.</p>		
9.1	<p>Similar contracts shall refer to completed projects as follows:</p> <ul style="list-style-type: none"> <li>a. Financial planning and rate/price structuring for companies/entities involving large infrastructure projects, preferably in the water, sewerage, power, toll, and/or telecommunications sector;</li> <li>b. Financial Audit for rate setting and/or due diligence audit required for valuation such as mergers and acquisition of companies with large infrastructure projects, preferably in the water, sewerage, power, toll and/or telecommunications sector; and</li> <li>c. Technical review and evaluation or technical planning and development of complex infrastructure systems involving water and sewerage.</li> </ul> <p>The consultant should have completed at least one (1) project for each of the foregoing items, otherwise, the consultant shall be disqualified.</p>		
9.2	<p>Criteria for the short listing of consultants shall be as follows:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: center; border: none;"><b>Criteria</b></th> <th style="text-align: center; border: none;"><b>Rating</b></th> </tr> </thead> </table>	<b>Criteria</b>	<b>Rating</b>
<b>Criteria</b>	<b>Rating</b>		

	<b>I. Applicable Experience</b>	<b>50 points</b>
	Completed consulting services of size, complexity and technical specialty comparable to the contract to be bid, including quality of performance	40 points
	Other completed consulting services related to the contract under consideration	10 points
	<b>II. Quality of Key Staff that may be Assigned</b>	<b>30 points</b>
	Key Staff Education	6 points
	Key Staff Experience	24 points
	<b>III. Job Capacity</b>	<b>20 points</b>
	No. of Technical Personnel	5 points
	Firm's Productivity	5 points
	Personnel Workload	5 points
	Firm's Workload	5 points

***Section IV. Consultant's Confidential  
Application for Eligibility***



**CONSULTANT’S CONFIDENTIAL APPLICATION FOR ELIGIBILITY  
Consultancy Services for the Fifth Rate Rebasing  
Contract No. RO-CS2021-002**

Date: \_\_\_\_\_

**LEE ROBERT M. BRITANICO**  
**Chairperson, MWSS-RO Bids and Awards Committee (MWSS-RO BAC)**

Gentlemen:

I \_\_\_\_\_ of legal age, with postal address at \_\_\_\_\_  
\_\_\_\_\_, under oath, hereby deposes and states:

That I am the \_\_\_\_\_ of \_\_\_\_\_ duly authorized  
to make this statement, as evidence by the attached written authority from the proprietor/governing  
board of the firm;

I understand that any information found to be false or misrepresentation of my firm/company would  
constitute grounds for disqualification; and

That I hereby present the attached Information for Eligibility and to Bid with the Metropolitan  
Waterworks and Sewerage System – Regulatory Office (MWSS-RO).

IN WITNESS WHEREOF, I hereby affix my signature this \_\_\_day of \_\_\_\_\_, 2021 at  
\_\_\_\_\_, Philippines.

\_\_\_\_\_  
AFFIANT

SUBSCRIBED AND SWORN TO before me this \_\_\_ day of \_\_\_\_\_, 2021, affiant exhibiting  
to me his/her Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at  
\_\_\_\_\_, Philippines.

NOTARY PUBLIC

Until \_\_\_\_\_  
PTR No. \_\_\_\_\_  
Date \_\_\_\_\_  
Place \_\_\_\_\_  
TIN \_\_\_\_\_

Doc. No.: \_\_\_\_\_  
Page No.: \_\_\_\_\_  
Book No.: \_\_\_\_\_  
Series of \_\_\_\_\_

**A.1 Name of Primary Firm/Company:** \_\_\_\_\_

- a. Acronym : \_\_\_\_\_
- b. Year Established : \_\_\_\_\_
- c. Main Office Address : Street#: \_\_\_\_\_ Street Name \_\_\_\_\_  
Town/City Name: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Region: \_\_\_\_\_
- d. Phone Number : \_\_\_\_\_ e. Email Address \_\_\_\_\_
- f. Fax Number : \_\_\_\_\_ g. Telex Number \_\_\_\_\_
- h. Former Names of the Firm/Company: \_\_\_\_\_  
\_\_\_\_\_

i. Type of Organization (please check all that apply):

