SUPPLEMENTAL/BID BULLETIN

Purchase Requisition No.	Description	Approved Budget Cost (ABC)
19-0136	Design, Build, Testing & Commissioning of the 4,000 cu.m. per day Sewage-Septage Treatment Plant (SSTP)	P 161,200,000.00

ADDENDUM NO. 2019-020

Particulars/Queries	Clarifications/Amendments
1 Purchase of Bidding Documents	Entities that purchased the bidding documents during the first failure of bid shall no longer be required to pay for the bidding documents, but new bidders during this second bidding will have to pay for the bid documents.

	Particulars/Queries	Clarifications/Amendments
2	The pipeline system conveying the influent from various points to the STP will not be part of the contractor's scope. Also, can you indicate the elevation of the influent (source)?	The influent will be from the ZCWD WEST PUMPING STATION. Thus, the pipeline from the said pumping station to the proposed STP is included in the approved budget cost and/ or part of the contractor's scope. The bidder must take the actual elevation on site of the source for their design use.
3	Should the facility be SCADA (Supervisory Control and Data Acquisition) ready, meaning it should be compatible to SCADA for future use, or should it be already equipped with SCADA upon turn over?	Item 2.4.10 of the Terms of Reference provides "In addition to the above facilities, the following support system must also be included: - SCADA (Supervisory Control and Data Acquisition) However, the bidder should refer to the Projects Terms of Reference for the various provisions stipulated re: SCADA use and functionality.
4	Force main/ Sewer pipe connecting the west pumping station to the STP is part of the contractor's deliverables, how far then is the said station from the proposed STP location?	The distance of ZCWD west pumping station to the proposed SSTP is 185 In.meter. However, the length of the pipe to be installed connecting these two facilities is dependent on the layout/location of the Proposed Plant Inlet.
5	The quality of the influent (water characteristics) the STP is designed to treat is not declared, save for the expected flowrate. Can we request for the expected characteristics? This should be provided by the client, so that all bidders are looking at the same water quality when doing their designs.	1. Please refer to the Terms of Reference item 3 "Design Requirements" for the expected flowrate. 2. The Sewage Analysis is stipulated in Item 12 of the Terms of Reference. However, the said results shall be for reference only. The interested bidder is still mandated to collect sampling on site for use in the preparation of their design.

	Particulars/Queries	Clarifications/Amendments
6	PhilGEPS Certificate of Registration requirement	2016 Revised Implementing Rules and Regulations of Republic Act No. 9160, as Amended" (2016 RIRR), Sec. 23.1 (b) -
		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 IRRXXX
7	Equivalent documents of foreign partner for PhilGEPS registration	2016 RIRR, Sec. 8.5.2. – xxx
		All bidders shall upload and maintain in PhilGEPS a current and updated file of the following Class "A" eligibility documents under Sections 23.1(a) and 24.1(a): a) Registration Certificate; b) Mayor's/Business Permit or its Equivalent Document; c) Tax Clearance; d) Philippine Contractors Accreditation Board (PCAB) license and registration; and e) Audited Financial Statements.
		For Foreign Bidders, the foregoing documents may be substituted by the appropriate equivalent documents in English, if any, issued by the country of the bidder concerned. Otherwise, it must be accompanied by a translation of the documents in English issued by the relevant foreign government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines.
		These documents shall be accompanied by a Sworn Statement in a form prescribed by the GPPB stating that the documents submitted are complete and authentic copies of the original, and all statements and information provided therein are true and correct. Upon receipt of the said documents, the PhilGEPS shall process the same in accordance with the guidelines on the Government of the Philippines – Official Merchants Registry (GoP-OMR).
8	Duly received PCAB license application form in	Government Procurement Policy Board Non Policy Matte
9	lieu of PCAB license	(GPPB NPM) NO. 126-2014 xxx
		[T]he eligibility requirements under Section 23 of the revised Implementing Rules and Regulation (IRR) of Republic Act (RA) No. 9184 is absolute and exclusive, which means that Procuring Entities (PE) cannot delete, replace or add to any of the requirements that are applicable to each procurement activity.
		The requirement of submitting PCAB License in bidding activities is an imposition not solely by the revised IRR of RA 9184. Under RA 4566 or the Contractors' Licensing Law, it is necessary for a contractor to secure a PCAB License before submitting a bid. This magnifies the significance of requiring all contractors to secure a PCAB

