



RESOLUTION NO. 02-2011

APPROVING THE REVISED GUIDELINES ON RECOGNITION OF UMBRELLA ORGANIZATION OF CONSULTANTS

Pursuant to Section 24.6.1 of the Implementing Rules and Regulations (IRR) Part-A of Republic Act No. 9184 (RA 9184), the Government Procurement Policy Board (GPPB) approved the “*Guidelines for Recognition of the Umbrella Organization of Consultants under Section 24.6 of the IRR-A of RA 9184*”, through GPPB Resolution No. 014-2004 dated 22 November 2004.

The objectives of the guidelines is to identify and recognize organization of consultants that will promote the growth and national development of the consulting industry in the Philippines, in general, and the Filipino consultants, in particular.

During the 5th Regular Meeting of the Inter Agency Technical Working Group (IATWG) held last 18 May 2007, the IATWG unanimously agreed to revise the Guidelines in order to clarify the duties and responsibilities of umbrella organization of consultants (UOCs). Likewise, the IATWG created a small IATWG composed of representatives from the Department of Public Works and Highways (DPWH) and the National Economic Development Authority (NEDA) for the matter.

During the meeting held last 14 December 2007, the GPPB and the IATWG unanimously agreed to recognize several UOCs for each major sector which will be included in the revised Guidelines, with a view to encourage and foster the development of an umbrella organization that will cover all professions and disciplines.

On its 5th Regular Meeting held last 16 May 2008, the IATWG discussed and resolved the issues on (i) the necessity of amending Section 24.6.1 of the IRR-A of RA 9184, (ii) the identification of the major sectors of the Philippine consulting industry, and (iii) the procedure for recognition of UOCs. It also agreed to include the Department of Trade and Industry and the private sector representatives in the composition of the small IATWG for the Guidelines. The Government Procurement Policy Board - Technical Support Office (GPPB-TSO) was tasked to draft the revised Guidelines incorporating the recommendations of the IATWG.

During the 6th GPPB Meeting last 27 June 2008, the GPPB-TSO presented for the information of the Board the salient features of the draft revised Guidelines, viz: (1) policy statement; (2) guiding principles; (3) criteria; (4) procedure for recognition; (5) duties and responsibilities; and (6) treatment of complaints in case of failure to comply with the its duties and responsibilities. The GPPB-TSO also presented the list of major sectors of the consulting industry and the suggested specific sub-categories per major sector. The GPPB, however, resolved to defer the approval of the draft revised Guidelines and instructed the GPPB-TSO to further study the recommendations of the members of the Board.

In the meantime, the GPPB approved the Revised IRR of RA 9184, through GPPB Resolution No. 03-2009 dated 22 July 2009. The mandate for GPPB to recognize UOC is provided in Annex “B” of the IRR, entitled “*General Principles on Consulting Services*”.

During the 2nd IATWG Meeting held last 12 February 2010, the IATWG recommended, for the approval of the Board, the imposition of sanctions against UOC who failed to uphold their duties and responsibilities provided in the revised Guidelines, and the duty of UOC to self-police its members. The IATWG further resolved to delegate to a Sub-working Group the discussion to be composed of representatives from NEDA and DPWH, the private sector, and Commission on Information and Communication Technology (CICT) as resource person.

When the GPPB convened for its 2nd Regular Meeting last 26 February 2010, it agreed to adopt the recommendations of the IATWG. However, the GPPB explicitly pointed out the need to conduct further study on the following issues, to wit: (1) providing a minimum percentage of points that should be given to UOC member; (2) criteria for selection; (3) duration of the recognition; (4) payment of registration fee; and, (5) UOC's policies for its members.

Last 20 January 2011, a Sub-working Group composed of representatives from NEDA and CICT met to discuss the foregoing issues. In addition, they deliberated on the list of major sectors of the consulting industry, and their respective sub-sectors.

In the 1st Meeting held last 28 January 2011, the GPPB and IATWG, after careful and thorough deliberations of all the issues and recommendations presented, resolved to approve the recommendations of the Sub-working group on the recognition of UOCs.

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law, hereby **RESOLVE** to confirm, adopt, and approve the “**REVISED GUIDELINES ON THE RECOGNITION OF UMBRELLA ORGANIZATION OF CONSULTANTS**” attached as Annex “A” and made an integral part of this resolution.

This resolution shall take effect immediately.

APPROVED this 28th day of January 2011 at Pasig City, Philippines.

(Sgd.)

**DEPARTMENT OF BUDGET AND
MANAGEMENT**
By:

(Sgd.)

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**
By:

(Sgd.)

DEPARTMENT OF NATIONAL DEFENSE
By:

(Sgd.)

**DEPARTMENT OF PUBLIC WORKS AND
HIGHWAYS**
By:

(Sgd.)

DEPARTMENT OF EDUCATION
By:

(Sgd.)

