

BIDS AND AWARDS COMMITTEE FOR CONSULTANCY SERVICES (BAC-C)

**CONSULTING SERVICES FOR THE CONSTRUCTION MANAGEMENT AND SUPERVISION (CMS) FOR THE SITE DEVELOPMENT OF 100-HECTARE AREA AT BATAAN TECHNOLOGY PARK (BTP), MORONG, BATAAN**

**Bid Bulletin No. 03**

This Bid Bulletin clarifies queries raised during the Pre-Eligibility Conference held last 20 September 2021, some written queries received by the BAC through email until 22 September 2021, and other matters relative to the bidding for the aforementioned project

Issues Raised	Clarifications
<p>a. Whether the Curriculum Vitae (CV) will also be attached as supporting documents to EF 10?</p>	<p>No. EF 10 is just a certification of availability of key personnel to be signed by the authorized representative. This document requires the authorized representative to make a commitment that the nominated key personnel will not be engaged in any other projects for the duration of their engagement with the aforementioned project. Thus, it is required that the said Certification under the EF10 is notarized. However, the CVs are not required to be attached to EF10 and that the CVs will be the documents for EF6.</p>
<p>b. Whether the bidders are required to submit the CV for both key personnel and support staff?</p>	<p>The bidders are not required to submit the CVs and supporting documents of the support staff in the submission of eligibility documents.</p> <p>During the eligibility stage or shortlisting, the bidders are required to submit only the key personnel, their CVs and supporting documents but not the support staff. The BACC will later decide and inform the bidders as to when the CVs and the supporting documents of the support staff are required to be submitted.</p>
<p>c. Whether the bidders are required to submit the plans and methodologies as part of the Eligibility Data Sheet (EDS)?</p>	<p>No. The plan of approach and methodologies are not required in the submission of the eligibility documents in the 1st stage. These are required during the submission of technical</p>

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	and financial proposals in the 2nd stage of bidding.
d. Whether the interested bidders will be provided with a copy of the presentation during Pre-Eligibility Conference?	Yes. The interested bidders were provided a copy of the presentation along with the Minutes of the Pre-Eligibility Conference in Bid Bulletin No.2 posted last 20 September 2021.
e. Whether the bidders can nominate engineers that have a pending schedule for the renewal of their licenses?	During the submission of Eligibility Documents, the bidders should submit the following for their nominated key personnel with expired licenses as supporting documents, insofar as the Professional Regulation Commission (PRC) license, is concerned: <ul style="list-style-type: none"> <li>i. Expired license;</li> <li>ii. Proof of renewal (screenshot of schedule)</li> <li>iii. Official Receipt of payment of fee for renewal application</li> </ul>
f. Whether the certified true copies of documents to be submitted need to be notarized?	The original copies of all applicable original forms (EF1- Eligibility Documents Submission Form and , EF 10 - Certificate of Availability of Key Personnel) shall be notarized. There is no need to notarize EF6 – CV of Nominated Key Personnel but make sure that the CVs are signed by both the nominated personnel and the authorized representative of the firm or, in case of JV, the authorized representative of the JV.  Supporting documents attached to the CVs of the Nominated Key Personnel shall be certified true copies. Moreover, the authorized representative of the firm or the authorized representative of the JV, in case of a JV, shall affix his/her initials/signature in each page of the eligibility documents to be submitted.
g. Whether the experience requirement of the firm is regardless of the nature of the project as long as it is a CMS project?	Yes.
h. In the Bidding Document, page 96 under the list of Support Staff requirement,	Yes, we can consider the CAD Operator without license, provided that the nominated

