



**BIDS AND AWARDS COMMITTEE II**

**Supplemental Bid Bulletin No. 3**

**SUPPLY OF LABOR AND MATERIALS FOR THE CONSTRUCTION OF CONCRETE PIER AND OTHER SUPPORT FACILITIES AT NAVAL DETACHMENT OYSTER BAY (NDOB) PALAWAN OF THE PHILIPPINE NAVY (PN) – ONE (1) LOT**

**Bid Ref. No. MPG-B2-2018-018**

**Approved Budget for the Contract (ABC): ₱ 283,148,543.68**

This **Supplemental Bid Bulletin No. 3** is being issued to clarify, modify and amend items/specifications in the Bidding Documents.

FROM	TO
<b>Submission and Opening of Bidding Documents</b>	
14 September 2018, 11:00 AM	<b>24 September 2018, Monday, 1:00PM</b>
<b>Section III. Bid Data Sheet</b>	
<b>12.1 CLASS "B" DOCUMENT: (For Joint Venture)</b>	
<p>The participating entities entering a Joint Venture Agreement (JVA) are to be treated as a single entity and shall be jointly and severally responsible or liable for the obligations and liabilities incurred by any partner to the JV pertinent to the project requirements.</p> <p>Hence, any Blacklisting Order and/or overdue deliveries intended for end-user or PITC shall apply to the JVA as the JV is deemed as one bidder.</p> <p>a) For Joint Ventures, Bidder to submit:</p> <p>(i) Copy of the JOINT VENTURE AGREEMENT (JVA)</p> <p>b) Each JV partner, must also submit the following:</p> <p>(i) Registration Certificate from the Securities and Exchange Commission (SEC) for corporations or from Department of Trade and Industry (DTI) for sole proprietorship, or from Cooperative Development Authority (CDA) for cooperatives;</p> <p>(ii) Valid and Current Business / Mayor's Permit issued by the city or municipality where the principal place of business of the prospective bidder is located OR the equivalent document for Exclusive Economic Zones or Areas;</p> <p>In cases of recently expired Mayor's / Business permits, said permit shall be submitted together with the official receipt as proof that the bidder has</p>	<p>The participating entities entering a Joint Venture Agreement (JVA) are to be treated as a single entity and shall be jointly and severally responsible or liable for the obligations and liabilities incurred by any partner to the JV pertinent to the project requirements.</p> <p>Hence, any Blacklisting Order and/or overdue deliveries intended for end-user or PITC shall apply to the JVA as the JV is deemed as one bidder.</p> <p>a) For Joint Ventures, Bidder to submit:</p> <p>(i) Copy of the JOINT VENTURE AGREEMENT (JVA)</p> <p>b) Each JV partner, must also submit the following:</p> <p><b><u>Local JV Partner:</u></b></p> <p>(i) Registration Certificate from the Securities and Exchange Commission (SEC) for corporations or from Department of Trade and Industry (DTI) for sole proprietorship, or from Cooperative Development Authority (CDA) for cooperatives;</p> <p>(ii) Valid and Current Business / Mayor's Permit issued by the city or municipality where the principal place of business of the prospective bidder is located OR the equivalent document for Exclusive Economic Zones or Areas;</p> <p>In cases of recently expired Mayor's / Business permits, said permit shall be submitted together with the official receipt as proof that the bidder has</p>



applied for renewal within the period prescribed by the concerned local government unit, provided that the renewed permit shall be submitted as a post-qualification requirement;

- (iii) Valid and Current Tax Clearance issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR.
- (iv) Copy of Audited Financial Statements for 2017 and 2016 (in comparative form or separate reports):
  - (a) Independent Auditor's Report;
  - (b) Balance Sheet (Statement of Financial Position); and
  - (c) Income Statement (Statement of Comprehensive Income).

Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.

OR

Submission of valid and current Certificate of PHILGEPS Registration (Platinum Membership\*) together with Annex A.