- Sole Proprietorship  Corporation
- Partnership  Others \_\_\_\_\_

j. Type of Consulting Services Offered (please check all that apply)

- Advisory and Review Services  Pre-Investment or Feasibility Study
- Design  Construction Supervision
- Management and Related Services  Other Technical Services or Special Studies

**A.2 Contact Person 1**

- a. Name : \_\_\_\_\_
- b. Designation : \_\_\_\_\_
- c. Phone Number : \_\_\_\_\_
- d. Specimen Signature : \_\_\_\_\_

**A.3 Contact Person 2**

- a. Name : \_\_\_\_\_
- b. Designation : \_\_\_\_\_
- c. Phone Number : \_\_\_\_\_
- d. Specimen Signature : \_\_\_\_\_

## ASSOCIATE FIRMS

### B.1 Firm 1

- a. Acronym : \_\_\_\_\_  
b. Year Established : \_\_\_\_\_  
c. Main Office Address :Street#:\_\_\_\_\_ Street Name \_\_\_\_\_  
Town/City Name:\_\_\_\_\_   
Postal Code:\_\_\_\_\_ Region: \_\_\_\_\_  
d. Phone Number : \_\_\_\_\_ e. Email Address \_\_\_\_\_  
f. Fax Number : \_\_\_\_\_ g. Telex Number \_\_\_\_\_  
h. Former Names of the Firm/Company: \_\_\_\_\_  
\_\_\_\_\_

i. Type of Organization (please check all that apply):

- Sole Proprietorship  Corporation  
 Partnership  Others \_\_\_\_\_

j. Type of Consulting Services Offered (please check all that apply)

- Advisory and Review Services  Pre-Investment or Feasibility Study  
 Design  Construction Supervision  
 Management and Related Services  Other Technical Services or Special Studies

### B.2 Firm 2

- a. Acronym : \_\_\_\_\_  
b. Year Established : \_\_\_\_\_  
c. Main Office Address :Street#:\_\_\_\_\_ Street Name \_\_\_\_\_  
Town/City Name:\_\_\_\_\_   
Postal Code:\_\_\_\_\_ Region: \_\_\_\_\_  
d. Phone Number : \_\_\_\_\_ e. Email Address \_\_\_\_\_  
f. Fax Number : \_\_\_\_\_ g. Telex Number \_\_\_\_\_  
h. Former Names of the Firm/Company: \_\_\_\_\_  
\_\_\_\_\_

i. Type of Organization (please check all that apply):

- Sole Proprietorship  Corporation  
 Partnership  Others \_\_\_\_\_

j. Type of Consulting Services Offered (please check all that apply)

- Advisory and Review Services  Pre-Investment or Feasibility Study  
 Design  Construction Supervision  
 Management and Related Services  Other Technical Services or Special Studies









## E. CLASS "A" DOCUMENTARY REQUIREMENTS

### E.1 Legal Documents

#### E.1.1 Registration/Licenses

	Registration/ License #	Place of Registration	Date of Reg. (mm/dd/yy)	Expiration Date (mm/dd/yy)
PhilGEPS Registration and Membership <i>(Platinum Member - dispense submission of Class A Legal and Financial Documents; Non-Platinum Member - submit Class A Legal and Financial Documents)</i>				
DTI Business Name Registration (if sole proprietorship)				
SEC (if partnership or corporation) Certificate				
SEC Registration (if Foreign Consultant)				
CDA Registration Certificate (for Cooperatives)				
Valid and Current MAYOR'S Permit				
Tax Clearance				

#### Percentage of ownership of the firm's assets:

Filipino : \_\_\_\_\_%

Other Nationalities : \_\_\_\_\_%

**E.2 Technical Documents**

**E.2.1 Experience** (complete a separate form for the Primary Firm and each Associate Firm)

a. Consultant’s Comparable Work Experience - List of (maximum of 5 for all firms for each project sub-category) government and private consulting services contracts of size, complexity and technical specialty **comparable** to the project under consideration completed by the Firm/Company. Cost must be in Philippine Pesos computed on the date of the signing of the contract.

a.1 Financial planning and rate/price structuring for companies/entities involving large infrastructure projects, preferably in the water, sewerage, power, toll and/or telecommunications sector

Name of Firm/Company : \_\_\_\_\_

Contract Name	Location	Name of Client	Contract Date (mm/dd/yy)		Cost of Consultancy Contract	% Participation	Primary or Associate Firm <u>P or A</u>	Category of Service Rendered
			Start	Actual Completion				
1.								
2.								
3.								
4.								
5.								

