



SUPPLEMENTAL BID BULLETIN 04

June 02, 2023

SUBJECT: Bid Reference No: 2023-21 SUPPLY, DELIVERY AND FABRICATION OF VARIOUS FISHING BOATS FOR UPGRADING AND CAPACITATING MUNICIPAL FISHERFOLK NATIONWIDE

This Supplemental Bid Bulletin No. 04 is issued to all participating bidders to clarify, amend and/ or modify certain provisions and requirements set forth under the above-entitled procurement project:

Invitation to Bid/ Bid Data Sheet

From/ Bidder's Inquiry	TO/ BFAR Response
Deadline of submission and receipt of bids <u>June 05, 2023 (Monday) at 09:30 AM</u> at the 2 nd Floor, BAC Secretariat Office, Fisheries Building Complex, BPI Compound, Brgy. Vasra, Q.C., and electronic documents through bac.eps@bfar.da.gov.ph	Deadline of submission and receipt of bids <u>June 16, 2023 (Friday) at 09:30 AM</u> at the 2 nd Floor, BAC Secretariat Office, Fisheries Building Complex, BPI Compound, Brgy. Vasra, Q.C., and electronic documents through bac.eps@bfar.da.gov.ph
Schedule of Bid opening <u>June 05, 2023 (Monday) at 10:00 AM</u> via Zoom	Schedule of Bid opening <u>June 16, 2023 (Friday) at 10:00 AM</u> via Zoom or at the BFAR Learning & Development Conference Room, Fisheries Building Complex, BPI Compound, Brgy. Vasra, Q.C.,

Technical Specifications

Item/ Description	Bidder's Inquiry	BFAR Response
6 Units Bagnet Fishing Boats Propulsion Marine engine with marine gear box (Brand New) with complete underwater gear Max. output at crankshaft 200hp 3300 rpm Configuration In-line, 4-stroke, water-cooled	1. We would like to proposed to use all 52 units (6 units Bagnet & 46 units Handline) 185hp Marine Engine with the following specifications: Configuration In-Line, 4 stroke Water Cooled, Diesel Engine,	Marine engine with marine gearbox (Brand New) with complete underwater gear Max. output power 180-200hp @2000-3300 rpm No. of 4 cylinders minimum

<p>No. of cylinders 4 cylinder Aspiration Turbocharged & intercooled Combustion system Direct injection Starting system Electric starting 12VDC Controls Mechanical</p> <p>Speed 8 knots minimum</p> <p>46 Units Handline Fishing Boats Propulsion Marine Engine with gearbox (Brand New 1-unit marine engine 180hp) with complete underwater accessories Speed 8 knots minimum</p>	<p>No. of Cylinders 6 Cylinders, Aspiration Turbocharged & Intercooled</p> <p>Combustion system Direct-Injection,</p> <p>Bore X Stroke (mm): 105x130 Displacement (L): 6.75 Rating: 136kW/ 185HP @2100RPM</p> <p>Speed 8 knots minimum</p> <p>2. Requesting for the technical specification specifying performance of the required engine as parameter of each specification stating the corresponding performance during bid evaluation of the offered marine engine for the project.</p>	<p>Submit brochure.</p> <p>Marine engine must be bought from Authorized dealer/ reseller with nationwide service center.</p> <p>Provision of after sales service (at least 5 years availability of parts) and 1 year warranty.</p> <p>TWG will conduct post-qualification at the shipyard of the Lowest Calculated and Responsive Bidder (LCRB).</p>
<p>Bid Data Sheet 5.3</p> <p>Contracts similar to the Project shall be:</p> <p>a. Supply, Delivery and Fabrication of Boat/ Shipbuilding of Fiberglass Reinforced Plastic boats (fishing boats, patrol boats, and other types of vessels)</p> <p>Bidder must have completed a single contract that is similar to this Project, equivalent to at least fifty percent</p>	<p>1. For this purpose, similar contract shall refer to supply and delivery or manufacturing of fishing boats, speedboats, water patrol craft, naval ships and boats in relation to the SLCC.</p> <p>2. The shipyard must be operating for at least 5 years, with the experience in the construction and delivery of Fiberglass Reinforced Plastic boats/vessel as declared in the SLCC.</p>	<p>Supply, Delivery and Fabrication of fishing boats, patrol boats, and other types of vessels made of Fiberglass Reinforced Plastic.</p> <p>The BAC shall allow the submission of aggregated contracts within TEN (10) years prior to the deadline of the submission and receipt of bids.</p> <p>For Aggregated Contracts</p>