		License prior to joining any infrastructure procurement activities of the government. [A] valid PCAB License, as an eligibility requirement for the procurement of infrastructure projects, cannot be replaced or substituted by any other document including the above-mentioned certifications. It is the responsibility of the prospective bidder to ensure that it has a valid PCAB License before participating in public bidding. xxx
9	Foreign designer (Relative to the requirement of a Professional Regulation Commission license)	2016 RIRR, Annex "G" 9.2 xxx Provided, finally, that when the design services in which the joint venture wishes to engage involve the practice of professions regulated by law, all those who will actually perform the services shall be Filipino citizens and registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions and where foreign designers are required, the foreign designer must be authorized by the appropriate Philippine Government professional regulatory body to engage in the practice of those professions and allied professions. xxx
10	Submission and form of Bid Security	2016 RIRR, Sec. 27.1 and 27.2 xxx 27.1. All bids shall be accompanied by a bid security, payable to the Procuring Entity concerned as a guarantee that the successful bidder shall, within ten (10) calendar days from receipt of the notice of award, enter into contract with the Procuring Entity and furnish the performance security required in Section 39 of this IRR, except when Section 37.1 of this IRR allows a longer period. Failure to enclose the required bid security in the form and amount prescribed herein shall automatically disqualify the bid concerned. 27.2. The bidder shall submit a Bid Securing Declaration, or any form of Bid Security, in an amount not less than the required percentage of the ABC in accordance with the following schedule:
		Amount of Bid Security (Not less than the required percentage of the ABC) a) Cash or cashier's/manager's check issued by a Universal or Commercial Bank. For biddings conducted by LGUs, the cashier's/manager's check may be issued by other banks certified by the BSP as authorized to issue such financial instrument.

		b) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank: however, Provided, That it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank. For biddings conducted by LGUs, bank draft/guarantee, or irrevocable letter of credit may be issued by other banks certified by the BSP as authorized to issue such financial instrument. (a) c) Surety bond callable upon demand issued by a surety or insurance Five percent (5%)
		company duly certified by the Insurance [Commission as authorized to Issue such security. xxx 2016 RIRR, Sec. 23.1 (b) —
		The submission of technical and financial eligibility documents 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.
		Bid Security is a technical eligibility requirement.
11	Is consortium agreement also accepted?	2016 RIRR, Sec. 23.1 (b) -
		xxx For Infrastructure Projects, JV bidders shall submit a JVA in accordance with R.A. 4566 and its IRR. xxx
12	Issuance of PhilGEPS under Platinum category; equivalent documents	Answered in item # 7 GPPB Circular No. 26-2017, Clause 4.1.1 -
		xxx For all procurement projects advertised and/or posted after the effectivity of this Circular, 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 same IRR, or if already registered in the PhilGEPS under Platinum category, their Certificate of Registration and

13	Time Extension for the Submission of Bids	Membership in lieu of their uploaded file of Class "A" Documents, or a combination thereof. 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 xxx Issuance of Addendum 2019-018 by the Procuring Entity 2016 RIRR, Sec. 31. —
	Is the budget cost limited to that amount?	The ABC shall be the upper limit or ceiling for acceptable bid prices. If a bid price, as evaluated and calculated in accordance with this IRR, is higher than the ABC, the bidder submitting the same shall be automatically disqualified. There shall be no lower limit or floor on the amount of the award. xxx
15	If the reference project may not necessarily be in the Philippines.	Details 1. If the bidder subject for post-qualification has no installation yet in the Philippines and that its present installation is located outside of the country, is it mandatory to conduct the verification/inspection where the present installation is located? [T]he objective of post-qualification under Section 34 of R.A. 9184 is to determine whether the bidder complies with and is responsive to all the requirements and conditions for eligibility and the bidding of the contract, as specified in the bidding documents. During the post qualification, the procuring entity verifies, validates and ascertains all statements made and the documents submitted by the bidder with the lowest calculated bid or highest rated bid, as the case may be, using non-discretionary criteria, as stated in the bidding documents. These criteria shall consider the legal, technical and financial requirements, such as, but not limited to, the bidder's stated competence and experience, the availability and commitment, and/or inspection and testing of the equipment units to be owned or leased by the bidder, the performance of the bidder in its ongoing government and private contracts, the good/product, after-sales and/or maintenance capabilities for the procurement of goods. Based on the foregoing, the procuring entity must conduct such verification/inspection where the present installation is located, which may be outside of the Philippines, if the same is a requirement and condition of eligibility and the bidding for the contract, as specified in the bidding documents.