DEPARTMENT OF HEALTH
By:

(Sgd.)

**DEPARTMENT OF THE INTERIOR AND
LOCAL GOVERNMENT**
By:

(Sgd.)

DEPARTMENT OF ENERGY
By:

(Sgd.)

**DEPARTMENT OF TRADE AND
INDUSTRY**
By:

(Sgd.)

DEPARTMENT OF FINANCE
By:

(Sgd.)

**DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS**
By:

(Sgd.)

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**
By:

(Sgd.)

PRIVATE SECTOR REPRESENTATIVE
By:

Attested by:

(Sgd.)

DENNIS LORNE S. NACARIO
Board Secretary, GPPB
OIC-Executive Director, GPPB-TSO

**REVISED GUIDELINES ON RECOGNITION OF
UMBRELLA ORGANIZATION OF CONSULTANTS**

1. POLICY STATEMENT

Under Annex “B” of the Implementing Rules and Regulations (IRR) of Republic Act 9184 (RA 9184), the Government Procurement Policy Board (GPPB) is directed to recognize an Umbrella Organization of Consultants composing of various organizations of consultants and individual consultants in the Philippines that may be engaged by the Government on matters relating to consulting services.

The policy direction, therefore, is to encourage and foster the development of an umbrella organization that covers a wider range of professions and disciplines. In furtherance of this policy, the GPPB shall recognize for each identified major sectors of the consulting industry a UOC to perform the duties and responsibilities herein provided.

2. PURPOSE

The Guidelines for Recognition of Umbrella Organization of Consultants (the “Guidelines”) shall set forth the criteria in and procedure for determining the UOCs to be recognized and their corresponding duties and responsibilities.

3. GUIDING PRINCIPLES

- 3.1. The GPPB shall recognize the UOC that best represents consultants who belong to a major sector of the consulting industry listed under Annex “A” hereof, which shall be updated by the GPPB whenever necessary.
- 3.2. The criteria shall focus on the ability and capacity of a UOC to meet the following:
 - a) Cover a wider range of professions and disciplines which comprise a major sector identified under Annex “A” hereof;
 - b) Accredit its members on the types of services in the profession or discipline falling under its recognized sub-sector/s where the members are technically and financially qualified to offer their services;
 - c) Maintain an updated list of accredited member individual consultants and/or associations;
 - d) Self-police its members for the development of the consulting industry;
 - e) Develop a continuing capacity development program for its members;

- f) Join the government in its advocacy against graft and corruption; and
- g) Assist the Philippine consulting industry, in general, and the Filipino consultants, in particular, to develop into world class consultants that can compete in the international market.

4. DUTIES AND RESPONSIBILITIES OF UMBRELLA ORGANIZATION OF CONSULTANTS

- 4.1. A recognized UOC shall have the following duties and responsibilities:
- a) Registration and accreditation of member consultants based on types of services in the profession or discipline falling under its recognized sub-sector/s where the members are technically and financially qualified to offer their services;
 - b) Preparation and certification of a list of fields and expertise in such fields available and the names of the accredited local consultants which shall be updated semi-annually or as often as necessary, and disseminated to concerned procuring entities;
 - c) Implementation of a continuing capacity development program for its member consultants, including, but not limited to, trainings/seminars/workshops on government procurement;
 - d) Regulation/Policing of its members for the development of the consulting industry which will include the establishment of a grievance mechanism for its members;
 - e) Submission of the updated list of accredited member consultants to the GPPB monthly and posting of the list at the appropriate website identified by the GPPB;
 - f) Immediately notify the GPPB whenever there are changes within the organizational set-up of the UOC which includes, but not limited to, amendments to articles of incorporation and by-laws, replacement of UOC's liaison officer;
 - g) Technical assistance to the GPPB in matters relating to the consulting industry, including assistance in identifying blacklisted consultants;
 - h) Assignment of observers to requesting procuring entities for procurement activities related to its profession;
 - i) Take measures that will help ensure the maintenance of standards on the conduct of the activities they undertake, according to its duties and responsibilities as specified herein; and
 - j) Supervision of the performance and compliance of its members as regards their obligations to procuring entities.

5. EVALUATION CRITERIA AND DOCUMENTARY REQUIREMENTS

5.1. An umbrella organization requesting recognition shall be evaluated by the GPPB using the following criteria:

5.1.1. The Organization and its Coverage (15%)

5.1.1.1. The organization must be established and created in accordance with the laws of the Philippines.

5.1.1.2. The organization must represent a major sector of the consulting industry identified in Annex "A" hereof.

5.1.1.3. The profile, vision, mission, and objectives of the organization must be consistent with its role, duties and responsibilities as a UOC.

5.1.1.4. The organization must be composed of individual consultants and/or associations, involved in various types of services related to the profession and/or discipline comprising a major sector of a consulting industry identified in Annex "A" hereof.

