



**General Bid Bulletin No. 21**  
**16 August 2021**

**IFB No. 21-031-4**

**THE MALOLOS-CLARK RAILWAY PROJECT AND  
THE NORTH SOUTH RAILWAY PROJECT-SOUTH LINE (COMMUTER)  
PACKAGE CP NS-03: ROLLING STOCK-LIMITED EXPRESS TRAINSETS**

This General Bid Bulletin is issued to amend/clarify certain provisions in the Bidding Documents for the abovementioned project. Please refer to the attached Annexes of this General Bid Bulletin duly approved by the end-user and co-implementer for details:

1. **Annex "A"** –Answers to Queries from Prospective Bidders including clarifications to the Bidding Documents;
2. **Annex "B"**– Revisions to the Bidding Documents; and
3. **Annex "B – 1"** – Revised pages/amendments and final form as revised/amended.

All other portions of the Bidding Documents affected by these revisions, amendments and/or clarifications shall be made to conform to the same.

Revisions/amendments/clarifications made herein shall be considered an integral part of the Bidding Documents for this project.

For your information and guidance.

For the Bids and Awards Committee IV:

**SIGNATURE REDACTED**

**JOSEPH CONRAD D. DUEÑAS**

*Chairperson*

# Annex A

**PACKAGE CP NS-03: ROLLING STOCK - LIMITED EXPRESS TRAINSETS**  
**General Bid Bulletin No. 21**  
**Annex A**

Item No.	Volume Section No. Page No. Clause No. / Title Reference Text	Clarification Request	Proposed Revised Text (if any)	Response
1.	Part 1 – Bidding Procedures Section III - Evaluation and Qualification Criteria EQC-8 2.5.4.2 Specific Experience	<p>2.5.4.2(a) A minimum number of two (2) similar contracts(ii) that have been satisfactorily and/or substantially completed(iii) as a prime contractor (single entity or JV member)(iv), or subcontractor between 1st January 2009 and the Bid submission deadline.</p> <p>2.5.4.2(b) From the above or other contracts completed, or under implementation, as prime contractor (single entity or JV member), management contractor or subcontractor(vi) between 1st January 2005 and Application submission deadline, a minimum experience in the following key activities successfully completed(viii): (a) Design, Manufacture, Supply, commissioning, and handing over of 400 EMU coaches(ix); 200 of which shall have been to at least two (2) countries in the list of G7 countries(x) and in satisfactory revenue operation for at least five (5) years.</p> <p>The Bidder understands if the trains are assembled in and/or delivered from two or more EMU factories, all factories (or its entities) shall each be solely</p>	N/A	The bidder's understanding is correct. The qualification will be evaluated based on the entity, not the manufacturing plant.

		qualified to this Specific Experience requirements. Please confirm if the Bidder's understanding is correct.		
2.	Part 2 – Employer's Requirements Section V1. Employer's Requirements Technical Requirements ERT-43 4.1.4	<p>Updated by GBB15 as follows;</p> <p>4.1.4 The automatic coupler shall, in conjunction with the draft-gear automatically effect mechanical, <del>electrical</del> and pneumatic coupling <u>for identically coupling head</u>. It shall also permit separation of units either <u>by</u> manually from the track side <u>and</u>/or remotely from the cab.</p> <p>Updated by GBB18 as follows;</p> <p>4.1.4 The automatic coupler shall, in conjunction with the draft-gear automatically effect mechanical, electrical and pneumatic coupling <u>for two (2) Limited Express Train or identically coupling head</u>. It shall also permit separation of units either <u>by</u> manually from the track side <u>and</u>/or remotely from the cab.</p> <p>While the word "electrical" had been deleted by GBB15, it has been revived in GBB18 without highlighted in red, therefore the Bidder assume it is unexpected revision in GBB18. Nevertheless, as it is already confirmed GBB15, the Bidder would like to request the Employer's reconfirmation on the deletion of "electrical".</p>	4.1.4 The automatic coupler shall, in conjunction with the draft-gear automatically effect mechanical, electrical and pneumatic coupling for two (2) limited Express Train or identically coupling head. It shall also permits separation of units either by manually from the track side and/or remotely from the cab.	Bidder request is rejected. The automatic coupler shall have mechanical, electrical and pneumatic coupling for the coupling between two (2) limited express train. The electrical coupler is for the emergency purposes only.
3.	Instructions to Bidders ITB-14 18.1	<p>This includes all requirements under the Contractor's responsibilities for testing, pre-commissioning and commissioning of the plant and, where so required by the Bidding Documents, the acquisition of all permits, approvals and licenses, etc</p> <p>Our understanding is that it is not necessary to obtain PCAB license for this contract package. For the avoidance of doubt, please confirm if our understanding is correct or not.</p>	N/A	The bidder's understanding is not correct. Reference to the R.A. 4566 as amended by P.D. No. 1746 provides that no Contractor (including sub-contractors and specialty contractors) shall engage in the business of contracting without first having secured a PCAB license