<p>(50%) of the ABC within FIVE (5) years prior to the deadline of the submission and receipt of bids.</p>	<p>3. Due to Covid-19 and pandemic lockdown which lasted more than 2 years and orders for new boat construction were practically none, and given the relatively substantial scope and cost of the project involving supply and fabrication of various fishing boats that limits the number of potential bidders and defeat the purpose of competitive bidding as well as likelihood of failure of bidding, we are respectfully requesting the BAC to consider the following:</p> <p>In lieu of requiring at least fifty percent (50%) Single Contract of the ABC, to allow bidders that has completed at least two (2) similar contracts within SEVEN (7) years and the aggregate amount should be equivalent to at least Fifty percent (50%) of the ABC of this project.</p>	<p>If, at the outset and after conducting market research, the Procuring Entity can already determine that imposing the same will likely result to:</p> <p>(a) failure of bidding, or (b) monopoly that will defeat the purpose of competitive bidding, the Procuring Entity, in lieu of the above, may require the following:</p> <p>a) The bidder should have completed at least two (2) similar contracts and the aggregate contract amounts should be equivalent to at least the percentage of the ABC as required above; and</p> <p>b) The largest of these similar contracts must be equivalent to at least half of the percentage of the ABC as required above.</p>
<p>Bid data sheet, Clause 10</p> <p>Aside from the regular eligibility requirements indicated, the first envelope shall also contain the following eligibility documents:</p> <ul style="list-style-type: none"> • ISO Certification for shipyard management 	<p>1. It appears that the Bid Data Sheet under Section III requires bidders to submit an additional eligibility document of ISO Certification for shipyard management.</p> <p>Rule VII of the Revised Implementing Rules and Regulation of Republic Act No. 9184 provides that only the eligibility</p>	<p>BFAR will require the ISO certification as required by MARINA as MARINA Circular No. 2019-01</p> <p>Shipyard must be MARINA Class A or B.</p>

