

BIDS AND AWARDS COMMITTEE FOR INFRASTRUCTURE (BAC-I)

Bidding for the Construction of the Terrestrial of the Cable Network Corridor for the Luzon Bypass Infrastructure Project for Segments A – Aurora to Pangasinan and B – La Union to Pangasinan

BID BULLETIN NO. 1

This Bid Bulletin clarifies queries raised during the Pre-Bid Conference held last 3 July 2018, and other matters relative to the aforementioned project.

1. Queries/Questions by Prospective Bidders

Issues Raised	Clarifications
<p>1. Whether all members of Joint Venture (JV) and Consortium are required to comply/submit the Single Largest Completed Contract (SLCC), List of On-going Contracts, and Net Financial Contracting Capacity (NFCC).</p>	<p>Section 23.1.b of the Implementing Rules and Regulations (IRR) of Republic Act 9184 states that:</p> <p>For Infrastructure Projects, JV bidders shall submit a JVA in accordance with R.A. 4566 and its IRR. Each partner of the joint venture shall submit their respective PhilGEPS Certificates of Registration in accordance with Section 8.5.2 of this IRR. The submission of technical and financial eligibility documents [which includes the prospective bidder's computation of Net Financial Contracting Capacity (NFCC)], by any of the joint venture partners constitutes compliance: Provided, That the partner responsible to submit the NFCC shall likewise submit the Statement of all of its ongoing contracts and Audited Financial Statements.</p> <p>Submittal of the Bidders' Single Largest Completed Contract (SLCC) similar to the contract to be bid, by just one (1) member of the JV or Consortium constitutes compliance.</p>
<p>2. Whether the BAC has the Form for Daywork Schedule for Materials.</p>	<p>The Form for Daywork Schedule for Materials is included in the Bidding Documents.</p>

<p>3. Whether the Bidder can bid for both Segments A & B.</p> <p>Whether the Contracts for both Segments A & B can be awarded to just one bidder or Contractor in case the same bidder wins both segments.</p>	<p>Yes, the bidder can bid for both Segments A & B, but the key personnel and equipment to be assigned should be exclusive to and separate for each segment, which means that <u>the key personnel and equipment assigned to Segment A must not be used for Segment B.</u></p> <p>Similarly, <u>the key personnel and equipment assigned to Segment B must not be used for Segment A.</u></p> <p>Contracts for Segments A & B are two (2) separate Contracts. However, the 2 Contracts can be awarded to one or the same bidder/Contractor (in case one or the same bidder wins both segments), provided that the requirement for separate key personnel and equipment must be complied with.</p>
<p>4. Whether the inspection of the required materials will be done during Post Qualification.</p>	<p>The material testing shall be conducted during project implementation.</p>
<p>5. Pipes are 2-inch and Micro-duct, why is the 10 butt fusion machine needed if we can order the pipes in long length roles?</p>	<p>Prospective Bidders to provide a minimum of five (5) butt fusion machines for each Segment.</p>
<p>6. Whether there is minimum requirement for drilling lengths per shot?</p>	<p>There is no minimum requirement for drilling lengths per shot which varies depending on the drilling equipment. Shorter shot will increase the number of entry/exit pits which should be included in the cost proposal of the Bidder.</p>

2. Reminders and Other Clarifications from BAC-I

- a. A consortium or Joint Venture is allowed to bid for the project but at least 75% of the interest belongs to Filipino citizens. A foreign bidder is allowed to bid but its interest in the JV or Consortium must only be up to 25%.

All Joint Venture and/or Consortium Agreements shall include an attachment showing proof, i.e. Secretary's Certificate of Board Resolution, authorizing a representative of the company to enter into and sign a JV or Consortium Agreement for the project.

The Bidder is responsible for ensuring that the signatory of the Bid Documents is the duly authorized representative of the Bidder/JV/Consortium, and granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract, accompanied by the duly notarized Special Power of Attorney, Board/Partnership Resolution, or Secretary's Certificate, whichever is applicable.