				to conduct business. It is an offense to engage in contracting business without a license first being obtained.
4.	Volume I of III Part 3 – Conditions of Contract and Contract Forms Section IX – Contract Forms	This is to notify you that your Bid dated [insert date] for the execution of Contract Package CP NS-03: Rolling Stock – Limited Express Trainsets for Malolos– Clark Railway Project and North South Railway Project-South Line (Commuter) and [insert identification number, as given in the Contract Data] for <b><u>the Accepted Contract Amount of the equivalent of [insert amount in words and figures] [insert name of currency]</u></b> , as corrected and modified in accordance with the Instructions to Bidders, is hereby accepted by our Agency.	N/A	Reference to the Part 1 – Bidding Procedures, Section IV – Bidding Forms, Grand Summary, Note 3, The Value Added Tax (VAT) for the Foreign Currency portion shall be converted to the Local Currency according to ITB 37.1 and added to the VAT for the Local Currency portion.
	General Bid Bulletins No.18 Annex A Page 24 of 33 No.34	Response) Please refer to the Part 3 – Conditions of Contract and Contract Forms, Section VII – General Conditions, article 1.1.4.1 for the definition of Accepted Contract Amount. Please note that the any arithmetical errors shall be rectified, as being described in the Part I Bidding Procedures, ITB 36 and ITB 36.2.		
	General Condition 1.1.4 Money and Payments GC-7 1.1.4.1	"Accepted Contract Amount" means the amount accepted in the Letter of Acceptance for the execution and completion of the Works and the remedying of any defects.		

		With respect to answer given in GBB 18, we would like to know whether or not VAT for Foreign Currency portion is included in Accepted Contract Amount.		
5.	Volume II of III Part 2 – Employer’s Requirements Section VI Employer’s Requirements Technical Requirements ERT-125 20.2 General Testing Requirements Clause 20.2.1.3	The Contractor shall responsible to provide sufficient train drivers for all the testing and commissioning activities until handing over.  1. Are foreign train drivers allowed during testing and deployment? If yes, what are the requirements they need to comply?  2. If only Filipino train drivers are allowed, what are the local certifications, seminars, training, and licenses needed to comply?  3. Since the trains are customized and have new technology compared to the current trains in the Philippines, what are the requirements for Filipino/Foreign train drivers during testing?	N/A	There is no requirement currently available on the general national legislation on train driving.  The Contractor will have to prepare for a comprehensive plan and mitigate during all testing and commissioning activities.
6.	General Bid Bulletins No. 11 Annex A Page1 of 58 No.1	(Clarification Request) In order to save the cost of issuing required bonds, we would like to issue Bid security, Advance payment security, Performance security and Retention security from Japanese bank(s) being “advised” by a reputable bank or financial institution located and authorized to do business in the Republic of the Philippines.  (Response) The bidder’s understanding is correct. The bidder shall abide to the requirement stipulated in the Part 1 Bidding Procedures and Part	N/A	The bidder’s understanding is correct.  The Performance Security, Bid Security, Advanced Payment Security and Retention Money Security shall be issued by a reputable bank or financial institution selected by the Contractor and consented to by the Employer,