*Category of Services Rendered: A – Advisory and Review Services, P – Pre-Investment or Feasibility Studies, D – Detailed Design, C – Construction Supervision, O – Other Technical Services or Special Studies*

*Note: Attach certified copy of Certificate of Satisfactory Completion issued by the Client and/or Document/Receipt indicating proof of Final Payment (Annex G)*

a.2 Financial Audit for rate setting and/or due diligence audit required for valuation such as mergers and acquisition of companies with large infrastructure projects, preferably in the water, sewerage, power, toll, and/or telecommunications sector.

Name of Firm/Company : \_\_\_\_\_

Contract Name	Location	Name of Client	Contract Date (mm/dd/yy)		Cost of Consultancy Contract	% Participation	Primary or Associate Firm <u>P or A</u>	Category of Service Rendered
			Start	Actual Completion				
1.								
2.								
3.								
4.								
5.								

*Category of Services Rendered: A – Advisory and Review Services, P – Pre-Investment or Feasibility Studies, D – Detailed Design, C – Construction Supervision, O – Other Technical Services or Special Studies*

*Note: Attach certified copy of Certificate of Satisfactory Completion issued by the Client and/or Document/Receipt indicating proof of Final Payment (Annex G)*

a.3 Technical review and evaluation or technical planning and development of complex infrastructure systems involving water and sewerage

Name of Firm/Company : \_\_\_\_\_

Contract Name	Location	Name of Client	Contract Date (mm/dd/yy)		Cost of Consultancy Contract	% Participation	Primary or Associate Firm <b>P or A</b>	Category of Service Rendered
			Start	Actual Completion				
1.								
2.								
3.								
4.								
5.								

*Category of Services Rendered: A – Advisory and Review Services, P – Pre-Investment or Feasibility Studies, D – Detailed Design,  
C – Construction Supervision, O – Other Technical Services or Special Studies*

*Note: Attach certified copy of Certificate of Satisfactory Completion issued by the Client and/or Document/Receipt indicating proof of Final Payment (Annex G)*

b. Consultant's **Related** Work Experience – List of (maximum of 5 for all firms) government and private consulting services contracts related to the project under consideration completed by the Firm/Company for the last preceding 10 years. Cost must be in Philippine Pesos computed on the date of the signing of the contract.

Name of Firm/Company : \_\_\_\_\_

Contract Name	Location	Name of Client	Contract Date (mm/dd/yy)		Cost of Consultancy Contract	% Participation	Primary or Associate Firm <u>P or A</u>	Category of Service Rendered
			Start	Actual Completion				
1.								
2.								
3.								
4.								
5.								

Category of Services Rendered: *A – Advisory and Review Services, P – Pre-Investment or Feasibility Studies, D – Detailed Design, C – Construction Supervision, O – Other Technical Services or Special Studies*

Note: Attach certified copy of Certificate of Satisfactory Completion issued by the Client and/or Document/Receipt indicating proof of Final Payment (Annex G)

c. List of on-going government and private contracts including contracts already awarded but not yet started. Cost must be in Philippine Pesos computed on the date of the signing of the contract.

Name of Firm/Company : \_\_\_\_\_

Contract Name	Location	Name of Client	Contract Date (mm/dd/yy)		Cost of Consultancy Contract	% Participation	Primary or Associate Firm <u>P or A</u>	Category of Service Rendered
			Start	Actual Completion				
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								

*Category of Services Rendered: A – Advisory and Review Services, P – Pre-Investment or Feasibility Studies, D – Detailed Design, C – Construction Supervision, O – Other Technical Services or Special Studies*

*Note: Attach certified copy of Notice of Award and/or Notice to Proceed issued by the Client (Annex H)*



**E.2.2 Project Profile** (complete a separate form for the Primary Firm and each Associate Firm for all projects listed in Section E.2.1)

