

Minutes No. 12-08, Series of 2020

MINUTES OF THE PRE-NEGOTIATION CONFERENCE

"Design and Build of the New Eighteen Storey Air Traffic Control Tower Building Facility at the Clark International Airport (Negotiated Procurement Two-Failed Biddings)"

Date : 14 December 2020
Time : 2:00 p.m.
Venue : CIAC Board Room, Corporate Office Building, Civil Aviation Complex, Clark Freeport Zone

1.0 ATTENDEES:

Present/Member : VP Irish C. Calaguas (Chairperson)
Atty. Misheena Joyce C. Tiatco (Vice Chairperson)
Gerry A. Naguit (Member)
Melissa D. Feliciano, EnP (Member) via Zoom
Engr. Maria Vergel D. Lacanlale (Provisional Member)

SBAC-TWG : Robert S. Urbano (Head)
Arthur Z. Galang (Member)
Kristober S. Gomez (Member)
Engr. Josephine S. Cuyos (Member) via Zoom App
Engr. Antonio O. Pamintuan III (Member)
Engr. Dennis Lumanlan (Member) via Zoom App

Secretariat : Sharon C. Lingad
Miriam M. Pamindanan

Also present : Mitchelle S. Cruz (IAD)
Glenn D. Tripulca (CAAP) via Zoom App

Prospective Bidder/s (via Zoom App):

1. Nationstar Development Corporation – Ms. Jackylen Bais;
2. MSV Construction & Supplies – Atty. Bjorn Jorrell Bautista; and
3. R.C. Ramos Construction Corporation – Mr. Marlouie Nagum and Mr. Gilbert Gaufo

2.0 INVOCATION

The opening prayer was led by the SBAC Vice Chairperson, Atty. Misheena Joyce C. Tiatco.

3.0 CALL TO ORDER

After the certification of a quorum by the BAC Secretariat, Chairperson Calaguas called the meeting to order and presided thereat. Considering the implementation of the Modified General Community Quarantine (MGCQ) and the stringent social/physical distancing measures, the meeting was conducted also through videoconferencing using Zoom Application.

4.0 ACKNOWLEDGEMENT OF THE PROSPECTIVE BIDDERS AND OBSERVERS

Ms. Lingad acknowledged the presence, via Zoom App, of the following prospective bidders:

1. MSV Construction & Supplies – Atty. Bjorn Jorrell Bautista;
2. Nationstar Development Corporation – Ms. Jackylen Bais; and
3. R.C. Ramos Construction Corporation – Mr. Marlouie Nagum and Mr. Gilbert Gaufo

Also, acknowledged the presence of Mr. Glenn D. Tripulca of the Civil Aviation Authority of the Philippines (CAAP), via Zoom App, and Mr. Mitchelle S. Cruz from CIAC Internal Audit Department (IAD).

5.0 APPROVAL OF THE AGENDA ITEMS

Ms. Lingad presented the agenda for approval, as follows:

1. Pre-Negotiation Conference for the project: "Design and Build of the New Eighteen-Storey Clark Air Traffic Control Tower Building Facility at Clark International Airport (Negotiated Procurement Two-Failed Biddings)".

On the motion duly made by Atty. Tiatco seconded by Mr. Naguit, the SBAC unanimously approved the agenda as cited.

6.0 PRE-NEGOTIATION CONFERENCE

To start the Pre-Negotiation Conference, Engr. Vergel Maria D. Lacanlale presented a brief background and overview of the said project.

The following paragraphs or items were taken from the said presentation.

PROJECT BACKGROUND

1. Pursuant to Republic Act No. 11465 the construction of the new air traffic control tower at Clark International Airport will be funded by the Bases Conversion and Development Authority (BCDA) General Appropriations Act (GAA) Fiscal Year 2020.
2. The project duration is three hundred sixty-five (365) calendar days.