5.1.1.5. In satisfaction of this criterion, the organization shall submit the following documents to the GPPB:

- a) Securities and Exchange Commission (SEC) registration certificate or other documents showing existence of juridical personality;
- b) Articles of Incorporation, By-Laws, and any amendments thereto reflecting its primary and secondary purposes;
- c) Any other document stating the office location and contact number, profile, vision, mission, and objectives of the organization;
- d) List of registered members, whether individuals or associations, with their contact numbers and addresses, as well as the corresponding professions and/or disciplines they cover, and their respective track record; and
- e) Commitment by said organization to cooperate with and actively participate in the development of one umbrella organization of consultants that will encompass all professions and disciplines that may be the subject of government consultancy contracts.

5.1.2. Accreditation Process (30%)

5.1.2.1. The organization must show its ability to properly screen the applicants for membership by prescribing a standard accreditation system.

- 5.1.2.2. The accreditation system must conform to and promote the goals and objectives of this Guidelines.
- 5.1.2.3. The organization must demonstrate its capability to oversee the performance of its members, through adoption of mechanism for monitoring and evaluation of the members, and creation of an accreditation board/committee.
- 5.1.2.4. For this criterion, the organization shall submit the following documents:
 - a) The organization shall submit its accreditation guidelines and other relevant documents that describe in detail its registration and accreditation system for both individual consultants and associations; and
 - b) The organization shall also submit the composition of accreditation board/committee in charge of the evaluation of members.

5.1.3. Capacity Building Program (25%)

- 5.1.3.1. The organization shall see to it that its members are equipped with adequate skill and expertise relevant to the type of sector of consulting industry the organization belongs.
- 5.1.3.2. The organization must institute programs which aim to develop the skill or competence of its members, or for overall upgrading of the members' performance ability.
- 5.1.3.3. In satisfaction of this criterion, the organization shall submit the program/s to be adopted by the organization for capacity building of its member organizations and individual consultants.

5.1.4. Regulation/ Policing Process (25%)

- 5.1.4.1. The organization adopts a regulation/policing scheme which is geared towards monitoring the adherence to the set of rules promulgated by the organization for its members.
- 5.1.4.2. The organization shall act as the regulatory body of all its members, and as such, it should formulate mechanisms for dispute resolution in case of conflict among its members.
- 5.1.4.3. The organization must establish its capability to enforce compliance of its rules upon its members.
- 5.1.4.4. In satisfaction of this criterion, the organization shall submit the following documents to the GPPB:

- a) The guidelines reflecting the procedure on regulation/policing by the organization of its members, including sanctions for erring members; and
- b) Proposed mechanism for dispute resolution of its members.

5.1.5. Liaison (5%)

5.1.5.1. The organization must maintain active liaison with the GPPB, the relevant government agency, and various Bids and Awards Committees (BACs), as may be required by the GPPB.

5.1.5.2. In satisfaction of this criterion, the organization shall submit the following documents to the GPPB:

- a) The position and name of its officers or employees who are in charge of liaising with the GPPB and other government agencies; and
- b) The addresses and contact details of the above-mentioned officers and employees.

5.2. The organization must obtain a minimum evaluation rating of at least seventy-five percent (75%) to be recognized as a UOC.

6. APPLICATION FOR RECOGNITION

Recognition of a UOC shall be done by the GPPB under the following procedure:

- 6.1. The applicant-organization shall accomplish the application form prescribed by the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) and submit the same to the latter including the original or certified true copies of the documents required under Section 5.
- 6.2. The applicant-organization shall cause the publication of its duly accomplished application form, stamped “received” by the GPPB-TSO, at least once in a newspaper of general nationwide circulation and post the same in PhilGEPS website for a period of fifteen (15) calendar days.
- 6.3. Questions and/or oppositions on the recognition of the applicant-organization shall be submitted to the GPPB-TSO not later than fifteen (15) calendar days from the date of publication or last day of posting, whichever is later, as mentioned in the immediately preceding paragraph.
- 6.4. The documents submitted by the applicant-organization and the oppositions thereto, if any, shall be evaluated by the GPPB in order to determine the capacity of the applicant-organization to perform the duties and responsibilities of a UOC based on the given criteria for evaluation.

- 6.5. If the GPPB finds the organization qualified to be a UOC, it will declare such organization as the recognized UOC for the major sector listed in Annex "A" hereof, and will issue a Certificate of Recognition.
- 6.6. Whenever the GPPB finds that the application of the applicant-organization is insufficient to warrant recognition, the GPPB shall re-evaluate the application upon compliance by the applicant-organization of its order to revise the application and/or to submit additional documents.