	<p>General Bid Bulletins No.18 Annex A Page 26 of 33 No.35</p>	<p>3 Conditions of Contract and Contract Forms.</p> <p>(Clarification Request) According to the General Bid Bulletins No.11 Item No. 1, as for the bond issued by a Japanese bank, it is our understanding that there is no problem in using an advising bank rather than a confirming bank as a bank on the Philippine side. However, according to General Bid Bulletins No.11 PC- 14, Contractor is required to use a confirming bank if Contractor prepares Performance security issued by a Japanese bank. In order to save the cost of issuing required bond including Performance Security, we would like a Performance Security from a Japanese bank being “advised” by an advising bank in Philippines also to be accepted.</p> <p>(Response) Bidder request to change the requirement is rejected. The bid conditions shall prevail, reference to Particular Conditions Part B - Specific Provisions, item 4.2, second paragraph, The Contractor may obtain such a Performance Security from a foreign bank, subject to the Performance Security being “<b>confirmed</b>” by a reputable bank or financial institution consented to by the Employer, located and authorized to do business in the Republic of the Philippines.</p> <p>According to General Bid Bulletins No.11 and No.18, only Performance Security is required to be issued by foreign bank and “confirmed” by bank in the Republic of the Philippines or issued by bank in the Republic of the Philippines.</p>		<p>located and authorized to do business in the Republic of the Philippines.</p> <p>The Contractor may obtain such Performance Security, Bid Security, Advanced Payment Security and Retention Money Security from a foreign bank, subject to being “confirmed” by a reputable bank or financial institution consented to by the Employer, located and authorized to do business in the Republic of the Philippines.</p> <p>For more detail on the Bid Security, Bidder may refer to the Part 1 Bidding Procedures, Section I – Instruction to Bidders, Article 21.2.</p>
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		<p>We understand that Bid Security, Advanced Payment Security and Retention Security are also required to be issued by foreign bank and “confirmed” by bank in the Republic of the Philippines or issued by bank in the Republic of the Philippines.</p> <p>For the avoidance of doubt, please clarify if our understanding is correct.</p>		
7.	<p>General Bid Bulletins No.13 Annex B – Attachment 1 ERT-6 1.5.1.4</p>	<p>The Contractor shall prepare the provision of at least twelve (12) display sites which shall be determined by the Employer over a period of 18 months of mockup display. The Contractor shall bear all of the associated cost of the Mockup logistics and others i.e., security, authority approval etc. including the demobilization of the mockup upon completion of the mockup display period.</p>	N/A	<p>There is only 1 mock up to be provided by the Contractor. The specific sites will be determined by the Employer which will be along the project alignment.</p>
	<p>General Bid Bulletins No.16 Annex A Page 12 of 43 No.11</p>	<p>(Clarification Request) Although the Bidder received the Employer’s replies as per the relevant General Bid Bulletins, it is impossible for the Bidder to estimate the associated cost of the Mockup. The Bidder requests the Employer to provide the possible display locations and actual number of display sites so that the Bidder can estimate the associated cost appropriately. Or, if this detailed information is not available at this moment, please limit the Contractor’s obligation to deliver the Mockup to the 1st location in Metro Manila area.</p> <p>(Response) Bidder request is rejected.</p> <p>For the benefit of Employer and avoiding unnecessary</p>		



		cost increase, we would like to receive information of specific sites and actual number for Mockup display.		
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# Annex B

**PACKAGE CP NS-03: ROLLING STOCK - LIMITED EXPRESS TRAINSETS**  
**General Bid Bulletin No. 21**  
**Annex B**

ITEM NO.	REFERENCE/CLAUSE/ SECTION	REVISIONS / AMENDMENTS
<b>Volume III Part 3 – Conditions of Contract and Contract Forms</b>		
1	Section VIII Particular Conditions Part A – Contract Data Subclause 1.1.3.3 Time for Completion Page PC-3	Table revised.