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<p>indicated is CAD Operator with the qualification of licensed Architect or Engineer.</p> <p>We are requesting if you may consider the qualification to not necessarily be licensed but a graduate of Architecture or Engineering, or have a certificate of Computer Aided Design and Drafting (CADD) Training. Technical staff having this position usually are graduates but are under board or have yet to take their board exams.</p>	<p>support staff has a bachelor's degree in Architecture or Engineering.</p>
<p>i. Our nominee for the position of Sr. Chemical Engineer is inquiring regarding the Sewerage Treatment Plants to be constructed for better understanding of the project. Specifically, the process to be used for the STP.</p>	<p>Two (2) Sewage Treatment Plants (STPs) are to be constructed with capacities of 560 cu.m. and 620 cu.m. The STPs shall consist of preliminary, secondary, and sludge treatment facilities using Dynamic Sequencing Batch Reactor Technology. The Contractor and the Consultant shall refer to the STP Performance Specification for the detailed scope of works and requirements for the design, construction, installation, testing, commissioning and bringing into operation the STPs to be constructed.</p>
<p>j. Regarding the naming of Support Staff and presentation of their credentials, we appreciate that BAC did not require these for the eligibility (first stage) of the bidding. Accordingly may we further request not requiring this also in the proposal (second stage) and just be presented during the implementation of the project?</p> <p>With the pandemic the industry is having difficulties sourcing out willing nominees because of uncertainties especially working in the field. Still you have our assurance that even if we do not present these names during the bidding we can still guarantee the availability of these personnel.</p>	<p>The BAC-C will later decide as to when the CVs and the supporting documents of the support staff will be required to be submitted.</p> <p>Participating bidders shall be informed through a subsequent Bid Bulletin.</p> <p>The bidders are however encouraged to already start recruiting the appropriate support staff with the required qualifications and supporting documents.</p>

<p>k. Mentioned in the Pre-eligibility conference is the possibility of having a way to compensate the Consultant for valid extension of project. We are very interested in this as this is a prevalent problem in most CMS projects. We would appreciate it if a ruling for this can be formed beforehand for this project.</p>	<p>At this time, there will be no additional compensation for delays in the contract. There are preliminary steps/studies being undertaken to look into this possibility. For purposes of this project, the provisions of R.A. 9184 shall stand.</p> <p>Item 2 (Cost of Consulting Services) of Annex “F” (Contract Implementation Guidelines for the Procurement of Consulting Services) of RA 9184 provides that, “All Consultancy contracts shall be fixed price contracts. Any extension of contract time shall not involve any additional cost.”</p> <p>If there are delays in the construction of the project, the CMS will be required to extend their engagement or duration because the CMS will depend on the physical accomplishment of the construction project, but without additional compensation.</p>
<p>l. Relevant to the above, we read that construction for the development of 100 has. in Bataan Tech. Park is at 600 CD which is the same duration for the CMS of the Site Development.</p> <p>Can there be some consideration because if this is the case, 600CD for construction and the same 600CD for CMS then there will be no allotted time for post construction which usually runs 3 months. This will then translate to additional months for Consultant with no additional compensation for post construction notwithstanding possible valid extensions for the contractor.</p>	<p>As stated in the number 8 of Request for Expression of Interest and Section 10 of the Terms of Reference, the project duration shall be 20 months (600 CD) or until the issuance of Certificate of Completion for the Construction Phase and a period for post construction and documentation for the Site Development of 100-hectare area at Bataan Technology Park, Morong Bataan</p>
<p>m. Although we are still in the eligibility stage. Is there a provision and maintenance for Consultant’s Facilities (project site office) including staff house to be provided by BCDA or the Contractor? If there is none, will there be a location required for setting this up</p>	<p>The following items will be provided for the CMS Consultant by BCDA through its Contractor:</p> <ol style="list-style-type: none"> <li>1. Provision and maintenance of field office, including utilities</li> <li>2. Furniture, fixtures, office equipment and appliances for the field office</li> </ol>