7. PERIOD OF RECOGNITION

- 7.1. The recognition of UOC shall be valid for two (2) years after the issuance of the Certificate of Recognition, unless sooner revoked for a cause.
- 7.2. The GPPB shall conduct an annual review of the over-all performance of the UOC. It may also conduct random inspection of the activities of the UOC, as it deems necessary.
- 7.3. No challenge of the UOC's recognition shall be entertained for the duration of its validity.
- 7.4. After due process, the GPPB may, *motu proprio* or upon a valid complaint filed by any interested party, suspend or revoke the recognition of a UOC for failure to perform its duties and responsibilities as prescribed herein.
- 7.5. Any other sanctions the GPPB may deem to impose in the future shall be, at all instances, proportionate to the offense committed by the UOC.

8. REPEALING CLAUSE

The GPPB Guidelines for Recognition of Umbrella Organization of Consultants approved and adopted through GPPB Resolution 14-2004 is hereby repealed.

9. EFFECTIVITY CLAUSE

This shall take effect fifteen (15) days after publication in the Official Gazette or in a newspaper of general nationwide circulation and upon filing with the University of the Philippines Law Center of three (3) certified copies.

ANNEX “A”

List of Major Sectors of the Philippine Consulting Industry

1. **Agriculture** pertains, but is not limited, to the following sectors/services:
 - a) Agricultural development
 - b) Agricultural production, agro processing and agro business
 - c) Agricultural sector development
 - d) Fishery and livestock

2. **Disaster** pertains, but is not limited, to the following sectors/services:
 - a) Disaster Management
 - b) Risk Reduction
 - c) Geophysical Hazards

3. **Education** pertains, but is not limited, to the following sectors/services:
 - a) Basic education
 - b) Education sector development
 - c) Non-formal education
 - d) Senior Secondary General Education
 - e) Technical education, vocational training, and skills development
 - f) Tertiary education

4. **Energy** pertains, but is not limited, to the following sectors/services:
 - a) Conventional energy (Fossil Fuels) exploration, development, production, utilization and distribution such as: Coal, Gas and Oil.
 - b) Non-Conventional Energy (Renewable Energy) exploration, development, production, utilization and distribution such as: Wind, Solar, Hydro, Geothermal, Ocean, Biomass and Alternative Fuels.
 - c) Electricity Power development, production, transmission and distribution
 - d) Energy Efficiency, Conservation and development.

5. **Environment** pertains, but is not limited, to the following sectors/services:
 - a) Environment and biodiversity
 - b) Forestry
 - c) Geosciences
 - d) Land management
 - e) Mining and mineral resources
 - f) Waste management
 - g) Water resources management
 - h) Water supply and sanitation

6. **Finance** pertains, but is not limited, to the following sectors/services:
- a) Banking system
 - b) Business and other services
 - c) Capital markets and funds
 - d) Finance sector development and reforms
 - e) Housing finance
 - f) Micro finance
 - g) Pension, insurance, social security and savings
 - h) Public finance and expense management
7. **Health and Social Welfare** pertains, but is not limited, to the following sectors/services:
- a) Early childhood development
 - b) Health and social services attached to wider programs
 - c) Health program
 - d) Nutrition
 - e) Social protection
8. **Information and Communications Technology** pertains, but is not limited, to the following sectors/services:
- a) Hardware which includes: Processing and Storage, Communications, and Data Center Management
 - b) Software which includes: Applications, Databases, Information Security, Network, and Web Development/E-Commerce
 - c) ICT Management which includes: Strategic Planning, Project Management, Resource/Capacity Planning and Management, Systems Audit, Virtualization/Cloud Computing, Business Process, Change Management, Risk Management/Business Continuity, and Systems Administration
9. **Infrastructure** pertains, but is not limited, to the following sectors/services:
- a) Architecture
 - b) Construction supervision
 - c) Engineering
 - d) Irrigation and drainage
 - e) Transportation systems and facilities
 - f) Value engineering
 - g) Vertical structures
10. **Labor and Employment** pertains, but is not limited, to the following sectors/services:
- a) Manpower Development
 - b) Working Conditions
 - c) Occupational Safety and Hazards
 - d) Wage Classification

11. **Law** pertains, but is not limited, to the following sectors/services:
 - a) Contract review and drafting
 - b) Disputes settlement
 - c) Legal management
 - d) Legal representation
 - e) Legislative liaison

12. **Management** pertains, but is not limited, to the following sectors/services:
 - a) Economic management
 - b) Government and civil society
 - c) National government administration
 - d) Sub-national government administration
 - e) Support to NGOs

13. **Sociology** pertains, but is not limited, to the following sectors/services:
 - a) Community Development
 - b) Community Resettlement

14. **Other Sectors** as may be recognized by the GPPB such as, but not limited to, the following sectors/services:
 - a) Civil aviation
 - b) Military
 - c) Multimodal transport and sector development
 - d) Tourism
 - e) Transport and storage