16		2016 RIRR, Annex G 9.2 (ii) —
		xxx
		ii. Eligibility Criteria a) The eligibility of design and build contractors shall be based on the legal, technical and financial requirements abovementioned. In the technical requirements, the design and build contractor (as solo or in joint venture/consortia) should be able to comply with the experience requirement under the IRR of R.A. 9184, where one of the parties (in a joint venture/consortia) should have at least one similar project, both in design and construction, with at least 50% of the cost of the ABC. b) If the bidder has no experience in design and build projects on its own it may enter into subcontracting, partnerships, or joint venture with
		design or engineering firms for the design portion of the contract.
		xxx
		GPPB NPM 081-2013 -
		xxx
		Details
	Experience requirement of a bidder for a design and build project	Whether the experience requirement of a bidder for a design and build project to be awarded consist of a single contract or separate contracts, i.e., one (1) contract for design and another contract for construction.
		Section 9.2(ii)(a) of the Guidelines for the Procurement and Implementation of Contracts for Design and Build Infrastructure Project states that:
		The eligibility of design and build contractors shall be based on the legal, technical and financial requirements abovementioned. In the technical requirements the design and build contractor, (as solo or in joint venture/consortia) should be able to comply with the experience requirement under the IRR of RA 9184, where one of the parties (in a joint venture/consortia) should have at least one similar project, both in design and construction, with at least 50% of the cost of the ABC. (Emphasis ours)
		A design and build project is an infrastructure project awarded as a single contract for architectural design and construction. As such, it involves two (2) components, i.e., a design component, (architectural/engineering aspect of the project, and a construction component (infrastructure aspect of the project), both of which are to be carried out by the winning bidder. Consequently, the bidders are required to have experience both in the architectural/engineering and construction aspects of the project.
		The phrase both in design and construction, as mentioned above, should be interpreted to mean that the bidder participating in a hidding for an infrastructure project that

will be implemented through a design and build scheme is required to submit, as technical requirement, either at least one (1) similar contract for design and build that is at least fifty percent (50%) of the cost of the Approved Budget for the Contract (ABC) for the project; or at least one (1) contract for design and at least one (1) contract for construction, each of which should be at least fifty percent (50%) of the cost of the ABC.
Thus, in the event that the bidder does not have a similar largest completed contract for design and build, it should submit at least one (1) similar contract for design, which should be at least fifty percent (50%) of the ABC for the project, and at least one (1) similar contract for construction, which should also be at least fifty percent (50%) of the ABC for the project.
xxx

		Clarifications/Amendments
17	If preliminary design will be provided	The conceptual design is stipulated in Item 2.4 of the performance specification and the design requirements is stipulated in Item 3 of the performance specification.
18	Additional Requirements not included in the performance specifications	Bidders also need to submit the Process and Instrumentation Diagram as well as the Mass Balance for every process to determine the efficiency of removal per sector.
		TO BE INSERTED IN SEC. 2.3 OTHER TECHNICAL BIDDING REQUIREMENTS OF THE PERFORMANCE SPECIFICATIONS AND PARAMETERS AS NO. 5)
19	2016 DENR Compliant	PERFORMANCE SPECIFICATION 2.3.4 the bidder should provide end-user certification or performance data stating that a similar sewage/wastewater treatment system being offered in the bid has been satisfactorily operating continuously; except during plant shut-down for maintenance purposes or due to force majeure where the operation has to be stopped to prevent damage. It must show the compliance of the effluent discharged to the DENR standards all throughout its operation excluding the testing period. Failure to comply with this requirement is a ground for technical disqualification. 6.1.3 AND 6.1.4. OF SUBSECTION 6.1 TREATMENT PLANT PERFORMANCE AND EFFLUENT REQUIREMENTS 6.13 the effluent quality discharged from the STP shall comply with the provisions of DENR Administrative Order No. 2016-08, May 24, 2016 Water Quality Guidelines and General Effluent Standards of 2016 for Class C freshwater
		body. (see table 7) 6.1.4 notwithstanding the above requirements, this project will require the STP to produce better effluent quality such that the bod5 should be 30 mg/l, cod should be 60 mg/l, fecal coliform of 200 mpnb/100 ml and total coliforms shall be 3,000 mpn/100 ml or better.