<p>or is it at our own discretion?</p>	<p>3. Two (2) desktop Computers 4. Ten (10) Laptop Computers</p>
<p>n. Whether the Training Certificates to be submitted need to be notarized?</p>	<p>Notarization shall only be required for EF1 and EF10. (please see item f).</p>
<p>o. Whether the winning bidder of the CMS will be paid for the excess of the time specified in the Terms of Reference (TOR) due to the delays in the construction of the project? How will the winning bidder be paid in this instance? Who shall shoulder the expenses incurred for the prolonged Construction Management Services?</p> <p>If the contractor is the cause of the delay, will this be shouldered by the contractor?</p>	<p>Item 2 (Cost of Consulting Services) of Annex “F” (Contract Implementation Guidelines for the Procurement of Consulting Services) of RA 9184 provides that, “All Consultancy contracts shall be fixed price contracts. Any extension of contract time shall not involve any additional cost.”</p> <p>If there are delays in the construction of the project, the CMS will be required to extend their engagement or duration because the CMS will depend on the physical accomplishment of the construction project, but without additional compensation.</p>
<p>p. Bid Bulletin No. 1, Clause 1.2 Eligibility Data Sheet. Regarding required experience of Key Personnel in similar position at given number of years as mentioned in this Clause, will experience in CMS of ports and airport projects involving site development works be acceptable?</p>	<p>The experience of the Key Personnel must be related to the position being required and not the nature of the project (i.e., if the position is Project Manager, the required experience must be at least 5 years of experience as Project Manager of CMS projects for horizontal construction/site development works).</p> <p>Thus, the nominated Project Manager will be qualified if he has the required experience as Project Manager for a CMS project which involves site development works.</p>
<p>q. Bid Bulletin No. 1, Clause 9.1 of Eligibility Data Sheet states that similar contracts shall refer to Construction Management and Supervision of Road Projects or Site Development. Do you consider also Construction Mgt. Supervision of Ports and Airport Projects involving Site Development Works as similar projects.</p>	<p>Yes.</p>



The interested bidders are hereby informed of the changes/revisions of the Eligibility Forms and Eligibility Data Sheet, to wit:

FROM	TO
<p>EF 2. Statement of All On-Going and Completed Government and Private Contracts, including Contracts Awarded But Not Yet Started For The Past 10 Years</p>	<p>EF 2. Statement of All On-Going and Completed Government and Private Contracts, including Contracts Awarded But Not Yet Started <b><u>As Well As Contracts Where Works Have Been Completed But Not Yet Accepted</u></b> For The Past 10 Years</p>
<p>EF 3. Summary of Projects for the Past 10 Years</p>	<p>EF 3. Summary of Projects for the Past 10 Years <b>(All on-going and completed government and private contracts, including contracts awarded but not yet started as well as, contracts where works have been completed but not yet accepted)</b></p>
<p>EF 9. Statement of Project with at least PhP 25 million contract amount</p> <p><b><u>Proof of Undertaking</u></b> Certificate of Completion or Acceptance or valid proof of final payment issued by the client in case of completed contracts. Notice of Award, Notice to Proceed or signed contracts for on-going contracts and for contracts awarded but not yet started.</p>	<p>EF 9. Statement of Project with at least PhP 25 million contract amount</p> <p><b><u>Proof of Undertaking</u></b> Certificate of Completion or Acceptance or valid proof of final payment issued by the client in case of completed contracts.</p>
<p><b>Checklist and Tabbing of Eligibility Requirements</b></p> <p><b><u>Tab #2</u></b> PhilGEPS Certificate of Registration under Platinum Membership Per GPPB Resolution No. 26-2017, during bid submission, prospective bidders may still submit their Class "A" Eligibility Documents pursuant to</p>	<p><b>Checklist and Tabbing of Eligibility Requirements</b></p> <p><b><u>Tab #2</u></b> PhilGEPS Certificate of Registration under Platinum Membership <b>or Class "A" Eligibility Documents pursuant to Section 8.5.2 of the 2016 revised IRR.</b></p>

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Section 8.5.2 of the 2016 revised AIRR (i.e. Registration Certificate from SEC, DTI, or CDA; Mayor's Permit; Tax Clearance; Philippine Contractors Accreditation Board (PCAB) license and registration; and Audited Financial Statements), or if already registered in the PhilGEPS under Platinum category, their Certificate of Registration and Membership in lieu of their uploaded file of Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 revised IRR of RA 9184.

