



General Bid Bulletin No.3
August 08, 2019

SELECTION OF CONSULTANTS FOR
NEW CEBU INTERNATIONAL CONTAINER PORT PROJECT (NCICPP)
Loan Agreement #: PHL-19

This General Bid Bulletin is issued to amend and clarify certain provisions of the Request for Proposal (RFP) issued to the aforementioned project, considering the issues raised by Consultants during and after the Pre-Proposal conference held on July 11, 2019.

A. CLARIFICATIONS

REFERENCE	CLARIFICATION / RESOLUTION
Queries to the Request for Proposal (RFP)	Kindly refer to Attachment "A" for your reference

All other related provisions in the Request for Proposal correspondingly affected by these clarifications/inclusions are likewise deemed amended to conform to this General Bid Bulletin.

Clarifications/Inclusion made herein shall be considered an integral part of the Request for Proposal.

(SGD) JOSEPH CONRAD D. DUENAS
Chairperson
Bids and Awards Committee VI

For the purpose of this Bulletin and for better understanding of its contents, the following rules shall apply: (a) Double Strike out – denotes deletion; (b) Underline – denotes inclusion or new item/requirement; and "xxx" – denotes separation of phrase/s being amended from the rest of the main text.

ATTACHMENT "A"

A. AMENDMENTS

ITEM	REFERENCE	SECTION/CLAUSE/PARAGRAPH	AMENDMENTS
1	Bid Bulletin No. 1	Item 23 Performance Bond	Performance Bond shall not be required, provided, that the Professional Liability Insurance Coverage is consistent with local regulations insuring against delays, errors, omissions, and other similar or analogous circumstances suffered by the Employer due to the actions, inactions, or negligence of the Consultants, its agents, employees, and other similar associates.
2	Page 70, Terms of Reference	5. Reports and Schedule of Deliverables	5.1.5. Draft Bid Documents - Ten (10) hard copies and four (4) editable electronic copies within two and half (2.5) FOUR AND HALF (4.5) months after the commencement of Services.
3		5.1.6. Final Bid Documents - Twenty (20) hard copies and five (5) editable electronic copies within three (3) months after the commencement of Services.	5.1.6. Final Bid Documents - Twenty (20) hard copies and five (5) editable electronic copies within three (3) SIX (6) months after the commencement of Services.

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B. CLARIFICATIONS

ITEM	REFERENCE	SECTION/CLAUSE/PARAGRAPH	INQUIRIES/CLARIFICATIONS	RESPONSES TO THE CLARIFICATIONS
1	<p>Page 65, 69~70, TOR</p> <p>Page 75, TOR</p> <p>Page 10, SCC</p>	<p>Project Duration</p> <p>Annex "B"</p> <p>Clause 2.4</p>	<p>Project duration is 44 months, which comprises of Preparation of Bid Documents stage for 6 months, Bidding Assistance stage for 3 months and Construction Supervision for 35 months but excluding defect liability period (12 months)</p> <ul style="list-style-type: none"> - Request for clarification on the period of submission of Bid documents. TOR has mentions that Final Bid Documents should be submitted within 3 months after the commencement of Services while 6 months are given in TOR and its Annex "B". 	<p>Refer to Bid bulletin No. 3, Letter A, Amendments, Item 2 and 3.</p>
2	<p>Page 65 and 71, TOR</p> <p>Page 73, TOR</p> <p>Page 10, SCC</p>	<p>Defect Liability Period (DLP)</p> <p>Annex "A"</p> <p>Clause 2.4</p>	<p>As mentioned above, defect liability period (12 months) is not included in project duration. Moreover, there are no manning requirements during this defect liability period such as required positions and person-months of each expert, but maintenance supervision has to be done during defect liability period. Thus, the Consultant assumes that additional person-months shall be allocated for defect liability period.</p> <ul style="list-style-type: none"> - Does remuneration and out-of-pocket expenses for DLP deem to be included in the maximum budget of the Project? 	<p>Yes. Remuneration and out of pocket expenses for DLP is included in the maximum budget of the project</p>

