

TERMS OF REFERENCE

Procurement of Consultancy Services for Competency Modeling, Profiling and Assessment for the Office of the Solicitor General

APPROVED BUDGET COST: Php 2,500,000.00

I. BACKGROUND:

The Office of the Solicitor General (OSG) is the law office of the Republic of the Philippines. It represents the Government of the Philippines its agencies and instrumentalities and its officials, agencies in their official capacity, in any litigation, proceeding, investigation and matter requiring the services of a lawyer.

Given the indispensable role that the OSG plays in the administration of justice, it is imperative that its employees, systems and procedures are at par with the current international practices and standards in public administration observed not only by the Civil Service Commission, but also of neighboring Asian countries. This project aims to develop a competency framework for all OSG personnel that will outline the knowledge, skills and attributes that lead to successful performance of each job role. The competency model to be developed in this project is intended to be used in the recruitment, selection, promotion and development of OSG personnel.

II. OBJECTIVES

1. Assess and validate 139 plantilla positions in the OSG to make sure that the employees meet the mandates, functions and organizational goals of their respective positions.
2. Identify and develop the Core, Organizational, Leadership and Functional Competencies for the 139 positions.
3. Create a competency matrix profile of the 139 positions and develop the competency-based job descriptions.
4. Determine whether such competencies and levels are present in the 139 positions in the OSG.
5. Establish a framework for a Competency-Based Human Resource System.

III. SCOPE OF WORK

The Consultant shall undertake all the necessary activities particularly the following:

A. Phase I

1. Submission of a detailed and approved work plan.
2. Project launch and orientation of the core team and selected personnel including one (1) presentation of the project, objectives, concepts, methodology, schedule, work plans, forms and technology and tools to be used.

3. Pre-test (which aims to obtain baseline data from the core group).
4. Four (4)-day training on Competency Modeling, Profiling and Assessment for the Core Team consisting of 25 pax (as identified by the Human Resource Management Division (HRMD). Training venue and food shall be provided by the OSG.
5. Two-day training/workshop in competency, modeling, profiling for members of the Promotions and Selection Board (PSB), members from the Legal and Administrative Staff including the TWG members. Training venue and food shall be provided by the OSG.
6. Review and Validation of OSG's current Competency Framework (including the review of OSG's vision, mission, core values, corporate philosophy, strategic initiatives, road map, relevant policies and procedures, and existing job descriptions of all plantilla positions.

B. Phase II

B.1 Draft Competency Model/Framework

1. Identify and develop competency models and profiles of core, organizational, and leadership competencies for 139 plantilla positions.
2. Identify the functional competencies for the said 139 positions.
3. Provide operational definition for each competency.
4. Identify behavioral indicators associated with the core, leadership and functional competencies and develop a Competency Table (Rubrics) for the 139 plantilla positions.
5. Classify behavioral indicators into different levels showing a progression of proficiency.
6. Develop Competency Dictionary which includes obtaining feedback and making necessary adjustments.
7. Create the OSG Competency Matrix.

B.2 Development of Competency-Based Profile

1. Develop and create position profiles or matrix of the 139 position titles and competencies that identifies the following:

- a. competencies required for each position; and
 - b. ideal or required level of proficiency per required competency levels for the positions.
2. Validate the OSG Competency Table, Competency Matrix and Competency Dictionary which includes writing/re-writing of Competency-Based Job Descriptions.

B.3 Competency Assessment

1. Competency Assessment of Incumbents for 139 plantilla positions.
2. Present the draft Competency Assessment of the incumbents for approval by the Solicitor General, upon recommendation of the Supervising Assistant Solicitor General for HRMD.

B.4 Competency-Based HRMS Application

Provide the Core Team an over-all perspective on how to apply the outputs of this project, i.e., implementation of the Functional Competency Dictionary [FCD] and Competency-Based Job Descriptions [CBJDs]) to be gathered by the HRMD.

C. Phase III

1. Feedback Sessions with Core Team (Debriefings, meetings, feedback sessions when necessary).
2. Cascading of the whole project (deliverables/accomplishments, tools and technologies) to the Legal Divisions and Services.
3. Closing (Formal acceptance of final output – submission of complete reports including tools and instruments used).