Name of Firm/Company : \_\_\_\_\_

Project Name:		Country:
Location within Country:		Professional Staff Provided by Your Firm/Entity:
Name of Client:		No. of Staff:
Address:		No. of Staff-Months; Duration of Project:
Start Date (Month/Year):	Completion Date (Month/Year):	Total Project Costs (in PhP): Approx. Value of Services (in PhP):
Name of Associated Consultants, if any:		No. of Months of Professional Staff Provided by Associated Consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:		
Narrative Description of Project:		
Description of Actual Services Provided/Being Provided by Your Staff:		

### **E.2.3 Statement On Citizenship & Professional Registration**

Date of Issuance

**PATRICK LESTER N. TY**

Chief Regulator  
MWSS Regulatory Office  
Katipunan Road, Balara, Quezon City

Attention : **Lee Robert M. Britanico**  
Chairperson, MWSS RO Bids and Awards Committee

Dear Sir/Madame:

In compliance with the requirements of the MWSS Regulatory Office BAC for the bidding of the Consultancy Services for the Fifth Rate Rebasing – Contract No. RO-CS2021-002, I hereby certify that:

- I am (Nationality) citizen wishing to participate in the bidding.
- I have the technical and financial capabilities to satisfactorily render the required services.

I certify further that all of the owners/principals/partners and key staff of \_\_\_\_\_ (Name of the Bidder) possess the required professional licenses issued by the Professional Regulation Commission or other appropriate regulatory body.

Very truly yours,

Name and Signature of Authorized Representative

Position

Name of the Bidder

**E.3 Financial Document** (complete a separate form for the Primary and each Associate Firm)

Name of Firm/Company : \_\_\_\_\_

Summary of the Consultant’s audited financial statements, showing, among others, the Consultant’s total and current assets and liabilities, stamped “RECEIVED” by the Bureau of Internal Revenue (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.

		Year 20__
1.	Total Assets	
2.	Current Assets	
3.	Total Liabilities	
4.	Current Liabilities	
5.	Net Worth (1-3)	
	Net Working Capital (2-4)	

Annual volume of gross fees for the last five (5) years in Philippine Pesos

- Year 20\_\_ : \_\_\_\_\_
- Year 20\_\_ : \_\_\_\_\_
- Year 20\_\_ : \_\_\_\_\_
- Year 20\_\_ : \_\_\_\_\_
- Year 20\_\_ : \_\_\_\_\_

**Bank Information**

Name of Bank and Branch	Present Credit Line Amount	Effective Period	
		From (mm/dd/yy)	To (mm/dd/yy)

Submitted by:

Name and Signature of Authorized Representative

Position

Date : \_\_\_\_\_

*Note: Attach latest audited Financial Statement stamped received by the BIR (Annex I)*

**F. CLASS “B” DOCUMENTARY REQUIREMENTS**

***F.1 Valid Joint Venture Agreement (JVA)***

KNOW ALL MEN BY THESE PRESENTS:

That this JOINT VENTURE AGREEMENT is entered into By and Between \_\_\_\_\_,  
of legal age,  (civil status) , owner/proprietor of \_\_\_\_\_ and  
a resident of \_\_\_\_\_.

- and -

\_\_\_\_\_, of legal age,  (civil status)  owner/proprietor of  
\_\_\_\_\_ a resident of \_\_\_\_\_.

That both parties agree to join together their manpower, equipment, and what is needed to facilitate the Joint Venture to participate in the Eligibility, Bidding and Undertaking of the here-under stated project to be conducted by the MWSS Regulatory Office.

NAME OF PROJECT

CONTRACT AMOUNT

That both parties agree to be jointly and severally liable for the entire assignment.

That both parties agree that \_\_\_\_\_ and/or \_\_\_\_\_ shall be the Official Representative of the Joint Venture, and is granted full power and authority to do, execute and perform any and all acts necessary and/or to represent the Joint Venture in the bidding as fully and effectively and the Joint Venture may do and if personally present with full power of substitution and revocation.

That this Joint Venture Agreement shall remain in effect only for the above stated Project until terminated by both parties.

Done this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord \_\_\_\_\_.