3		<p>Additional Experts</p> <p>CV submission</p> <p>Proof documents</p>	<p>And is it allowed for the Consultant to propose any additional experts such as a mechanical expert, etc. deemed necessary for the implementation of the Project?</p> <ul style="list-style-type: none"> - Should the Consultant submit CVs for these additional experts? - Should the Consultant submit the proofs of CVs (education degree, certificate, the experience of experts) together with the Proposal or could it be submitted during the contract negotiation stage? 	<p>Yes. The Consultant is allowed to propose additional expert such as mechanical expert, etc., and there is no need to submit their corresponding CV's.</p> <p>Proof of experience for Key Experts shall be submitted during submission of Technical Proposal.</p>
4	Page 67, TOR	<p>Qualification of Engineers</p> <ol style="list-style-type: none"> 1. Structural Engineer 2. Chief Architect 	<p>Should these three engineers have design and construction supervision experience?</p>	<p>Structural Engineer should have an experience in any of the following:</p> <ol style="list-style-type: none"> a. Experience in Structural Eng'g. Design and Construction Supervision; OR b. Experience in Structural Eng'g. Design and Project Management <p>Chief Architect Engineer should have experience in any of the following:</p> <ol style="list-style-type: none"> a. Experience in Seaport Architectural and Building Design and Construction Supervision; OR

		<p>3. Electrical Engineer</p>		<p>b. Experience in Seaport Architectural and Building Design and Project Management</p> <p>- Electrical Engineer should have experience in any of the following:</p> <ul style="list-style-type: none"> a. Electrical Eng'g. Design and Construction Supervision; OR b. Electrical Eng'g. Design and Project Management <p><i>Note: Kindly refer also to the Detailed Evaluation Criteria (DEC).</i></p>
5	Page 71, TOR	Office Accommodation at the Project Site	<p>TOR mentions the Consultant shall be responsible for equipment and furniture, office supplies and materials, payment of office rental and utilities (water and electricity), etc.</p> <ul style="list-style-type: none"> - However, the Consultant believes that the Contractor shall provide the Consultant office accommodation at the Project Site (Cebu) during construction supervision stage. Please clarify this. - Moreover, it is kindly requested to provide the Consultants with office space and office furniture in or adjacent to the Client (DOTr) during Bidding Preparation and Bidding 	<p>The Consultant is responsible for equipment and furniture, office supplies and materials, payment of office rental and utilities (water and electricity), etc., during the design and bidding assistance stage - This is part of the reimbursable expenses of the Consultant. However, the Contractor shall provide the Consultant office accommodation at the Project</p>

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				Assistance stage for efficient implementation of the Project. If the bidding stage is delayed due to any reasons not caused by the Consultant, it would be an unfair burden to the Consultant to maintain/operate the office on the Consultant's budget.	Site (Cebu) during construction supervision stage.
6	Appendix G – Detailed Evaluation Criteria	(i) Experience in similar Projects	<ul style="list-style-type: none"> - Are on-going project experiences acceptable for Experience in similar projects? - If the Feasibility Study and Master Plan have the activities such as conceptual plan, engineering design (preliminary conceptual design, basic and detailed engineering design) therein, is it accepted as similar experience/projects? 	<p>No. Only completed projects will be considered.</p> <p>No. The requirement only includes the conceptual plan, engineering design and construction supervision.</p>	
7	Appendix G – Detailed Evaluation Criteria	(iii) Key Professional Staff's Qualification and Competence for the Assignment -Project Manager	<ul style="list-style-type: none"> - For evaluation of the Project Manager, is only combined experience in seaport engineering, design construction supervision and management acceptable? In other words, is single F/S or planning or design or supervision not accepted? 	<p>Only the combined experience in Seaport Engineering Design, Construction Supervision, and Project Management will be considered.</p>	
8	Page 10, SCC	Clause 3.4	<ul style="list-style-type: none"> - A minimum coverage of Professional Liability Insurance 	<p>Professional liability insurance shall be taken with a minimum coverage of USD 150,000.00 as required by relevant local regulations.</p> <ul style="list-style-type: none"> - Please confirm whether this amount is fixed according to the Contract. 	<p>The minimum coverage is US\$150, 000.00 regardless of the amount of contract.</p>

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9	Liability Insurance vis-à-vis Performance Security	As the Consultants take out Professional liability insurance for the Client in accordance with the Contract, submission of Performance Bond will be a double burden for the Consultants in view of its functionality/purpose. - Please kindly consider for the Consultant not to submit the Performance Bond.	Refer to Bid bulletin No. 3, Letter A, Amendments, Item 1.
10		- Please clarify that when the proofs of Consultant's Experience (Tech-2B) should be submitted? Proposal stage or Contract Negotiation stage?	Proofs of Consultants' Experience shall be submitted during contract negotiation as may be required by the Client.
11	Page 73, TOR Annex "A" Manning Requirements Appendix G – Detailed Evaluation Criteria	Professional Procurement Specialist: P.E (iii) Key Professional Staff's Qualification and Competence for the Assignment - Professional Procurement Specialist	The Request for Proposal provided for the criteria with specificity and clarity. For your quick reference, the requirement for Professional Procurement Specialist is enumerated as follows. a. Education - Bachelors degree preferably a Licensed Engineer or a Certified Professional b. Training - Training/Seminar in Procurement c. Experience - experience in the conduct of procurement for Foreign Funded Projects