**Tab #3 - EF2**

Statement of all on-going and completed government and private contracts, including contracts awarded but not yet started.

**Tab #4 - EF3**

Summary of all on-going and completed government and private contracts, including contracts awarded but not yet started.

**Tab #12**

Valid joint venture agreement, in case a joint venture is in existence. (In the absence of JVA, duly notarized statement that all potential partners shall enter into and abide by the provisions of the JVA in the instance that the bid is successful)

**Pursuant to GPPB Resolution No. 26-2017, prospective bidders may still submit their Class "A" Eligibility Documents required to be uploaded and maintained current and updated in the PhilGEPS pursuant to Section 8.5.2 of the 2016 revised IRR, or if already registered in the PhilGEPS under Platinum category, their Certificate of Registration and Membership in lieu of their uploaded file of Class "A" Documents. In case the bidder opted to submit their Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain as a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised IRR of RA 9184;**

**a) Class "A" Eligibility Documents**

**Legal Documents**

**i) Registration certificate from SEC, DTI for sole proprietorship, or CDA for cooperatives.**

**ii) Mayor's/Business permit issued by the city or municipality where the principal place of business of the bidder is located, or the equivalent document for Exclusive Economic Zones or Areas**

**In cases of recently expired Mayor's/Business permits, the bidders shall submit the official receipt as proof for renewal within the period prescribed by the concerned local government unit: **Provided, That the renewed permit shall be submitted as a post qualification****

	<p>requirement in accordance with Section 34.2 of this IRR.</p> <p>For individual consultants not registered under a sole proprietorship, a BIR Certificate of Registration shall be submitted, in lieu of DTI registration and Mayor's/Business permit.</p> <p>iii) Tax clearance per E.O. 398, s. 2005, as finally reviewed and approved by the BIR.</p> <p><b>Financial Document</b></p> <p>iv.) The consultant's audited financial statements, showing, among others, the consultant's total and current assets and liabilities, stamped "received" by the 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.</p> <p><b><u>Tab #3 - EF2</u></b> Statement of all on-going and completed government and private contracts, including contracts awarded but not yet started as well as, contracts where works have been completed but not yet accepted for the past 10 years.</p> <p><b><u>Tab #4 - EF3</u></b> Summary of all on-going and completed government and private contracts, including contracts awarded but not yet started as well as contracts where works have been completed but not yet accepted for the past 10 years.</p>
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	<p><b><u>Tab #12</u></b> <b>Class “B” Document (if the bid is a joint venture)</b></p> <p><b>An executed Joint Venture Agreement (JVA) between parties, for joint venture. In the absence of a JVA, duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful, shall be included in the bid.</b></p> <p><b>Failure to enter into a joint venture in the event of a contract award shall be ground for the forfeiture of the bid security. Each partner of the joint venture shall submit the PhilGEPS Certificate of Registration in accordance with Section 8.5.2 of this IRR. The submission of technical and financial documents by any of the joint venture partners constitutes compliance.</b></p>
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Eligibility Data Sheet – Section 1.2  
The key staff shall be licensed professional engineers registered by the Professional Regulations Commission and are required to submit a valid PRC license.

Key Personnel	Required Profession	Required Experience	Qty
Project Manager	Licensed Civil Engineer for at least 10 years	At least 5 years of experience as Project Manager	1
Deputy Project Manager	Licensed Civil Engineer for at least 5 years	At least 5 years of experience as Deputy Project Manager	1
Sr. Highway/Road Engineer	Licensed Civil Engineer for at least 5 years	At least 5 years of experience as Highway/Road Engineer	1
Sr. Structural Engineer	Licensed Civil Engineer for at least 5 years	At least 5 years of experience as a Structural Engineer	1
Sr. Geotechnical/Foundation Engineer	Licensed Civil Engineer for at least 5 years	At least 5 years of experience as Geotechnical/Foundation Engineer	1

Eligibility Data Sheet – Section 1.2  
The key staff shall be licensed professional engineers registered by the Professional Regulations Commission (PRC) and are required to submit a valid PRC license.