# Annex B – Attachment 1

## Particular Conditions (PC)

### Part A - Contract Data

Conditions	Sub-Clause	Data
<b>Employer's name and address</b>	1.1.2.2 & 1.3	Department of Transportation (DOTr). Pinatubo Street, corner Sergio Osmeña Sr. Street, Clark Freeport Zone, Angeles City, Pampanga, 2009 Philippines
<b>Engineer's name and address</b>	1.1.2.4 & 1.3	GCR Consortium, 20 <sup>th</sup> and 21 <sup>st</sup> Floor, Greenfield Tower, Mayflower Street, Greenfield District, 1500 Mandaluyong City, Metro Manila, Philippines
<b>Bank's name</b>	1.1.2.11	Japan International Cooperation Agency (JICA)
<b>Borrower's name</b>	1.1.2.12	The Government of the Republic of the Philippines
<b>Time for Completion</b>	1.1.3.3	Fifty- <del>three</del> <u>eight</u> (5358) months for the whole of the Works including design. The Contractor is required to achieve elements of the Works by Key Dates specified in the Attachment-1 to Particular Conditions Part A Contract Data.
<b>Defects Notification Period</b>	1.1.3.7	Two (2) Years per Section / Sub-section
<b>Sections</b>	1.1.5.6	Refer to Attachment 1 "Summary of Key Dates" below.
<b>Electronic transmission systems</b>	1.3	All correspondence/submissions of any nature between the Contractor and the Engineer shall be transmitted via an Electronic Document Management System (EDMS) selected by the Employer (see Employer's Requirements for more details).  <i>[Insert Contractor's name and address.]</i>
<b>Governing Law</b>	1.4	The Laws of the Republic of the Philippines
<b>Ruling language</b>	1.4	English
<b>Language for</b>	1.4	English

## Particular Conditions (PC)

### Part A - Contract Data

Conditions	Sub-Clause	Data
<b>Employer's name and address</b>	1.1.2.2 & 1.3	Department of Transportation (DOTr). Pinatubo Street, corner Sergio Osmeña Sr. Street, Clark Freeport Zone, Angeles City, Pampanga, 2009 Philippines
<b>Engineer's name and address</b>	1.1.2.4 & 1.3	GCR Consortium, 20 <sup>th</sup> and 21 <sup>st</sup> Floor, Greenfield Tower, Mayflower Street, Greenfield District, 1500 Mandaluyong City, Metro Manila, Philippines
<b>Bank's name</b>	1.1.2.11	Japan International Cooperation Agency (JICA)
<b>Borrower's name</b>	1.1.2.12	The Government of the Republic of the Philippines
<b>Time for Completion</b>	1.1.3.3	Fifty-eight (58) months for the whole of the Works including design. The Contractor is required to achieve elements of the Works by Key Dates specified in the Attachment-1 to Particular Conditions Part A Contract Data.
<b>Defects Notification Period</b>	1.1.3.7	Two (2) Years per Section / Sub-section
<b>Sections</b>	1.1.5.6	Refer to Attachment 1 "Summary of Key Dates" below.
<b>Electronic transmission systems</b>	1.3	All correspondence/submissions of any nature between the Contractor and the Engineer shall be transmitted via an Electronic Document Management System (EDMS) selected by the Employer (see Employer's Requirements for more details).  <i>[Insert Contractor's name and address.]</i>
<b>Governing Law</b>	1.4	The Laws of the Republic of the Philippines
<b>Ruling language</b>	1.4	English
<b>Language for</b>	1.4	English