	<p>documents for procurement of goods under Section 23.1 thereof are required to be submitted. Moreover, GPPB issued its Non-Policy Matter Opinion no. 012-2018 dated 13 April 2018 stating that procuring entities cannot include another requirement to the identified list of eligibility requirements to wit:</p> <p>Procuring Entities (Pes) are prescribed from requiring additional eligibility requirements. For purposes of determining the eligibility of bidders, only the documents mentioned in Section 23.1 for the procurement of Goods and Infrastructure projects and Section 24.1 for the procurement of Consulting Services of the 2016 IRR of RA 9184. The PE cannot include another requirement to, nor delete any requirement from, the identified list of eligibility requirements. This is because the list of minimum eligibility requirements under the 2016 IRR of RA 9184 has already been streamlined alongside the governing principle of government procurement, i.e. a streamlined government procurement process. The rationale for this is to allow greater participation, enhance</p>	
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	<p>competition among prospective bidders, and reduce transaction costs.” (Emphasis and underscoring supplied).</p> <p>The removal of the said additional requirements will provide for fair and equal access to all prospective bidders who are qualified and eligible to supply and deliver the goods under the project subject of this letter.</p> <p>Furthermore, Section 3 of RA 9184 declares that one of the governing principles in government procurement is competitiveness by extending equal opportunity to enable private contracting parties who are eligible and qualified to participate in public bidding. Clearly, the additional eligibility requirement of ISO Certification under ITB Clause 10, Bid Data Sheet Section III of the Bidding Documents should be removed in adherence to the government procurement principle of healthy and competitive bidding.</p> <p>In view of the foregoing, we respectfully request the removal of the additional eligibility documents of ISO Certification for shipyard management.</p> <p>2. Adjusting the Shipyard</p>	
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	Registration Certification MARINA to at least Class C, the required facility under Class C of shipyard area capable to build and repair ship, can accommodate a fabrication area, machine shop and assembly area for the above project.	
<p>Bid Data Sheet, ITB Clause 10</p> <p>Aside from the regular eligibility requirements indicated, the first envelope shall also contain the following eligibility documents.</p> <ul style="list-style-type: none"> • Design, Plans and drawings must be signed by licensed naval architect and duly certified/ approved by MARINA and local classification society (General Arrangement, Construction Plan, Scantling, Stability calculation, etc.) • Proven design or prototype design for testing at sea trial during post-qualification. 	<p>1. The Bid Data Sheet under Section III requires the bidders to submit and include in the first envelope the design, plans and drawings signed by licensed naval architect and duly certified/ approved by MARINA and local classification society.</p> <p>Since we are still ongoing on the bidding process, this causes an additional expense to the bidder.</p> <p>The Bid Data Sheet under Section III further requires that the proven design or prototype design for testing at sea trial during post-qualification should be included in the first envelope.</p> <p>We would like to request for clarification on what documents can the bidders provide for the requirement “proven design or prototype design for testing at sea trial during post-qualification”.</p> <p>2. Proven design to be submitted during Post Qualification and</p>	<p>Plans and drawings should be approved by MARINA to be submitted during Bid Opening.</p> <p>Approval by Local Classification Society to be submitted during Post-Qualification Evaluation.</p> <p>Proven design or prototype must be made of FRP.</p> <p>BFAR will require a certification from the Supplier (completion of delivery with satisfactory performance) from their previous similar project.</p>

	<p>Prototype Design for testing at Sea trial after issuance of NTP</p> <p>Prototype to be consider as boat # 1</p>	
<p>Terms of Reference</p> <p>VII. Technical Guarantee No. 10</p> <p>TERMS OF PAYMENT</p> <p>The terms of payment will be in accordance with the conditions stipulated in the bid documents/contract.</p> <p>a) All payments to be affected under this Contract shall be payable thru progress payment scheme as may be permitted under the terms of this Contract which is indicated by the Contractor.</p> <p>b) Terms of Payment</p> <p>The obligation of the warranty shall be covered by either retention money in an amount equivalent to at least ten percent (10%) of every progress payment, or a special bank guarantee equivalent to at least ten percent (10%) of the total contract price, at the option of the Contractor. The said amounts shall only be released after the lapse of the warranty period.</p>	<p>1. Requests that 15% Advance payment/ mobilization be allowed.</p> <p>2. As per our experience with other Government Agencies they are requiring only of five (5%) percent retention, would this be applicable also for this project?</p> <p>3. If the obligation of the warranty will be covered by a bank guarantee, when would this be required to submit? Is it until full completion of the delivery?</p> <p>4. May we request at least 20% mobilization fee for the project?</p>	<p>BFAR will allow the 15% advance payment for the mobilization.</p> <p>Retention Fee will be 5%.</p> <p>In lieu of retention fee, should bidder submit a bank guarantee, it should be valid for 28 months. Bank guarantee must be submitted in the first billing payment.</p>
Section VI.		

