



Asian Development Bank

**INSTRUCTIONS FOR REQUESTS FOR CONTRACT VARIATION**  
(FORMAT FOR PRESENTING REVISED COST ESTIMATES)

Requests for Contract Variation should be used by consultants for the variation of contracts that have already been negotiated with ADB. The Request Form should be prepared in MS Excel Version 5 and can be accessed in ADB website under <http://www.adb.org/Consulting/documents.asp> and contains instructions and specific guidelines for its preparation, including the accompanying documentation that needs to be submitted to ADB. A completed illustrated sample is also available on the same site for further clarification.

All proposals for changes to a contract should be submitted to the Director of the User Division concerned, as shown in the contract, who will forward a recommendation to the Director, Central Operations Services Office (COS1 or COS2) for review and implementation of the changes that have been endorsed, with any adjustments, if necessary. The new format will help clearly illustrate the cost implications of the proposed changes and facilitate expeditious processing of such requests by ADB.

## INSTRUCTIONS TO CONSULTANT TO REQUEST A CONTRACT VARIATION

### I. General Guidelines

Requests for variation of the contract should be kept to a minimum. The consultant should submit details in writing of proposed changes in the timing, duration, and or nature of their services, and estimate the cost and other implications of the changes, using the Contract Variation Form. This form can be accessed from ADB Website at <http://www.adb.org/Consulting/documents.asp>.

Explanations or justifications should be provided in a separate sheet, and should correspond with the Reference No. (Column 11) indicated in the form.

You should submit all proposals for changes in contracted services, and any further notices to the Director of the User Division (TASU) concerned specified under Clause 12 of the Consultant Services Contract.

### II. Specific Guidelines

The columns shown in the form are self-explanatory. However, the following guidelines for changes in specific items should be adhered to:

#### A. Change(s) in Personnel (International or National Experts)

1. Existing Personnel:

Indicate in the respective columns, the expert's name, the contract provision, adjustment to person-month(s) input, and the revised contract amount.

2. New Expert(s):

Indicate the Expert's name with an (N), i.e. John Doe (N). Complete the data in columns 7 to 15.

Refrain from deploying experts to the field when remuneration rates are not yet negotiated and approved by ADB Central Operations and Services Office (COSO). TASU Project Officer cannot make commitments regarding remuneration.

Documentation required (forms available in ADB web site at <http://www.adb.org/Consulting/documents.asp>:

- a) Biodata presented in the ADB format, dated and signed by the expert, showing the date of birth and citizenship, etc.
- b) Proposed Monthly Remuneration Rate in ADB format showing the breakdown into basic salary, social charges, overhead, and fees.
- c) Copy of salary slips (in English) for full-time staff of the firm. Most recent (within the last six months) contract of employment or any relevant documents to support the proposed base rate for independent expert. Rate under a QCBS contract cannot be used as reference.
- d) Audited financial statement showing social charges and overhead costs as a percentage of remuneration. Not required for replacement experts under QCBS, FBS and LCS.
- e) Terms of Reference (for additional services).

- f) Start and end dates of services.
- g) Government Employer's written confirmation that expert is on leave without pay from official post and is available to work full-time on ADB project. Current employees of Executing Agency (EA) cannot work as consultant for a TA project under the EA's supervision.
- h) Health Certificate for experts above 70 years old.
- i) New expert's services must not overlap with concurrent assignment in another ADB TA/Grant/Loan project.

### 3. Replacement Expert(s):

Indicate in the respective columns, the expert's name being replaced, the existing contract provision, and the no. of person-months (pm) input to be deducted, etc.

Immediately below the replaced expert, indicate the name of the replacement expert with an (R) i.e. Paul Simons @, and complete columns 7 to 15.

Documentation required (forms available in ADB web site at <http://www.adb.org/Consulting/documents.asp>:

#### **QCBS, FBS and LCS contracts**

- a) Biodata presented in the ADB format, dated and signed by the expert, showing the date of birth and citizenship, etc.
- b) Terms of Reference (for additional services).
- c) Start and end dates of services.
- d) Reason for replacement of expert(s) (acceptable reasons are resignation from firm, serious illness, or death).
- e) Replacement expert must have equal (or better) qualifications with expert being replaced;
- f) Government Employer's written confirmation that expert is on leave without pay from official post and is available to work full-time on ADB project. Current employees of Executing Agency (EA) cannot work as consultant for a TA project under the EA's supervision.
- g) Health Certificate for experts above 70 years old.