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3. The new air traffic control tower building facility shall be built on a 10,000.00 sq. meter land area inside the Civil Aviation Complex.

Project Components

| Component | Particulars |
|---|---|
| Architectural and Engineering Designs | Complete plans, drawings, specifications, BOQ and cost estimation, construction management, progress reports and claims for payments and completion reports. |
| Site Civil Works | Site drainage/ flood control, site stabilization, sanitary works forming part of the site civil works, and pavement and road right-of-way [RROW] improvements as applicable/ needed, including pavement markings, etc., with pertinent plans and designs prepared by a duly-Registered and Licensed Civil Engineer. |
| Architectural Works | All masonry, finishing, acoustics, lighting, moisture protection/ thermal, glazing, wood/ plastics, fenestrations [doors & windows], with pertinent plans and designs prepared by a duly-Registered and Licensed Architect. |
| Structural Works | Foundation, earthquake-proof superstructure, roof and communications tower support systems, etc.], with the pertinent plans and designs prepared by a duly-Registered and Licensed Civil Engineer, who must specialize in structural design practice. |
| Electrical Works | All electrical systems, including back-up power generator set and provision for the Air Traffic Communication System, with pertinent plans and designs prepared by a duly Registered and Licensed Professional Electrical Engineer [PEE] |
| Mechanical Works | Fire Protection, automatic fire suppression system and elevator with the pertinent plans and designs prepared by a duly-Registered and Licensed Professional Mechanical Engineer [PME] |
| Sanitary Works | Water tanks, supply systems, water sewage, sanitary and disposal systems with pertinent plans and designs prepared by a duly-Registered and Licensed Sanitary Engineer |
| Electronics and Communication (Including ICT) Works | Conceptualize, design, test and oversee the installation of communications and electronic systems that includes, vertical and horizontal LAN cabling, CCTV-ready and conceptualize and design only for Air Traffic Management Communication System prepared by a duly- Registered and Licensed Professional Electronics and Communication Engineer [PECE] |

In addition, Engr. Lacanlale presented the Checklist of Technical and Financial Documents for the said project, comprising of the Technical and Financial Component.

Technical Component Envelope

Class "A" Documents

Legal Documents

- a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages); or
- b) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document;
- c) Mayor's or Business 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; and
- d) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

Technical Documents

- a) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid;
- b) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided under the rules;
- c) Philippine Contractors Accreditation Board (PCAB) License; or Special PCAB License in case of Joint Ventures; and registration for the type and cost of the contract to be bid;
- d) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; or Original copy of Notarized Bid Securing Declaration;
- e) Project Requirements, which shall include the following:
 - e.1) Organizational chart for the contract to be bid;
 - e.2) List of Contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Safety Officer) assigned to the contract to be bid, with their complete qualification and experience data which includes the certificate of employments, professional licenses, and training certificates that should be included together with the bids;
 - e.3) List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be; and
 - e.4) Preliminary Conceptual Design Plans in accordance with the degree of details specified by the procuring entity;