20	With regard to 90 days testing and commissioning, if the other one (1) year operational is handed by the cost of 161 million	2.5.1 of Subsection 2.5 Preparation of Bill of Quantities, Detailed Estimates and Payment 2.51 In the preparation of the Bill of Quantities and Detailed Cost Estimates, which shall be categorized into major components, the detailed resources for each scope of work should be provided therein, to wit: 1) NON-ENGINEERING WORKS — this shall include but not limited to the Mobilization and Demobilization, fees and permits, Construction Safety and Health Program, Construction of Temporary Facilities. 2) DESIGN AND CONSTRUCTION — includes all civil works, electrical works, mechanical
		works, instrumentations and automations. TESTING & COMMISSIONING PROCESS PROVING
21	Influent Quality	3.1 General Provisions of the performance specifications
		The Contractor shall be responsible for obtaining all necessary information as to risks, contingencies and other circumstances which may affect the works and shall prepare and submit all necessary documents specified by the procuring entity to meet all regulatory approvals as specified in the contract documents.
22	Turnover of equipment and office supplies	5.6.6 & 5.6.7 of the performance specifications stipulates the laboratory equipment/ tools for turn –over and other laboratory equipments needed to analyze completely the required parameters. These equipments/ tools form part of the pay item, thus this must be brand new and compliant with the standards provided in 5.6.7. These equipment maybe used during the testing, commissioning and process proving period provided that it will still be in its good working condition upon turn-over.
23	Down Payment	As required in RA 9184 not more than fifteen percent (15%) mobilization fee is allowed.
24	Mass Balance	PROPOSED ITEM 4. SUB SECTION 2.3 Bidders also need to submit the process and instrumentation diagram as well as the mass balance for every process to determine the efficiency of removal per sector.
25	If Quality effluent can be achieved without primary treatment	2.4.1 of the performance specification stipulates that "The treatment process must include the primary, secondary and tertiary treatment of the wastewater."
26	Invert elevation and distance of the possible source of STP and distance of STP to discharge	3.1 General Provisions (Design Requirements) The Contractor shall be responsible for obtaining all necessary information as to risks, contingencies and other circumstances which may affect the works and shall prepare and submit all necessary documents specified by

e Inspection ference Project	6.2.5 (Under subsection 6.2 Process Performance Test and Guarantee) The variance in the OPEX costs will serve as the basis for the computation of the NPD. The Non-Performance Damages(NPD) shall be calculated as follows: NPD = [Actual OPEX – Guaranteed OPEX] x 10.83 These OPEX values represent figures taken during the 1-year proving period. The 10.83 is the computed factor which represents the cost of money over the life of the project – in this case a discount of 9% and over 25 years life of project. You can request for scheduled site inspection. ZCWD personnel will be with the prospective bidder during the site inspection. Although, the certificate of site inspection is no longer required. GPPB NPM 069-2007 Details 1. If the bidder subject for post-qualification has no installation yet in the Philippines and that its present installation is located outside of the country, is it
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	These criteria shall consider the legal, technical and financial requirements, such as, but not limited to, the bidder's stated competence and experience, the availability and commitment, and/or inspection and testing of the equipment units to be owned or leased by the bidder, the performance of the bidder in its ongoing government and private contracts, the good/product after-sales and/or maintenance capabilities for the procurement of goods
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	the bidding documents. 5.1.7 Prior to acceptance, the winning bidder must be abl
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facilities. Expenses for at least five (5) personnel will be to the cost of the contractor. 5.7.3 Commissioning shall not be completed until all training has been provided to ZCWD's satisfaction. Annex "G" 9.2 (ii) (a) of RIRR of RA 9184 Experience in Design and Build ii. Eligibility Criteria a) The eligibility of design and build contractors shall be based on the legal, technical and financial requirements abovementioned. In the technical requirements, the design and build contractor (as solo or in joint venture/consortia) should be able to comply with the experience requirement under the IRR of R.A. 9184, where one of the parties (in a joint venture/consortia) should have at least one similar project, both in design and construction, with at least 50% of the cost of the ABC. GPPB NPM 081-2013 ...XXX.... Details Whether the experience requirement of a bidder for a design and build project to be awarded consist of a single contractor or separate contracts, i.e., one (1) contract for design and another contract for construction. Section 9.2(ii)(a) of the Guidelines for the Procurement and Implementation of Contracts for Design and Build Infrastructure Project states that: The eligibility of design and build contractors shall be based on the legal, technical and financial requirements abovementioned. In the technical requirements the design and build contractor, (as solo or in joint venture/consortia) should be able to comply with the experience requirement under the IRR of RA 9184, where one of the parties (in a joint venture/consortia) should have at least on similar project, both in design and construction, with at least 50% of the cost of the ABC. (Emphasis ours) A design and build project is an infrastructure project awarded as a single contract for architectural design and construction. As such, it involves two (2) components, i.e., a design component, (architectural/engineering aspect of the project, and a construction component (infrastructure aspect of the project), both of which are to be carried out by the winning bidder. Consequently, the bidders are required to have experience both in the architectural/engineering and construction aspects of the project. The phrase both in design and construction, as mentioned above, should be interpreted to mean that the bidder participating in a bidding for an infrastructure project that will be implemented through a design and build scheme is required to submit, as technical requirement, either at least one (1) similar contract for design and build that is at least fifty percent (50%) of the cost of the Approved Budget for the Contract (ABC) for the project; or at least