IV. DELIVERABLES AND TIMELINE

The following deliverables should be signed off between the OSG and the Consultant:

ACTIVITIES	DELIVERABLE/S	TIMELINE
<p>PHASE I</p> <ol style="list-style-type: none"> 1. Submission of a detailed and approved work plan. 2. Project launch and orientation of the core group and selected personnel including one (1) presentation of the project, objectives, concepts, 	<ol style="list-style-type: none"> 1. Approved Work Plan; 2. Project Launching and Orientation Seminar. 3. Baseline Data of the Core Team. 	<p>Three (3) weeks from the receipt of the Notice to Proceed (NTP).</p>

<p>methodology, schedule, work plans, forms and technology and tools to be used.</p> <ol style="list-style-type: none"> 3. Pre-test (which aims to obtain baseline data from the core group). 4. Four (4)-day Training on Competency Modeling, Profiling and Assessment. 5. Two-day training/workshop on Competency, Modeling, Profiling for the members of the Personnel Selection Board (PSB) Legal and Admin including the TWG member. 6. Review and Validation of OSG's current Competency Framework (including the review of OSG's vision, mission, core values, corporate philosophy, strategic initiatives, road map, relevant policies and procedures, existing job descriptions and other relevant information). 	<ol style="list-style-type: none"> 4. Four (4)-Day Training on Competency Modeling, Profiling and Assessment. 5. Two-day training/ workshop on Competency, Modeling, Profiling for the members of the Personnel Selection Board (PSB) Legal and Admin including the TWG member. 6. Results of the review and validation of OSG's current competency framework. 	
<p>PHASE II</p> <p>B.1 Drafting of Competency Model/Framework</p> <ol style="list-style-type: none"> 1. Identify and develop of competency models and profiles of core, organizational, and leadership competencies. 2. Identify functional competencies for the 139 positions. 3. Provide operational definition for each competency. 4. Identify behavioral indicators associated with the Core, Leadership and Functional Competencies. 5. Classify behavioral indicators into different levels showing a progression of proficiency. 	<ol style="list-style-type: none"> 1. Results of the identification of Core, Organizational, and Leadership Competencies and development of competency models and profiles of the said competencies. 2. Results of the identification of functional competencies for the 139 positions. 3. Operational definition of each competencies under items 1 and 2. 4. Behavioral indicators associated with Core, Leadership and Functional Competencies. 5. Competency Table (Rubrics). 	<p>Within six (6) six weeks from the completion of Phase 1</p>

<p>6. Development of a Competency Dictionary which includes obtaining feedback and making necessary adjustments.</p> <p>7. Creation of Competency Matrix.</p> <p>8. Validation of Framework.</p>	<p>6. Competency Dictionary.</p> <p>7. Competency Matrix.</p> <p>8. Results of the Framework Validation.</p>	
<p>B.2 Development of Competency-Based Profile</p> <p>1. Develop and create position profile or matrix of the 139 positions and competencies that identifies the following:</p> <ol style="list-style-type: none"> a. competencies required for each position; and b. ideal or required level of proficiency per required competency levels for the positions. <p>2. Validate Competency Table, Competency Matrix and Competency Dictionary which includes writing/re-writing of Competency-Based Job Descriptions;</p> <p>3. Presentation of Competency-Based Profile</p>	<p>1. Position Profile/Matrix of Competencies of the 139 positions.</p> <p>2. Writing of Competency-Based Job Descriptions.</p> <p>3. Competency-Based Job Descriptions</p>	
<p>B.3 Competency Assessment</p> <p>1. Assessment of competency of incumbents</p> <p>2. Presentation of the draft Competency Assessment of the incumbents for approval</p>	<p>Results of competency assessment</p>	
<p>B.4 Competency-Based HRMS Application</p> <p>Provide the Core Team an over-all perspective on how to apply the outputs FCD and CBJD gleaned from the project.</p>		
<p>Phase III</p> <p>1. Feedback Sessions (Debriefings, meetings, feedback sessions when necessary);</p>	<p>1. Adjustments on the Competency-Based HRMS Applications based</p>	<p>Within three (3) weeks from the completion of Phase II</p>

<p>2. Cascading of the whole project (deliverables/accomplishments), tools and technologies);</p> <p>3. Closing (Formal acceptance of final output – submission of complete reports including tools and instruments used).</p>	<p>feedback sessions conducted;</p> <p>2. Final Acceptance and Closing of the Project</p>	
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IV. QUALIFICATIONS, EXPERTISE AND SKILLS REQUIRED

1. The Consultant shall organize a team of specialists with enough members who will handle the project. The expertise of the said group members must be varied and must respond to the competencies and expertise required to complete the project. The team must have specialists in the following areas: (1) Competency-Based HR Management Applications/Systems; (2) Competency Modeling/Profiling; (3) Competency Assessment; and (4) Legal Background particularly in the government sector in order to ensure that the technical competencies are appropriately captured and translated into the required output.
2. The team members must have at least seven (7) years of professional experience in their respective fields of specialization. They must also demonstrate in their respective Curriculum Vitae their competencies in interpersonal relations, local culture sensitivity, interviewing and facilitation, experience with public sector, and their ability to adapt to different cultural settings and environmental conditions.
3. The Team Leader must clearly demonstrate expertise in the field and must have at least ten (10) years of collective experience in all aspects of HRMD. S/he must have intensive experience working with public sector clients. S/he shall likewise serve as the focal point person who will be directly contacted by OSG whenever necessary.
4. One of the team members must be adept in technical writing who will ensure that the final reports/outputs are properly written before submission to OSG; and another team member who will act as editor to ensure the quality of the output.