1. Architectural/Design Consideration:
 - 1.1 Drawing Requirements (AutoCAD)

- 3D Rendered Perspective (Architectural Character)
- 1.2 Site Development Plan
- 1.3 Conceptual Design
 - Floor Plans
 - a) Distribution
 - b) Circulation
 - c) Light and Ventilation
 - d) Sizes, Areas and Shape
 - Front, Rear, Left and Right Side Elevations
 - a) Light and Ventilation
 - b) Height
 - c) Location of Doors and Windows
 - Sections
 - a) Longitudinal Section
 - b) Cross Section
 - Architectural Interiors and Exterior Finishes
- 2. Civil/Structural/Structural Analysis
 - 2.1 Drawing Requirements (AutoCAD)
 - Structural Design Criteria and Design Notes, Structural Design Concept.
 - Foundation plan;
 - Floor Framing Plans;
 - Stair Details
 - Elevator Structural Framing Plans and Details
 - Control Cab window plans and details
- 3. Electrical
 - 3.1 Drawing Requirements (AutoCAD)
 - Electrical Design Analysis and Computation
 - General notes ,Power Riser Diagram, Single Line Diagram, Legends and symbols, Schedule of Loads
 - Power and Lighting Layout System
 - Fire Alarm System
 - ACU
 - Grounding System
- 4. Electronics and Communications Plans
 - 4.1 Drawing Requirements (AutoCAD)
 - ICT
 - Air Traffic Management Communication System
 - PABX
- 5. Sanitary/Plumbing
 - 5.1 Drawing Requirements (AutoCAD)
 - General Notes, Legend and Symbols
 - Water Supply, Sanitary Line, Vent and Storm drainage layout
 - Isometric Diagram
- 6. Mechanical
 - 6.1 Drawing Requirements (AutoCAD)
 - General Notes
 - Elevators
 - Legends and symbols
 - Fire protection System plans and layout
 - HVAC

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- e.5) Design and construction methods; and
- e.6) Value engineering analysis of design and construction method.
- f) Original duly signed Omnibus Sworn Statement (OSS); and if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder;
- g) Original Notarized Affidavit of No Pending Case; and
- h) GAD checklist for designing and evaluating infrastructure projects

Financial Documents

- a) The prospective bidder's audited financial statements, showing, among others, the prospective bidder's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; and
- b) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC).

Class "B" Documents

- c) If applicable, duly signed joint venture agreement (JVA) in accordance with RA No. 4566 and its IRR .

Financial Component Envelope

- a) Original of duly signed and accomplished Financial Bid Form; and

Other documentary requirements under RA No. 9184

- b) Original of duly signed Bid Prices in the Bill of Quantities;
- c) Duly accomplished Detailed Estimates Form for the Conceptual Design, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid; and
- d) Cash Flow by Quarter and Payment Schedule.

ELIGIBILITY REQUIREMENTS

1. Legal Capacity. The bidders / contractors must fully comply with the minimum Eligibility Requirements according to the following criteria set forth in the TOR and IRR-A of RA 9184. To be eligible, the bidders shall provide evidence satisfactory to CIAC/BCDA of its capability and adequacy of resources to carry out the project and Contract effectively. Bidders must have at least a **license category "A"** and a license classification **"Medium B"** from the Philippine

Contractors Accreditation Board (PCAB) for General Building 1. The PCAB license must be valid and effective at the time of submission of the bid.

2. Experience Requirement and Financial Capacity. Bidders must have completed a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II. Instructions to Bidders. Bidders should have completed a similar project with a contract amount equivalent to at least fifty percent (50%) of the ABC. For this purpose, similar contracts shall refer solely to completed design and construction of a medium-rise building not less than six (6) storeys (As define in the National Building Code of the Philippines).

In the event that the design and construction shall be accomplished separately by the parties in a JVA, sub-contracting or partnerships, as the case may be, the party that will accomplish the design should have at least one similar project, the cost of which is equivalent to at least 50% of the ABC, while the party tasked to accomplish the construction component, should have at least one similar project, the cost of which is equivalent to at least 50% of the ABC.

MANNING REQUIRMENTS (DESIGN PHASE)