**WITNESSES**

\_\_\_\_\_

**ACKNOWLEDGEMENT**

BEFORE ME, A Notarial Public in and for \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ personally appeared the following:

NAME: \_\_\_\_\_ Community Tax Certificate No: \_\_\_\_\_  
Issued on: \_\_\_\_\_  
Issued at: \_\_\_\_\_

NAME: \_\_\_\_\_ Community Tax Certificate No: \_\_\_\_\_  
Issued on: \_\_\_\_\_  
Issued at: \_\_\_\_\_

Known to me to be the same person who executed the foregoing instrument acknowledge the same to their own free and voluntary act and deed as well as that of the entity/corporations herein represented.

WITNESS MY HAND AND NOTARIAL SEAL on the date and place above written.

NOTARY PUBLIC

Until \_\_\_\_\_  
PTR No. \_\_\_\_\_  
Date \_\_\_\_\_  
Place \_\_\_\_\_  
TIN \_\_\_\_\_

Doc. No.: \_\_\_\_\_  
Page No.: \_\_\_\_\_  
Book No.: \_\_\_\_\_  
Series of \_\_\_\_\_

# INSTRUCTIONS

1.0 The Applicant shall accomplish/answer all items in the Application using the English language. Answers must be given to all questions in the aforesaid statement. All blanks shall be properly filled up. If necessary, additional sheets may be added to the form or if the form has limited space, it can be reproduced and enlarged to suit the Applicant's needs. Documents submitted on forms or in any format other than that prescribed in the aforesaid Statement shall be considered non-complying and will be rejected outright. Forms that may require attachments shall be clearly marked, and provided with "dog ear", i.e., Annex A, Annex B, etc.

2.0 The information/data submitted by the interested Firm/Company are to be used by the MWSS-RO in determining, according to its judgement and discretion, the eligibility and qualification of prospective Firm/Company. In view thereof, the interested Firm/Company is encouraged to communicate with the MWSS-RO for any clarification or interpretations on the documents as request for reconsideration will not be entertained on any erroneous interpretations or conclusions made by the Applicant. An interested Firm/Company submitting its qualifications as prospective Firm/Company for review and consideration waives any claim against any decision thereon. The signing by the Firm/Company or his duly authorized representative of the Registry Application Statement acknowledges the truth and correctness of all statements made thereon; otherwise, the Firm/Company shall be liable for perjury as provided in the Revised Penal Code.

3.0 The following documents shall, among others, comprise the Consultant's Application for Eligibility:

## General Information

**Annex A:** Original copy of the appointment/designation of the Authorized Person to sign and submit application for eligibility from the Owner/Governing Board of the firm with specimen signature and photographs (2x2). If Corporation, it should be in the form of a Board Resolution certified by the Board Secretary.

**Annex B:** PhilGEPS Registration and Membership

**Annex C:** Prospective Bidder's certified copy of valid Certificate of Registration of Business Name from the Department of Trade and Industry (DTI), if Sole Proprietor, or;

Prospective Bidder's certified copy of Certificate of Registration from the Securities and Exchange Commission (SEC), if Partnership or Corporation or Foreign Consultant, or;

Prospective Bidder's certified copy of Registration from Cooperative Development Authority (CDA), if Cooperative.

- Annex D:** Prospective Bidder’s certified copy of Deed or Articles of Partnership, if Partnership, or;  
  
Prospective Bidder’s certified copy of Articles of Incorporation, if Corporation.
- Annex E:** Prospective Bidder’s certified copy of valid and current Mayor’s permit.
- Annex F:** Tax Clearance
- Annex G:** Prospective Bidder’s certified copy of Certificate of Satisfactory Completion issued by the Client and/or Document/Receipt indicating proof of final payment (attachment to Sections E.2.1.a. and E.2.1.b)
- Annex H:** Prospective Bidder’s certified copy of Notice of Award and/or Contract and Notice to Proceed issued by the Client (attachment to Section E.2.1.c.)
- Annex I:** Latest audited Financial Statement stamped “RECEIVED” by the BIR or its duly authorized agents (attachment to Item E.3)

4.0 Each page of the annexes, attachments and other supporting documents shall be marked in the right top corner, i.e. Annex A, page 1 of 5; Annex A page 2 of 5; etc, as the case may be.

5.0 The MWSS-RO reserves the right to accept or reject any application without any liability to the affected applicants or any obligation to inform the applicants of the grounds for the action taken thereon.

