



Republic of the Philippines  
**DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS**

**PRIMARY BIDS AND AWARDS COMMITTEE**

Project: **CAPACITY ENHANCEMENT OF MASS TRANSIT SYSTEMS IN METRO MANILA PROJECT – PROCUREMENT OF TRACKWORK, ELECTRICAL AND MECHANICAL SYSTEMS AND INTEGRATION WITH EXISTING SYSTEMS FOR LIGHT RAIL TRANSIT (LRT) LINE 2 – EAST (MASINAG) EXTENSION PROJECT**

**General Bid Bulletin No.: 07-2016**

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**TO ALL PROSPECTIVE BIDDERS:**

Please find attached as Annex “A” the answers to queries received by this Department in relation to the above-mentioned Project.

For your guidance and information.

Issued this 1<sup>st</sup> day of April 2016.

  
**EDWIN R. LOPEZ**

Vice Chairman, Primary Bids and Awards Committee  
and Undersecretary for Operations and Public-Private Partnership Implementation

| <b>Department of Transportation and Communications</b><br><b>Capacity Enhancement of Mass Transit Systems in Metro Manila:</b><br><b>Procurement of Trackwork, Electrical and Mechanical Systems and Integration with Existing Systems for Light Rail Transit (LRT)</b><br><b>Line 2 - East (Masinag) Extension Project</b><br><b>Answers to Queries</b> |   |  |   |
|--|---|--|---|
| ITEM NO.   | REFERENCE CLAUSE/SECTION  | <b>BIDDERS' ISSUES/CONCERNS/QUERIES</b><br><i>(lifted from the written queries submitted by prospective bidders; names of bidders have been omitted)</i>   | DOTC'S RESPONSE   |
| <b>PART 2: TECHNICAL SPECIFICATIONS – POWER SUPPLY SYSTEM (“PSS”)</b>  |   |  |   |
| 1  | Item 3 of PSS Clause 4.1.2.f and Item 29 of GBB No. 01-2016             | <p>Please refer to Clause 6.4 of ER for the station contact, which states that the Station Contractor will provide 220V tapping points for feeder cables to be provided by Signaling and Telecommunications Works. This negates the need for signaling and telecommunications loads to be supplied from 220 V ac output of a transformer specified in ER for Power Supply System (Clause 4.1.2.f 3rd bullet, page PSS-22).</p> <p>Please confirm that signaling and telecommunications loads are to be supplied from the 220V tapping points provided by Station Contractor, rather than from the transformer specified in ER for Power supply System.</p> | No, your understanding is not correct. As stated in item 29 of Annex “A” of General Bid Bulletin (GBB) No. 01-2016 issued on 05 February 2016, the requirement of the Bidding Documents for the Project remains. As clarified in that reply, the Power Supply for E&M systems are required to be provided by the E&M Contractor. This will allow for better consolidation of design requirements and to minimize conflicts with interface arrangements with the Station Contractor, given the very general nature of scope indicated in the station Bidding Documents. In addition, the Power Supply requirement for Wayside Emergency Lighting under the E&M Contractor is not provided for in the Station scope of works. |
| <b>PART 3: CONDITIONS OF CONTRACT AND CONTRACT FORMS</b>   |   |  |   |
| 2  | Nominated Subcontractor, Provisional Sums and Item 5 of GBB No. 05-2016 | <p>We have two comments on DOTC’s response in GBB No. 05-2016 to our previous question:</p> <p>1) GCC clause 1.1.6.9 defines a Variation as “any change to the Employer’s Requirements or the Works, which is instructed or approved as a variation under Clause 13 [Variations and Adjustments]”. Furthermore, a Nominated Subcontractor is defined in GCC clause 4.5 as “a Subcontractor whom the Engineer, under Clause 13 [Variations and Adjustments], instructs the Contractor to employ as a Subcontractor”. (Underlining added by the Bidder)</p>  | <p>The DOTC confirms that the previous responses provided in Item No. 14, Annex A of GBB No.: 03-2016 issued on 24 February 2016, and Item No. 5, Annex A of GBB No.: 05-2016 issued on 04 March 2016, remain the same. However, further clarification is as follows:</p> <p>1) Following implementation of the Contract, in accordance with GCC Sub-Clause 4.5 [Nominated Subcontractors] the Engineer will, under GCC Clause 13 [Variations and Adjustments], instruct the Contractor to employ the nominated Subcontractor as a Subcontractor for procurement of the AFC Works.</p>  |

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|  |                          | <p>As a consequence of these clauses, our position is that the Employer/Engineer's instruction for the Contractor to employ a Nominated Subcontractor for the AFC works constitutes a Variation to the Works and should follow the procedure for Variations outlined in GCC clause 13.</p> <p>2) DOTC's response in GBB No. 05-2016 states that the Nominated Subcontractor shall be managed by the Contractor in the same manner as other Subcontractors. However, the mechanism for managing any subcontractor is the subcontract with its terms and conditions.</p> | <p>The Employer will nominate the current AFC Contractor under the Concessionaire Agreement as the nominated Subcontractor for AFC Works on this Project. The Contractor shall negotiate with the nominated Subcontractor within the Summary of Specified Provisional Sums stated in the Bidding Documents Part 1 – Section IV to establish the subcontract terms and conditions. Thereafter, procurement of the AFC Works shall be the responsibility of the Contractor as for his other Subcontractors.</p> <p>Payment for the AFC Works shall be made by the Employer to the Contractor in accordance with GCC Sub-Clause 13.5 [Provisional Sums] (b) (i) for the actual amounts paid by the Contractor, and (ii) a sum for overhead charges and profit as stated in the Contract Data for Provisional Sums of fifteen percent (15%). Therefore, payment for the AFC Works will not be paid as part of the Variation Order process for the AFC Provisional Sum.</p> <p>2) As the Contractor will employ the nominated Subcontractor, it shall be the Contractor's responsibility to establish and manage the subcontract terms and conditions for the nominated Subcontractor as stated above.</p> |