one (1) contract for design and at least one (1) contract for

	construction, each of which should be at least fifty percent (50%) of the cost of the ABC.
	Thus, in the event that the bidder does not have a similar largest completed contract for design and build, it should submit at least one (1) similar contract for design, which should be at least fifty percent (50%) of the ABC for the project, and at least one (1) similar contract for construction, which should also be at least fifty percent (50%) of the ABC for the project.
	xxx

	Particulars/Queries	Clarifications/Amendments
32	Performance Specification and Parameters Sec. Sec. 2.5.2	Performance Specifications and Parameters Sec. 2.5.2
	xxx	XXX
	2.DESIGN AND CONSTRUCTION — payment for the component on design and construction shall be by progress billing the manner by which shall be in accordance with Sec. 5 of Annex E of the Revised IRR of RA 9184. No payment will be made unless all documentary requirements stated therein has been complied with.	2.DESIGN AND CONSTRUCTION — payment for the component on design and construction shall be by progress billing the manner by which shall be in accordance with Sec. 5 of Annex E of the Revised IRR o RA 9184. No payment will be made unless all documentary requirements stated therein has been complied with.
	For purposes of payment, the process modules and all other items that are integral to the complete and successful treatment of the waste water shall be treated as one (1) lot. Thus, mere installation of the equipment will not be considered for payment unless all the required effluent parameters has been met and a commissioning certificate has been issued by the	For purposes of payment, the process modules and all other items that are integral to the complete and successful treatment of the waste water shall be treated as one (1) lot. Thus, mere installation of the equipment will not be considered for payment unless all the requires effluent parameters has been met and a commissioning certificate has been issued by the ZCWD.
	ZCWD.	All civil structures that are not integral part of the treatment process (i.e. fence, office building, etc.), and all fixed structures which are integral part of the process (i.e. tanks, basins) may be billed in progress. On the other hand, Mobile Treatment Facilities/Modules, electromechanical and mechanical works that are integrated to the treatment process may not be billed unless the process performance requirements have been complied with pursuant to 6.1 Treatment Plant Performance and Effluent Requirements of the Performance Specifications and Parameters.
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	SCC Cla	ause 40.4
		Progress payment shall be based on actual completion of the infrastructure project or a specific segment or portion thereof using the following schedule:
		 Progress payments shall comply with the provisions of Sec. 2.5.2 of the Performance Specification and Parameters and shall use the schedule based on the submitted Gantt Chart by the contractor and approved by the Procuring Entity.

For guidance and information of all concerned.

MICHAEL ANGELO M. CARBON

Chairperson

Bids and Awards Committee

Posting date: October 1, 2019

Posted in the ZCWD Website, PhilGEPS & Bid Bulletin