6.0 Definitions and terms

**Acronym**

Abbreviation of the firm/company’s name.

**Annual volume of gross fees**

The gross annual fees earned by the firm for the previous five (5) years.

**Associate Firms**

Information about firms/companies joining with the primary firm/company listed in Section B for purposes of eligibility application for the contract in question.

**Category of Service Rendered**

The nature of service rendered whether A-Advisory and Review Services, P-Pre-Investment or Feasibility Studies, D-Detailed Design, C-Construction Supervision, O-Other Technical Services or Special Studies

**Name of Client**

The name of the client firm.

**Consultant's On-Going and Awarded Contracts**

A list of all on-going contracts including private contracts already awarded but not yet started.

**Consultant's Comparable Work Experience**

A list of the firm's most comparable contracts (maximum of 5 for all firms combined) successfully completed by the firm/company for the last 10 years. "Comparable" means consulting services of size, complexity and technical specialty, comparable to the job under consideration including quality of performance.

**Consultant's Related Work Experience**

A list of the most related contracts (maximum of 5 for all firms combined) successfully completed by the firm/company for the last 10 years. "Related" means consulting services related to the job under consideration.

**Contact Person 1**

The name, designation and telephone number of an employee who can answer questions concerning the application statement.

**Contact Person 2**

The name, designation and telephone number of an additional employee who can answer questions concerning the application statement.

**Contract Date Actual Completion**

The month, day, year of the contract's actual completion.

**Contract Date Start**

The month, day, year the contract started.

**Contract Name**

The name of each contract listed.

**Cost of Consultancy Contract**

The cost in Philippine Peso of the consultancy contract computed on the date of the contract signing.

**Date Degree Awarded**

The month, day and year the degree was awarded to the employee.

**Date of Assignment**

The month, day and year when the employee began working on the contract and the month, day and year when the employee finished working in the contract.

**Degrees**

A list of all degrees earned by the employee.

**Description of Project**

A narrative description of the project giving a summary explanation of the size, purpose, objectives and benefits of the project.



**Description of Actual Services Provided/Being Provided**

A narrative description of the work done for the contract assignment. It is very important to complete this item thoroughly and in detail. Descriptions should be detailed and specific with regard to what was done and how it was done.

**Email Address**

The email address of the head office.

**Estimated Completion**

The month, day and year the contract is scheduled to be complete.

**Experience**

This section must be completed for the primary firm and all associate firms listed in Section B.

**Fax Number**

The fax number of the head office.

**Former Names of the Firm/Company**

A list of all names the firm has previously used in conducting business.

**Main Office Address**

The address of the firm/company's head office.

**Institution**

The name of the institution where the degree was earned.

**Key Staff Assigned**

The name, identification number and assignment dates for each employee assigned to the contract.

**Location**

The name of the location where the contract took place.

**Name of Associate Firm/Company**

The associate consultant firm name.

**Name of Primary Firm/Company**

The firm name of the primary consultant submitting the application.

**Names of Key Personnel that May Be Assigned**

The names of key personnel of the firm/company that will possibly be appointed for the particular contract in question.

**Names of Owners/Stockholders/Partners**

The names of all persons who have ownership in the firm/company.

**Nationality**

The name of the country of citizenship for the person concerned.

**Number of Administrative Staff**

The number of administrative staff employed by the firm/company.

**Number of Key Technical Personnel by Professional Category**

The number of principal technical personnel employed by the firm/company categorized by professional category.

**Number of Technical Support Personnel by Professional Category**

The number of technical support personnel employed by the firm/company categorized by professional category.

**Percentage Participation**

The firm's percent participation in the contract in the case of associate firms working together on the contract based on cost.

**Primary or Associate Firm**

For the listed contract indicate if the firm/company was the prime consultant or the associate consultant.

**Professional Category**

The nature or professional expertise of each employee listed using the categories listed in items “a” and “b” under Section D.

**Tax ID Number/PRC Number/Passport Number**

A unique number identifier for each name listed.

**Telephone Number**

The telephone number of the head office.

**Type of Organization**

The category that describes the ownership of the firm/company.

**Work Experience**

The list of contract/employment the employee has been assigned.

**Year Established**

The year the firm/company was established.

**Years with Firm**

The number of years the employee has worked for the firm.

