

North – South Commuter Railway (NSCR) Project (Malolos – Tutuban) Package CP03: Rolling Stock			
ITEM NO.	REFERENCE CLAUSE/ SECTION	CLARIFICATION REQUEST	RESPONSE
<i>Volume I, Part 1 – Bidding Procedures</i>			
1	Section I, Page ITB-5, Clause 4.2 Eligible Bidders	<p>It is our understanding that, in accordance with the documents referenced below, a firm is prohibited from participating in this Project, either as a bidder or as a specialist subcontractor who provides its eligibility to the bidder, if such firm or any of its affiliate directly or indirectly controls, or is controlled by or is under common control with any entity which was involved in the preparation or implementation of the Project, including feasibility study and/or detailed design, with or without direct influence it has/had towards the bidding process and competition.</p> <p>Reference Documents: 1) ITB 4.2(a) “Eligible Bidders” of the Bidding Documents 2) Section 1.07(1) “Conflict of Interest” of Chapter 2 “Guidelines for Procurement under Japanese ODA Loans” under “HANDBOOK for Procurement under Japanese ODA Loans” published by JICA in April 2012 3) Non-Policy Opinions No. NPM 010-2013 issued by the Government Procurement Policy Board of the Philippines on 20 February 2013</p> <p>Please confirm that our understanding is correct. If our understanding is not correct, we request the Employer to clarify the eligibility of a bidder and a specialist subcontractor together with the applicable supporting documentation(s).</p>	<p>The determination of conflict of interest under Japanese ODA Loans for the NSCR Project is governed by the "Guidelines for Procurement under Japanese ODA Loans" (JICA Procurement Guidelines) published in April 2012, and as set forth in the Bidding Documents Section II, Bid Data Sheet (BDS), A. General, ITB Clause 2.2.</p> <p>The JICA Procurement Guidelines Section 1.07 [<i>Conflict of Interest</i>] defines the conditions under which a Contractor shall be disqualified; these conditions are incorporated into the Bidding Documents Section I, Instructions to Bidders, A. General, Sub-Clause 4.2.</p> <p>The Non-Policy Opinion No. NPM 010-2013 issued by the Government Procurement Policy Board of the Philippines on 20 February 2013 applies only to projects procured under Republic Act 9184, and is not applicable to the NSCR Project (Malolos-Tutuban).</p>

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<i>Volume II, Part 2 – Employer’s Requirements</i>			
<i>General Specifications</i>			
2	<p>Section VI, Page GS-97, Appendix B Table B.2, Item 2.6 Test Equipment for ACU</p> <p>and</p> <p>Section VI, Page TS-115, Clause 24.5 Main Special Tools and Diagnostic Test Equipment</p>	<p>With regard to the special tools and test equipment currently required as a part of CP03 Contract, we consider the following test equipment and special tools to be furnished by the CP04 Contractor in lieu of CP03 contractor since they are only used for less frequent occasions:</p> <ol style="list-style-type: none"> 1. Test equipment for ACU (GS Appendix B, Item 2.6). This test is only required at every 4 years which passes the ACU warranty period. 2. Bogie disassembling/reassembling special tools (TS Table 24.1). Bogie disassembly and reassembly work is only performed at every 8 years. 3. Special tool for draft gear (TS Table 24.1). The scheduled draft gear installation and removal are only required at every 8 years. 4. Special tool for bearing overhaul (TS Table 24.1). Journal bearing overhaul is only performed at every 8 years. <p>Based upon our extensive experiences for the rolling stock projects, special tools and test equipment are only required for those work to be performed within relatively frequent interval, typically before the warranty period expires. As above, none of the items requires a scheduled testing and service within their warranty period; hence they should be furnished as a part of the maintenance facility items. Please remove those items above from the CP03 contract and add same to CP04 contractor scope of supply.</p>	No, the Bidder’s request is not accepted.

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<i>Technical Specifications</i>			
3	Section VI, Page TS-117, Clause 25 Train Operation Simulator	<p>We acknowledge receipt of the Employer’s response to the same subject; which denied the request for extension of the simulator delivery to 37 months from NTP instead of 27 months. We further reviewed the simulator schedule from overall project view point, and offer the following comments:</p> <ol style="list-style-type: none"> 1. We note that the simulator is initially going to be used for the operator training of non-ATC (Train Control) based manual operation until the ATC related equipment is delivered in 27 months from NTP. We; however, are concerned if this schedule is practically feasible with the following reasons: <ol style="list-style-type: none"> (a) We remind the Employer that there will be a key ATC related equipment to be installed on the cab console; such as Aspect Display Unit (speedometer, ATC speed command, and other train status information). Until this unit is furnished by the train controlled contractor, the cab dash board will be left unfinished. (b) We reminds the Employer that we will require all ATC related design information 16 months prior to delivery of the car borne ATC equipment for the proper interface design on the simulator (or no later than 11 months from NTP). Please confirm this is acceptable. (c) Assuming both Items a) and b) are satisfied without delay, we will require at least 6 months to upgrade the simulator ready for ATO operating mode, and the simulator may not be available for the initial driver training in (a) above. 	<p>No, the Bidder’s request is not accepted.</p> <p>Since the cab simulator is not initially ATC-dependent, training shall commence in manual mode in order for the trainers to familiarize the drivers with the train functions and features. The ATC-related training shall be carried out at a later date.</p> <p>When ATC equipment becomes available, it shall be installed in the designated place; meanwhile, a mock-up (switch/button, etc.) representation shall be installed as per the Specifications to allow training to commence.</p> <p>Based on the foregoing, the Description of KD1 is amended as per Annex “B” of this General Bid Bulletin.</p>

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		<p>2. On the other hand, we presume the first train set should arrive at the NSCR site at least a few months prior to the required milestone to make the train set ready for Integrated Testing no later than 35 months from NTP.</p> <p>3. In addition, the Employer requires the CP03 contractor prepare the train driver for its commissioning testing</p> <p>4. Based upon the above, we consider the following schedule works satisfactorily without adversely affecting the Employer’s project schedule:</p> <ul style="list-style-type: none"> ● Deliver the simulator (without CO04 contractor’s ATC/ATO equipment installed) in 27 months from NTP. ● Receive car borne AP04 contractor’s ATC/ATO related equipment in 27 months from NTP. ● Start modification of the simulator and complete in 33 months from NTP. ● Start training from 33st month including all manual and ATC/ATO mode operation. ● We expect that the first 2 train sets will arrive in 32 – 33 months from NTP, which will undergo unpacking from shipment, restoration of the train sets, inspection, and static testing before the maintenance facility, primary power and the tracks become available toward 35th month milestone for commencement of systems integration testing. ● Driver training with the simulator will be arranged in 33 months from NTP. 	

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		<ul style="list-style-type: none">● Commence official systems integration tests in 35 months. <p>This will allow the Employer to conduct the operator training with the fully functional simulator for 2 months before Commence official systems integration tests.</p> <p>Based upon the above, we request NSCR to amend key date 1 (simulator hand over schedule) to 33 months from the NTP of CP03 Contract instead of 27 months.</p>	