

NEGOTIATED PROCUREMENT: HIGHLY TECHNICAL CONSULTANTS

Overview

This mode of procurement may be adopted for the engagement of Highly Technical Consultants, in cases where individual consultants are hired to perform work that is (i) highly technical or proprietary, or (ii) primarily confidential or policy-determining, provided that trust and confidence are the primary considerations in their engagement. The term of the individual consultant shall be on a yearly basis, renewable at the option of the Head of the Procuring Entity (HoPE), but shall in no case exceed the term of the HoPE.



Process

Under this mode of procurement, the following procedure shall be observed:

- a) The BAC shall undertake the negotiation with the individual consultant based on the Terms of Reference prepared by the End-User or Implementing Unit. Considering the nature of the consultancy work, the negotiations need not be elaborate, it is enough that the BAC has validated that the individual is legally, technically and financially capable to undertake and fulfill the consultancy work based on the Terms of Reference.
- b) The BAC shall recommend to the HoPE the award of contract to the individual consultant. The award of contract shall be made in accordance with Section 66 of the IRR of RA No. 12009