| Key Personnel | Proof of Profession | Minimum Required |
|---|--|------------------|
| Team Leader/ Project Design Manager (Licensed Civil Engineer/Architect with at least 15 years work experience) | Valid License | 1 |
| Structural Engineer (Licensed Civil Engineer with at least 10 years work experience in structural design works and a current valid member of the Association of Structural Engineers of the Philippines) | Valid License | 1 |
| Geodetic Engineer (Licensed Geodetic Engineer with at least 10 years work experience) | Valid License | 1 |
| Geotechnical Engineer (Licensed Civil Engineer or Licensed Mining Engineer with at least 10 years work experience in Geotechnical Engineering) | Valid License | 1 |
| Environmental Specialist (with at least 10 years work experience in project of similar nature and magnitude) | Valid DENR-EMB Accreditation with EIS preparer | 1 |
| Electrical Engineer (Licensed Professional Electrical Engineer with at least 10 years work experience) | Valid License | 1 |
| Mechanical Engineer (Licensed Professional Mechanical Engineer with at least 10 years work experience) | Valid License | 1 |
| Electronics and Communications Engineer (Licensed ECE with at least 10 years work experience) | Valid License | 1 |
| Drainage/ Sanitary / Plumbing Engineer (Licensed Civil/Sanitary Engineer with at least 10 years work experience) | Valid License | 1 |
| Materials Engineer (DPWH Accredited Materials Engineer II with at least 10 years work experience) | Valid License | 1 |
| Quantity/Cost/Specification Engineer (Licensed Civil Engineer with at least 10 years work experience) | Valid License | 1 |

MANNING REQUIRMENTS (CONSTRUCTION PHASE)

| Key Personnel | Proof of Profession | Minimum Required |
|---|------------------------|------------------|
| Project Manager (Licensed Civil Engineer or Architect with at least 10 years work experience on at least six (6) storey building project) | Valid License | 1 |
| Project Engineer (Licensed Civil Engineer with at least 5 years work experience on at least six (6) storey building project) | Valid License | 1 |
| Structural Engineer (Licensed Civil Engineer with at least 5 years work experience on at least six (6) storey building project) | Valid License | 1 |
| Geodetic Engineer (Licensed Geodetic Engineer with at least 5 years work experience) | Valid License | 1 |
| Electrical Engineer (Licensed Electrical Engineer with at least 5 years work experience on at least six (6) storey building project) | Valid License | 1 |
| Mechanical Engineer (Licensed Mechanical Engineer with at least 5 years work experience at least six (6) storey building project) | Valid License | 1 |
| Electronics and Communications Engineer (Licensed ECE with at least 5 years work experience on at least six (6) storey building project) | Valid License | 1 |
| Drainage/ Sanitary/ Plumbing Engineer (Licensed Civil/Sanitary Engineer with at least 10 years work experience) | Valid License | 1 |
| Materials Engineer (DPWH Accredited Materials Engineers II with at least 10 years experience on at least six (6) storey building project) | Valid License | 1 |
| Quantity/Cost/Specification Engineer (Licensed Civil Engineer with at least 10 years work experience on at least six (6) storey building project) | Valid License | 1 |
| Safety Officer (DOLE Accredited Safety Officer with valid COSH certificate and at least 5 years work experience on at least six (6) storey building project) | Valid COSH Certificate | 1 |

DESIGN CONSIDERATIONS

1. Ensure line-of-sight on all runway systems of the airport based on commercial development at the area adjacent to terminal buildings as per ADPI Master Plan in accordance with OLS requirements;
2. Creating an air traffic control tower with a first class degree of architectural and visual interest, that relates both to the local site context and the tower's role in the aviation industry;
3. Provision for Air Traffic Management Communication System Design.

BIDDING PROCESS

1. Publication of Invitation to Negotiated Procurement
2. Pre-Negotiation Conference

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3. Submission of Bids: Eligibility Documents and Financial Proposals
 - Two (2) - Step Evaluation Procedure
 - Step 1 - Eligibility Checklist and Detailed Review of Bidder's Compliance
 - Step 2 - Evaluation of the Financial Proposal who "Passed" Step 1
4. Post Qualification
5. Issuance of Notice of Award, Contract Agreement and Notice to Proceed