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	Page 5 of 23 Appendix G – Detailed Evaluation	(iii) Key Professional Staff's Qualification and Competence for the Assignment - Senior Harbour Engineer - Harbour Engineer	There is sub-evaluation criterion; Experience in a similar position in Seaport Projects. In Korea, there is no sub-criterion to classify a position as "senior" or not-senior. So, what is the definition of "Senior" in position title between Senior Harbour Engineer and Harbour Engineer for your evaluation in this concern? If he participates in some projects after getting a special grade or above, is it considered as a senior position? Please clarify this.	<p><i>Note: Kindly refer also to the Detailed Evaluation Criteria (DEC).</i></p> <p>The Request for Proposal provided for the criteria with specificity and clarity. For your quick reference, the requirement for Senior Harbour Engineer and Harbour Engineer is enumerated as follows.</p> <ol style="list-style-type: none"> a. Education <ul style="list-style-type: none"> - graduate of any related engineering degree, preferably a Licensed Engineer b. Training <ul style="list-style-type: none"> - Training/Seminar in Seaport and/or related field c. Experience <ul style="list-style-type: none"> - experience in the following: <ol style="list-style-type: none"> 1. Seaport Engineering Design and Construction Supervision; <u>OR</u> 2. Seaport Engineering Design and Project Management. <p><i>Note: Kindly refer also to the Detailed Evaluation Criteria (DEC).</i></p>
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13	Page 23 of 23 Appendix G – Detailed Evaluation Criteria	Conceptual and/or Detailed Design will be considered as Engineering Design.	Please clarify whether Preliminary Design and/or Basic Design is considered as Engineering Design when evaluating the Suitability for the Services of Experts. Please clarify that Feasibility Study or Master Plan is considered as Engineering Design if Feasibility Study or Master Plan includes the task of conceptual design preparation.	No. The requirement is limited to the submission of Detailed Engineering Design.
14	Page 84, GCC 1.10 Page 10, SCC 1.10	Taxes and Duties	GCC 1.10 states that ALL taxes, duties and levies imposed on the Services with the Employer's country provided by the Consultant shall either be exempted or borne by the Employer, as specified in the SCC. However, SCC 1.10 states that the Employer warrants that the Consultant, the Sub-consultants and the Personnel shall be exempted from any indirect taxes, duties, fees, levies, and other impositions imposed, under the Applicable Law. a. Please clarify whether Corporate Income Tax and Personal Income Tax will be exempted or borne by the Employer.	Corporate Income Tax and Personal Income Tax shall be borne by the Employer.
		Type of Contract	What type of Contract will be applied for Preparation of Bidding documents stage (6 months)? The Consultant believes that lump- sum contract shall be applied for this design stage. Please clarify this.	The project is a time-based contract.
			It is clarified by the Employer that the Consultant is allowed to outsource Procurement Specialist position. Is any nationality other than Korean allowed or not?	Yes. Other Nationality is allowed.

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15		Request for an Extension of submission Deadline	<p>The Consultant has a concern at this moment remaining less than 10 days until the Proposal submission deadline (12 of August) that some importance clarifications which will impact the proposal preparation time were not clarified yet by the Employer. Moreover, to prepare the quality Proposal documents with necessary proof documents as clarified or to be clarified by the Employer for this important project, we would like to request for an extension of Proposal submission deadline by two weeks to the 26th of August, 2019.</p>	<p>Refer to Bid Bulletin No. 2, dated August 07, 2019, for the deadline and submission of proposal.</p>
16		Proofs of Consultants' Experience	<p>Please kindly clarify that whether the Consultant shall submit the proof documents together with the Technical & Financial Proposal by 12 August, or submit them during contract negotiation as requested by the Client. Please clarify when the Consultant submit the proofs.</p>	<p>Proof of experience shall be submitted follows, subject to the requirement of the End User during the Contract Negotiation:</p> <ol style="list-style-type: none"> 1. Consulting Firm may be required during Negotiation 2. Key Experts during submission of Technical Proposal.

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