V. WARRANTIES OF THE CONSULTANT

1. The Consultant warrants that they shall conform strictly with all the conditions of this Terms of Reference;
2. The Consultant, in the performance of their services, shall secure and maintain at their own expense all registration, licenses or permits required by law and shall comply with the rules, regulations and directives of the regulatory authorities;
3. The Consultant shall coordinate with the authorized and/or designated personnel of the OSG in the performance of their duties.

VI. CONFIDENTIALITY OF DATA

The Consultant warrants that they shall conform strictly to the terms and conditions of this Terms of Reference. In particular, they shall:

- a. be required to sign a non-disclosure agreement;
- b. warrant, represent and undertake reliability of the services required;
- c. agree to hold the proprietary information in strict confidence;
- d. agree not to reproduce, transcribe or disclose the proprietary information to third parties without prior written approval from the office; and
- e. uphold strict confidentiality of any and all information that will come to their knowledge.

VII. SCHEDULE OF PAYMENTS

DETAILS	BUDGET COST
MOBILIZATION	15%
PHASE I (Please refer to Item IV)	35%
PHASE II (Please refer to Item IV)	40%
PHASE III (Please refer to Item IV)	10%
TOTAL CONTRACT PRICE (TCP)	Php2,500,000.00 inclusive of VAT

The Consultant shall be paid upon submission of output/performance reports, to the Technical Working Group who will oversee the progress and deliverables of the Consultant, and shall issue the Certificate of Acceptance, which shall, together with the output or performance reports submitted, be indorsed to the Director of Human Resource Management and Administrative Service (HRMAS), copy furnished the Financial Management Service (FMS)-Accounting Division, as a requirement for the processing of payment.

The final and last payment shall be made only after the final report and statement, identified as such, shall have been submitted by the Consultant and approved as Satisfactory by the OSG.

Overall time frame for the Project is expected to be completed within three (3) months from the date of receipt of Notice to Proceed.

VIII. OTHER PROVISIONS

Where Services are to be Performed. Consultant's services will be performed at the OSG's office at 134 Amorsolo Street, Legaspi Village, Makati City.

Nature of Relationship. Nothing therein shall be construed to create an employee-employer relationship between the OSG and the Consultant. The

Consultant shall not enter into any agreement or incur any obligations on the OSG’s behalf, or commit the OSG in any manner without its prior written approval.

Performance Security

- a. To guarantee the faithful performance by the Consultant of its obligations under this contract, it shall post a performance security bond within a maximum period of ten (10) calendar days from the receipt of the Notice of Award from the OSG and in no case later than the signing of the contract.
- b. The performance security bond shall be denominated in Philippine Pesos and posted in favor of the OSG in an amount equal to the percentage of the total contract price in accordance with the following schedule:

Form of Performance Security	Amount of Performance Security (Equal to Percentage of the Total Contract Price)
(a) Cash or cashier’s/manager’s check issued by a Universal or Commercial Bank.	Five percent (5%)
(b) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank: Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank.	
(c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security; and/or	Thirty percent (30%)
(d) Any combination of the foregoing.	Proportionate to share of form with respect to total amount of security

- c. Failure of the Consultant to comply with the above-mentioned requirement shall constitute sufficient ground for the annulment of the award, in which event the OSG shall initiate and complete the post qualification of the second highest rated proposal.

Transportation and Hotel Accommodation of Consultants and Personnel. The Consultant shall be responsible for the transportation of its personnel for the duration of the contract, to and from the OSG’s office address, as well as hotel accommodation, if any.

Force Majeure. The Consultant shall complete the project in strict compliance with the Terms of Agreement within six (6) months, reckoned from the date of receipt of Notice to Proceed. No extension of time shall be given for causes other than due to the following: typhoons, fires, earthquakes, other forms of force majeure, valid stoppage, suspension, orders of competent authority, civil disorder, and such other similar and analogous causes.

Liquidated Damages for Delay. If the Consultant fails to deliver any or all of the Services within the period(s) specified in the Contract, the OSG shall, without prejudice to its other remedies under the Contract and under the Applicable Law, deduct from the contract price, as liquidated damages, a sum equivalent to one-tenth of one percent of the price of the unperformed portion of the Services for each day of delay based on the approved contract schedule up to a maximum deduction of ten percent (10%) of the contract price. Once the maximum is reached, the OSG may consider termination of the Contract.

**TECHNICAL WORKING GROUP FOR THE PROCUREMENT OF
CONSULTANCY SERVICES FOR COMPETENCY MODELING, PROFILING
AND ASSESSMENT FOR THE OFFICE OF THE SOLICITOR**

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