\*Note: Bidder must ensure that all Class "A" Eligibility Documents are valid and current at the time of submission of PhilGEPS Certificate of Registration and Membership (Platinum Registration). In case any of the submitted Eligibility Documents are not valid and current at the time of submission of Platinum Registration, bidders are required to submit the valid and current documents including Audited Financial Statements for 2017 and 2016 (stamped received by the BIR or its duly accredited authorized institutions) together with the Platinum Registration.

applied for renewal within the period prescribed by the concerned local government unit, provided that the renewed permit shall be submitted as a post-qualification requirement;

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- (iv) Copy of Audited Financial Statements for 2017 and 2016 (in comparative form or separate reports):
  - (a) Independent Auditor's Report;
  - (b) Balance Sheet (Statement of Financial Position); and
  - (c) Income Statement (Statement of Comprehensive Income).

Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.

OR

Submission of valid and current Certificate of PHILGEPS Registration (Platinum Membership\*) together with Annex A.

\*Note: Bidder must ensure that all Class "A" Eligibility Documents are valid and current at the time of submission of PhilGEPS Certificate of Registration and Membership (Platinum Registration). In case any of the submitted Eligibility Documents are not valid and current at the time of submission of Platinum Registration, bidders are required to submit the valid and current documents including Audited Financial Statements for 2017 and 2016 (stamped received by the BIR or its duly accredited authorized institutions) together with the Platinum Registration.

**Foreign JV Partner:**

- (i) Valid and current certificate / license / authority to conduct / operate business issued by the regulatory authority in the country where the bidder is based;**
- (ii) Valid and current Tax Clearance issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR;**
- (iii) Corporate Financial Statement or Annual Report for 2017 and 2016.**



<p>In case the JV Partners opt 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. “GPPB Circular 07-2017 dated 31 July 2017”</p> <p><i>For other required Class “A” Eligibility Documents, submission by any of the partner(s) constitutes collective compliance. Provided, that the partner responsible to submit the NFCC shall likewise submit the Statement of All Its Ongoing Contracts (Annex I) and Statement of All Ongoing Government and Private Design and Build Contracts (Annex I-A)</i></p> <p>c) Submission of the following by any of the JV partners constitute compliance:</p> <p>(a) Statement of All Ongoing Government and Private Contracts, including contracts awarded but not yet started, if any, whether <u>similar or not similar</u> in nature and complexity to the contract to be bid (Annex I).</p> <p>(b) Statement of Single Largest Completed Contract similar to the contract to be bid equivalent to at least fifty (50%) of the total ABC of the project (Annex I-A)</p> <p>(c) Duly signed Certificate of Net Financial Contracting Capacity (NFCC) per Annex II</p> <p>d) Entities forming themselves into a Joint Venture shall likewise <u>submit a special PCAB license</u> to act in the capacity of such joint venture.</p>	<p>In case the JV Partners opt 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. “GPPB Circular 07-2017 dated 31 July 2017”</p> <p><i>For other required Class “A” Eligibility Documents, submission by any of the partner(s) constitutes collective compliance. Provided, that the partner responsible to submit the NFCC shall likewise submit the Statement of All Its Ongoing Contracts (Annex I) and Statement of All Ongoing Government and Private Design and Build Contracts (Annex I-A)</i></p> <p>c) Submission of the following by any of the JV partners constitute compliance:</p> <p>(a) Statement of All Ongoing Government and Private Contracts, including contracts awarded but not yet started, if any, whether <u>similar or not similar</u> in nature and complexity to the contract to be bid (Annex I).</p> <p>(b) Statement of Single Largest Completed Contract similar to the contract to be bid equivalent to at least fifty (50%) of the total ABC of the project (Annex I-A)</p> <p>(c) Duly signed Certificate of Net Financial Contracting Capacity (NFCC) per Annex II</p> <p>d) Entities forming themselves into a Joint Venture shall likewise <u>submit a special PCAB license</u> to act in the capacity of such joint venture.</p>
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Below are the responses to HG III CONSTRUCTION and FABMIK CONSTRUCTION AND EQUIPMENT CO., INC. per their letters both dated 06 September 2018 and now re-printed as part of this Supplemental Bid Bulletin No. 3:

QUERY FROM HG III CONSTRUCTION	PITC/PN RESPONSE
1. As per plan (A-01 and S-16) we will use 40mm x 125mm x 13mm U Type Sheet Pile (w/ Cathodic Protection) there is no item for this on the Bill of Quantities.	1. The said items were included in the Bill of Materials (the detailed estimates of the Philippine Navy) in the Bill of Quantities under Item #30 (Grouted Riprap / Pavement and Beaching Ramp).
2. As per plan A-06 (section thru “A”) shows core will be use as fill for the beaching ramp, but as per BOQ there is not item for core rock.	2. Same answer in Query No. 1.



QUERY FROM FABMIK CONSTRUCTION AND EQUIPMENT CO., INC.	PITC/PN RESPONSE
<p>1. Can our company participate in a Joint Venture with foreign company? Our company is in cooperation with Jeong – Suk Marine Construction Ltd. of Korea. They have extensive experience on Marine Construction including the similar works being bid.</p>	<p>1. Per Annex A of GPPB Resolution No. 018-2005 dated 12 September 2005, 4.2            “ In the procurement of infrastructure projects, foreign contractors may be eligible to participate in the bidding if they form joint venture with local contractors; provided that their interest in or ownership of the joint venture shall not exceed twenty-five percent (25%). However, where the structures to be built require the application of techniques and/or technologies which are not adequately possessed by a person/entity which meets the seventy-five percent (75%) under Section 23.11.2 of the IRR-A, they may be eligible to participate in the bidding.”</p> <p>Foreign JV Contractor must submit the following:</p> <ul style="list-style-type: none"> <li>(i) Valid and current certificate/license/ authority to conduct/operate business issued by the regulatory authority in the country where the bidder is based;</li> <li>(ii) Valid and Current Tax Clearance issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR.</li> <li>(iii) Corporate Financial Statements or Annual Report for 2017 and 2016.</li> <li>(iv) Valid and current Philippine Contractors Accreditation Board (PCAB) License with Classification/Category in General Engineering,</li> </ul> <p>Entities forming themselves into a Joint Venture shall likewise <b><u>submit a special PCAB license</u></b> to act in the capacity of such joint venture.</p>
<p>2. If this is permissible under RA9184, can we request for an extension of bid submission by thirty (30) days to account for gathering of documents, authentication with Philippine Consul in Korea, filing of registration with PhilGEPS, BIR (including Tax Clearance) &amp; PCAB Licensing,</p>	<p>2. Request denied. The project was supposed to be implemented last 2015 but until now, this is still in the procurement process as the scheduled Submission and Opening of Bids is on 14 September 2018 but re-scheduled to 20 September 2018. If we will allow to extend its schedule, this will lead to additional delay and its implementation will be affected.</p>

QUERY FROM METER KING INCORPORATED	PITC/PN RESPONSE
<p>1. Appealing for the extension of ten (10) calendar days in deadline &amp; Opening of Bids on September 14, 2018 due to anticipation of coming super typhoon.</p>	<p>1. Schedule of Submission and Opening of Bidding Document moved to <b>24 September 2018, 1:00 PM.</b></p>



This **Supplemental Bid Bulletin No. 3** shall form part of the Bidding Documents. Any provisions in the Bidding Documents inconsistent herewith is hereby amended, modified and superseded accordingly.

For guidance and information of all concerned.

Issued this **17<sup>th</sup> day of September 2018** in Makati City.

**Approved by:**

**MARIO M. LEYGO**  
Chairman

**CHRISTABELLE P. EBRIEGA**  
Vice Chairman

**MYRA CHITELLA T. ALVAREZ**  
Member

**ATTY. MARIA GUDELIA C. GUESE**  
Member

**JOEL S. RODRIGUEZ**  
Member

**Concurred by:**

**CDR PERCEEVAL O BUTED PN**  
BAC Provisional Member

Received by (PLS SIGN)	:	_____
Bidder's Name (PLS PRINT)	:	_____
Date	:	_____

**PLEASE RETURN OR FAX THIS PORTION ONLY TO THE PITC BAC II**