PROJECT TIMELINE SCHEDULE

| ITEM | DESCRIPTION (Scope of Works) | Duration | Period |
|------|--|-------------------|----------------------|
| 1 | Negotiated Procurement (Two-Failed Biddings) | Less than 1 Month | Dec 2020 |
| 2 | Detailed Architectural and Engineering Design of the New Clark Air Traffic Control Tower Building Facility | 1 Month | Jan 2021 to Feb 2021 |
| 3 | Permits & Licenses | 1 Month | Jan 2021 to Feb 2021 |
| 4 | Construction of the Air Traffic Control Tower | 12 Months | Mar 2021 to Dec 2021 |
| 5 | Construction of the Base Building | 12 Months | Mar 2021 to Dec 2021 |
| 6 | Construction of the Powerhouse | 3 Months | Jul 2021 to Oct 2021 |
| 7 | Final Acceptance/Turn Over | N/A | Dec 2021 |

At this juncture, Engr. Lacanlale ended his presentation and the Committee opened the floor for queries to the prospective bidders.

The SBAC proceeded with the discussion on the query and/or requests for clarification of each prospective bidder:

| Items | Queries and Clarification | Remarks/Instructions |
|-------|--|--|
| 1. | <p>Queries from Atty. Bjorn Jorrell Bautista of MSV Construction & Supplies.</p> <p>For the bidders who participated in the last biddings, do we need to submit a letter of intent to participate in the Negotiated Procurement?</p> <p>Also, we do not need to purchase another set of Negotiated Procurement Documents?</p> <p>So we will just submit our proposal on the deadline for Submission of Bids?</p> | <p>There is no need to submit a letter of intent.</p> <p>No need to purchase the Negotiated Procurement Documents.</p> <p>Yes.</p> |

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| | | |
|--|---|---|
| | We would like to clarify that for those who were not able to attend in today's Pre-Negotiated Procurement may be allowed to participate in the said Negotiated Procurement? | Only prospective bidders who are present in today's Pre-Negotiation Conference shall be allowed to participate or submit their respective bid on the deadline for Submission of Bids. |
|--|---|---|

There being no other queries and/or requests for clarifications to discuss, Ms. Lingad read the additional reminders for the information and guidance of the prospective bidders:

1. The deadline for the Submission of Bids is on **December 17, 2020 (Thursday)**. Bids must be duly received by the CIAC Records Management Office located inside the CIAC Corporate Office Building **not later than 9:00 a.m.** Late bids shall not be accepted.
2. The Opening of Bids shall be conducted at **9:30 a.m. of December 17, 2020 (Thursday)** thru video conferencing using Zoom Application.
3. Prospective bidders are reminded that a suspended or blacklisted supplier, contractor or consultant shall not be allowed to participate in all procurement opportunities of the government for the duration of the suspension or blacklisting, regardless of the modality of procurement employed by the procuring entity.
4. Note: Caution to prospective bidders, should there be individuals posing in behalf of the CIAC-SBAC and TWG as agents or fixers, the same should be reported to the CIAC-SBAC immediately. This shall not be tolerated by the CIAC-SBAC. The procurement process shall be conducted impartially and fairly and no favoritism shall be extended to any prospective bidder or bid. For as long as the same submits complete requirements, the said bidder shall be qualified.

Vice Chairperson Tiatco concluded the meeting by extending her appreciation to all the prospective bidders for participating in the Pre-Negotiation Conference for the said project.

6.0 ADJOURNMENT

There being no other matters to discuss, the meeting was adjourned at 2:48 p.m. on the 14th day of December 2020.

Prepared by:

Reviewed by:

MIRIAM M. PAMINDANAN
Minutes/Agenda Officer

SHARON C. LINGAD
Manager-BAC Secretariat

Read and Approved by:

GERRY A. NAGUIT
Member

MELISSA D. FELICIANO, EnP
Member

-absent-
RICHARD BRIAN M. CEPE
Member

-absent-
ATTY. RUSTICO G. QUIZON III
Member

ENGR. VERGEL MARIA D. LACANLALE
Provisional Member

ATTY. MISHEENA JOYCE C. TIATCO
Vice Chairperson

IRISH C. CALAGUAS
Chairperson