- b. A Special PCAB License is required for JV, and all JV partners must secure a PCAB License. On the other hand, in the case of a Consortium, PCAB requires PCAB License only for at least one company or partner in a Consortium and it is the Constructor which shall possess the PCAB License. Consortium means there is a constructor, a financier, or a supplier.
- c. Contract period is 210 calendar days for both Segments A & B.
- d. The bidders must be registered with PhilGEPS under Platinum Membership, otherwise the bidders will be rated "FAILED" which shall result in declaring them as "INELIGIBLE". However, per GPPB Circular No. 07-2017, prospective bidders may opt to submit their PhilGEPS Certificate of Registration or their Class "A" Eligibility Documents, or a combination thereof, during the bid submission. The Platinum Membership remains as a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised IRR of RA 9184.
- e. Visiting or calling the members of the BAC-I the TWG, the Secretariat (except for administrative matters relating to the project), or anyone working for BCDA is not allowed and will not be entertained. All queries should be addressed to the BAC-I Chairperson but emailed to the Secretariat. In some cases where it is necessary to talk to the Secretariat for a query, e.g., involving or pointing to a design, the query should be followed up with a written query.
- f. The bid documents can be accessed in the PhilGEPS and BCDA Websites. Those who have purchased the Bid Documents will be provided with soft copy of the same (PDF Format) and editable forms.
- g. The bidders must purchase the bid documents before they are allowed to submit their bids. They can still purchase the document until the deadline of submission.
- h. **The deadline for the submission of Eligibility Documents and Financial Proposals** for the Bidding for the Construction of Terrestrial of the Cable Network Corridor for the Luzon Bypass Infrastructure Project for **Segment A** is at **12:00 noon on July 19, 2018** at the BCDA Central Receiving and Releasing Area (CRRRA) located at the 2nd Floor Bonifacio Technology Center, 31st St. cor. 2nd Avenue Bonifacio Global City, Taguig City. **Late bids or those submitted after 12:00 noon of July 19, 2018 shall not be accepted.**

- i. The **Opening of Bids** for the Bidding for the Construction of Terrestrial of the Cable Network Corridor for the Luzon Bypass Infrastructure Project for **Segment A** shall be **at 1:00 PM on July 19, 2018** at the BCDA Corporate Center, 2nd Floor Bonifacio Technology Center, 31st St. cor. 2nd Avenue Bonifacio Global City, Taguig City.
- j. The **deadline for the submission of Eligibility Documents and Financial Proposals** for the Bidding for the Construction of Terrestrial of the Cable Network Corridor for the Luzon Bypass Infrastructure Project for **Segment B** is at **12:00 noon on July 20, 2018** at the BCDA Central Receiving and Releasing Area (CRRRA) located at the 2nd Floor Bonifacio Technology Center, 31st St. cor. 2nd Avenue Bonifacio Global City, Taguig City. **Late bids or those submitted after 12:00 noon of July 20, 2018 shall not be accepted.**
- k. The **Opening of Bids** for the Bidding for the Construction of Terrestrial of the Cable Network Corridor for the Luzon Bypass Infrastructure Project for **Segment B** shall be **at 1:00 PM on July 20, 2018** at the BCDA Corporate Center, 2nd Floor Bonifacio Technology Center, 31st St. cor. 2nd Avenue Bonifacio Global City, Taguig City.
- l. The computer system clock at the CRRRA that is set to Philippine Standard Time (PhST) shall be used as reference in determining the time for the submission of bids. Hence, participating bidders are advised to synchronize their timepieces with the said computer system clock.
- m. Bidders may submit their bid proposal a day before the deadline for bid submission to avoid the possibility of being late for submission.
- n. Bids will be opened in the presence of the Bidders. However, the Bidders' attendance during the Opening of Bids is not compulsory but it is advised that Bidders send their representative to assist the BAC-I and answer clarifications, if any.
- o. Each and every page of the Financial Bid Form/s must be appropriately signed by the bidders or the bidder's authorized representative. The authorization should also be attached. **Failure to do so shall be a ground for the rejection of the Bid.**
- p. The BAC expects the bidders to exercise due diligence in going through the bidding documents to be able to prepare their bids intelligently.
- q. The bidders are requested to use tabs in compiling their bid documents for quick and easy identification and verification.
- r. The computation of the bid security shall be based on the Approved Budget for the Contract (ABC).
- s. All licenses, permits and other required clearances should be valid at the time of the submission of bids, Post-Qualification evaluation, and signing of the contract.

- t. The following documents are required to be NOTARIZED:
 - i. Omnibus Sworn Statement
 - ii. Bidder's Representative Authorization (as provided in Paragraph 2 of the Omnibus Sworn Statement)
 - iii. Bid Securing Declaration

- u. The bidders may submit a notarized Bid Securing Declaration in lieu of other forms of bid security. It is important to note, however, that although the Bid Securing Declaration does not require cash, its enforcement will include automatic blacklisting and payment of certain fines in the event that the bidder violates any of the conditions set forth in the bidding documents.

- v. The bid should not be more than the ABC, otherwise the bidder will be disqualified.

- w. NFCC Computation should be based on the Audited Financial Statements for the years 2016 and 2017 using the computation provided in paragraph 5.5 of the Instruction to Bidders, and should be at least equivalent to the (ABC).

- x. BCDA reserves the right to waive minor defects in forms and requirement as long as they do not affect the genuineness and authenticity of the documents submitted.

- y. BCDA reserves the right to accept or reject any bid, to annul the bidding process, and to reject all bids at any time prior to contract award, without thereby incurring any liability to the affected bidder or bidders.

All provisions, conditions and statements in the bidding documents inconsistent with this Bid Bulletin are either modified or rendered ineffective, as the case may be.

Issued on 9 July 2018.

BIDS AND AWARDS COMMITTEE FOR INFRASTRUCTURE (BAC-I)


AILEEN ANUNCIACION R. ZOSA
Chairperson