Key Personnel	Required Profession	Required Experience	Qty
Project Manager	Licensed Civil Engineer for at least 10 years	At least 5 years of experience as Project Manager of CMS projects for horizontal construction/site development	1
Deputy Project Manager	Licensed Civil Engineer for at least 5 years	At least 5 years of experience as Deputy Project Manager of CMS projects for horizontal works/site development	1
Sr. Highway/Road Engineer	Licensed Civil Engineer for at least 5 years	At least 5 years of experience as Highway/Road Engineer	1

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Sr. Geodetic Engineer	Licensed Geodetic Engineer for at least 5 years	<b>At least 3 years</b> of experience as Geodetic Engineer	1	Sr. Structural Engineer	Licensed Civil Engineer for at least 5 years	At least 5 years of experience as a Structural Engineer	1
Sr. Mechanical Engineer	Licensed Mechanical Engineer for at least 5 years	At least 5 years of experience as Mechanical Engineer	1	Sr. Geotechnical/Foundation Engineer	Licensed Civil Engineer for at least 5 years	At least 5 years of experience as Geotechnical/Foundation Engineer	1
Sr. Chemical Engineer	Licensed Chemical Engineer for at least 5 years	At least 5 years of experience as Chemical Engineer	1	Sr. Geodetic Engineer	Licensed Geodetic Engineer for at least 5 years	<b>At least 5 years</b> of experience as Geodetic Engineer	1
Sr. Sanitary/Plumbing/Drainage Engineer	Licensed Civil or Sanitary Engineer for at least 5 years	At least 5 years of experience as Sanitary/Plumbing/Drainage Engineer	1	Sr. Mechanical Engineer	Licensed Mechanical Engineer for at least 5 years	At least 5 years of experience as Mechanical Engineer	1
Sr. Quantity Surveyor	Licensed Engineer or Architect for at least 5 years	At least 5 years of experience as Quantity Surveyor	1	Sr. Chemical Engineer	Licensed Chemical Engineer for at least 5 years	At least 5 years of experience as Chemical Engineer	1
Sr. Materials Engineer II	Licensed Civil Engineer and DPWH Accredited Materials Engineer II for at least 5 years	At least 5 years of experience as Materials Engineer II	1	Sr. Electrical Engineer	<b>Licensed Registered Electrical Engineer for at least 5 years</b>	<b>At least 5 years of experience as Electrical Engineer</b>	1

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Sr. Landscape Architect	Licensed landscape architect for at least 5 years	At least 5 years of experience as landscape architect	1	Key personnel engaged by the Consultant for this project shall not be engaged in any project other than this project for the whole duration of his/her engagement.	Sr. Sanitary/Plumbing/Drainage Engineer	Licensed Civil or Sanitary Engineer for at least 5 years	At least 5 years of experience as Sanitary/Plumbing/Drainage Engineer	1
Sr. Quantity Surveyor	Licensed Engineer or Architect for at least 5 years	At least 5 years of experience as Quantity Surveyor	1					
Sr. Materials Engineer II	Licensed Civil Engineer and DPWH Accredited Materials Engineer II for at least 5 years	At least 5 years of experience as Materials Engineer II	1					
Sr. Landscape Architect	Licensed landscape architect for at least 5 years	At least 5 years of experience as landscape architect	1					
				Key personnel engaged by the Consultant for this project shall not be engaged in any project other than this project for the whole duration of his/her engagement.				

Issued this 24<sup>th</sup> day of September 2021.

  
**AILEEN ANUNCIACION R. ZOSA**  
Chairperson, BAC-C

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