<p>Schedule of Requirements</p> <p>Place of delivery: various regions</p>	<p>1. Place of Delivery: Delivery and acceptance shall be at the contractor's site facility while during the delivery to various region by the boat recipients the contractor will provide personnel to assist during each navigation until reaching each destination.</p> <p>2. May we clarify if this project has only one (1) time delivery or will you allow the contractor for a partial delivery or per tranche delivery?</p> <p>The Schedule of Requirements under Section VI requires the delivery of 52 small to medium-sized commercial boats within eight (8) months form receipt of NTP. In our experience, the delivery of fifty-two (52) boats within eight (8) months is not possible.</p> <p>Based on the pervious project, it takes several months to construct a mould for the 62-footer boat this includes the procurement of the materials needed in constructing the 62-footer fishing boat.</p> <p>With this, we want to request the Procuring Entity for an additional twelve (12) months extension to provide prospective bidders ample time to procure and</p>	<p>The Acceptance of finished units will be at the contractor's facility after sea trials and various tests (as per contract) to be conducted with BFAR inspectors (<i>Regional Inspectors if outside NCR</i>) and technical personnel.</p> <p>Refer to GANTT Chart below on the delivery schedule (construction, etc) for the implementation of the project (16months)</p> <p>The requirement for prototype vessel will be indicated in the Terms of Reference of the Contract. The said prototype will be completed within 90 calendar days from Notice to Proceed and signing of contract</p>
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	<p>supply the materials.</p> <p>b. Since this is a brand new boat, we are requesting that the winning bidder must present one (1) prototype sample within ninety (90) calendar days from receipt of Notice to Proceed (NTP) and conduct mass production upon acceptance of the prototype boat.</p>	
Terms of Reference, 2. Information Security, B. Insurance	<p>May we request to include this on the Section VII. Checklist of Technical and Financial Documents Tab E since this is also an additional eligibility document.</p>	<p>TWG approves this request.</p> <p>Insurance shall be valid until acceptance.</p>
Terms of Reference, 6. Revision during the construction	<p>May we clarify how many percentages of the total cost is allowable for the revision of during construction if there is.</p>	<p>Refer to Annex "D" Contract Implementation Guidelines for the Procurement of Goods, Supplies and Materials of the 2016 IRR</p>
Terms of Reference 7. Integrated Logistics Supports, a. Project Management Training	<p>May we clarify the total number of participants who will attend on the training</p>	<ul style="list-style-type: none"> • 4 participants from Beneficiaries / Banca • 2 from RFOs • 3 from BFAR-CO
Sea keeping and Survivability Analysis of the proposed boat duly signed by a licensed naval architect.	<p>We would like to request to move this requirement during Post Qualification</p>	<p>TWG approves</p>

Schedule of Delivery

GANTT CHART

FROM

Activity	2023												2024	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Onwards
<i>Preparation/Finalization of Project Documents/ Proposal</i>														
<i>Validation of Project Design/Details</i>														
<i>Preparation of Terms of Reference & Approval</i>														
<i>Purchase Request and Bid Authority Preparation, Finalization & Approval</i>														
<i>Preparation and Finalization of Bid Documents</i>														
<i>Bidding Process and Awarding of Contract</i>														
<i>Construction</i>														
<i>Sea Trial/Acceptance</i>														
<i>Turn-over</i>														
<i>Training on Boat Operation and Maintenance</i>														
<i>Monitoring & Evaluation</i>														

TO

Activity	2023												2024	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Onwards
Preparation/ Finalization of Project Documents/ Proposal														
Validation of Project Designs/ Details														
Preparation of Terms of Reference & Approval														
Purchase Request and Bid Authority Preparation, Finalization & Approval														
Preparation and Finalization of Bid Documents														
Bidding Process and Awarding of Contract														
Construction														
Sea Trial/Acceptance														
Turn-over														
Training on Boat Operation and Maintenance														
Monitoring & Evaluation														

Please take note that this Office will not accept anymore inquiries since all questions raised have already been answered in this Bid Bulletin.

****nothing follows****

All other portions of the Bidding Documents affected by these amendments shall be made to conform the same.

Amendments/inclusions/clarifications made herein shall be considered an integral part of the Bidding Documents.

The changes made in the Philippine Bidding Documents (6th Edition, July 2020) are deemed integrated in terms and conditions for this project.

For further inquiries, please coordinate/call the Bids and Awards Committee Secretariat at Tel. No. 8332-4661 or bac.eps@bfar.da.gov.ph.

Please be guided accordingly.

ATTY. MICHAEL S. ANDAYOG
BAC Chairperson