#### **QBS, SSS, CQS contracts**

- a) Biodata presented in the ADB format, dated and signed by the expert, showing the date of birth and citizenship, etc.
- b) Proposed Monthly Remuneration Rate in ADB format showing the breakdown into basic salary, social charges, overhead, and fees.
- c) Copy of salary slips (in English) for full-time staff of the firm. Most recent (within the last six months) contract of employment or any relevant documents to

support the proposed base rate for independent expert. Rate under a QCBS contract cannot be used as reference.

- d) Audited financial statement showing social charges and overhead costs as a percentage of remuneration. Not required for replacement experts under QCBS, FBS and LCS.
- e) Terms of Reference (for additional services).
- f) Start and end dates of services.
- g) Government Employer's written confirmation that expert is on leave without pay from official post and is available to work full-time on ADB project. Current employees of Executing Agency (EA) cannot work as consultant for a TA project under the EA's supervision.
- h) Health Certificate for experts above 70 years old.
- i) Reason for replacement of expert(s)
- j) Replacement expert must have comparable qualifications with that of expert being replaced.
- k) Replacement expert's services must not overlap with concurrent assignment with another ADB TA/Grant/Loan project.

### 3. Person-months

Calendar months shall be deemed to be one complete calendar month, e.g. 1 – 28 February (1 – 29 February during a Leap Year), 1 – 31 May, 1 – 30 June, etc. Inputs of less than 1 month shall be calculated on an hourly basis for time spent in home office (one month being equivalent to 176 hours); and on calendar basis for time spent away from home office, including travel time (one day being equivalent to 1/30<sup>th</sup> of a month). Indicate up to four decimal places.

Example: Home office of 5 days should be shown as 0.2273; Field Services of 5 days should be shown as 0.1667.

## **B. Change(s) in out-of-pocket Expenses**

1. Indicate the specific line item in column 2, and fill in the rest of the required data from columns 3 to 15. If budget item is new, please show as: Survey, Design (New). Cost details should be given with the explanation to support this new item.
2. Flat rate Items: NO CHANGES will normally be allowed for these items, except, when an extension is approved. The budget may then be increased commensurate to the period of the extension at the same flat rate.
3. Lump Sum items. NO CHANGES will normally be allowed for these items, except, where there is additional requirement necessitating additional costs.
4. Savings and/or Additional funds for reimbursable items: Indicate the item in column 2; the existing contract provision; the savings (shown as a deduction) or additional funds (shown as addition).

## **C. Change in Contract's Services Completion Date**

Indicate expected completion date if different from the date in the contract or previous variation.

**E. Change in Remittance Instruction/ Bank Details of the Consultant**

Original copy of request for variation should be signed by the Authorized Representative, specifying the revised Bank details. Bank account should be in the name of the contracting party.

**F. Change of Company's Name**

Documentation Required: Copy of Board Resolution authorizing the company to change its name; Certificate of Registration with appropriate agency on change of name; or any other legal document to support the change of name.

**G. Change of Authorized Representative**

Documentation Required: Copy of Board Resolution or Power of Attorney or equivalent authorization.

**Other Matters**

**A. Progress Payment on Time-Based Contracts**

Progress Payment amounts are indicative only; may increase or decrease based on actual staff inputs as stated in the Monthly Statement of Consultant's Inputs.

Please request for reduction of experts' inputs through a contract variation, if expected staff inputs will be less than that indicated in the Staffing Schedule.

**B. Foreign Currency Fluctuation Provision**

Provision is for ADB use only to cover contractual obligations in currencies other than US Dollars. This amount is earmarked against the contract's Contingency budget.

**C. Contingencies**

To be utilized only upon ADB's prior approval.

Use of contingency requires contract variation to reallocate amount to a contract line item. Uncommitted contract contingency amount will be reverted to the TA/Grant fund upon contract closure.