

<b>North – South Commuter Railway (NSCR) Project (Malolos – Tutuban)</b> <b>Package CP01: Elevated Structures, 7 Stations and Depot</b>			
<b>ITEM NO.</b>	<b>REFERENCE CLAUSE/ SECTION</b>	<b>CLARIFICATION REQUEST</b>	<b>RESPONSE</b>
<i>General</i>			
1	General Bid Bulletin (GBB) No. 7, Annex A, Page 58 of 136, Item No. 135	The response in Bid Bulletin No. 7 confirms that the composite honeycomb panels are to be of 20mm in thickness. As this dimension is different from the drawings, the Bidder requests the following information: a) Revised thickness of the outer aluminum panel b) Revised thickness of the honeycomb layer c) Revised thickness of the bottom aluminum panel.	Please refer to the drawing in Book 6 of 11, Page CP01-B6-369 Decorative Fins Details and TS 500, Clause 522.2 Aluminum Honeycombed Panel (for Fins).  The response in item 135 of Annex "A", GBB No. 7 is revised as follows: "The Drawing in Section VI, 3 Drawings, Book 6 of 11, Page CP01-B6-279 shall be followed and the specifications of 25mm ACP Aluminum Composite Honeycomb panels-nano PVDF (Polyvinylidene Fluoride) Photo Catalyst Coating Finish."
2	General Bid Bulletin No. 17 for CP01, Pages 25-26	When the Bidder requires additional land outside NSCR ROW but inside PNR Property, may the Bidder assumes that the monthly rental shall be calculated based on the 2% Zonal Value as referred to CP01 GBB-17, #76, Item g.	Yes. The whole stretch between Tutuban and Malolos, which are part of the land outside of NSCR ROW, but inside the PNR Boundary, is available for construction, but shall be subject to lease from PNR with a monthly rate of 2% of the zonal value provided by the Bureau of Internal Revenue (BIR). The Contractor shall coordinate with PNR and establish the lease contract separately for the use of the PNR land outside the NSCR ROW.  All leased land expenses, including construction yards, shall be part of the Provisional Sum and shall not be subject to the Contractor's overhead expenses.
3		Please confirm if the Bidder is exempted in paying business tax in the respective Local Government Unit (LGUs) of the project.	No, the Contractor is not exempted from paying all applicable taxes. However, please refer to item 3 of Annex "A", GBB No. 7. The assumption by the Employer will apply to Japanese companies only.

<b>North – South Commuter Railway (NSCR) Project (Malolos – Tutuban) Package CP01: Elevated Structures, 7 Stations and Depot</b>			
<b>ITEM NO.</b>	<b>REFERENCE CLAUSE/ SECTION</b>	<b>CLARIFICATION REQUEST</b>	<b>RESPONSE</b>
4		Please confirm if the Bidder's Subcontractors/Suppliers are exempted in paying business tax in the respective Local Government Unit (LGUs) of the project.	No, the Bidder's subcontractors/suppliers are not exempted from paying all applicable taxes.  However, the Employer will assume business tax for the Japanese suppliers and contractors related to the Project.  Japanese suppliers and contractors mean Japanese nationals or juridical persons incorporated and registered in Japan, and which have the appropriate facilities for producing and providing goods and services in Japan, and actually conduct their business there.
<b>Volume I, Part 1 – Bidding Procedures</b>			
5	Section I, Page ITB-17, ITB Clause 21.1  GBB No. 3, Pre-Bid Conference Presentation, Pages 34 to 35, Envelopes Remarks	<u>Reference:</u> <i>These envelopes containing the original and the copies shall then be enclosed in one single envelope.</i>  <u>Clarification Request:</u> Due to the large volume and size of the Bid original and copies, could you kindly accept the submission of Outer Envelope of Technical Bid (Envelope-1) and Outer Envelope of Price Bid (Envelope-2) <b>without</b> enclosing them in the one single Final Outer Envelope (Envelope-3)?	No, Envelopes 1 and 2 should be enclosed in one single Final Outer Envelope (Envelope-3). Envelope-3 can be a sealed and secured box or wrapping following the sealing and marking requirements in ITB Clause 21.  However, upon the delivery, the Bidder may assemble, wrap, mark and seal the Bid in the designated room in the PS-DBM premises, starting at 6:00 AM, before the deadline of Submission of Bids. Only sealed Bids shall be officially received by the BAC Secretariat before said deadline. The Bidder must provide their own wrapping, marking and sealing materials and manpower.
6	Section II, Page BDS-3, BDS ITB 14.7  Volume IV, Page PC-16, PC Clause 14.7  GBB No. 4, Annex A, Page 1 to 2 of 7, Item No. 1	<u>Reference:</u> <i>"However, in accordance with RMC No. 8-2017, Article 2, it will be the responsibility of the Japanese Contractor to file the prescribed VAT returns on <b>gross receipts</b> derived from the Project, claim their input taxes from their purchase of goods, properties and services from their suppliers or subcontractors and shall pay the VAT thereon, after offsetting the creditable or allowable input taxes....."</i>	

<b>North – South Commuter Railway (NSCR) Project (Malolos – Tutuban) Package CP01: Elevated Structures, 7 Stations and Depot</b>			
<b>ITEM NO.</b>	<b>REFERENCE CLAUSE/ SECTION</b>	<b>CLARIFICATION REQUEST</b>	<b>RESPONSE</b>
	GBB No. 15, Annex A, Page 1 of 33, Item No. 1	<p><u>Clarification Request:</u></p> <p>First, to reiterate, it is clear under RMC No. 8-2017, Article 2, Japanese Contractor shall file the prescribed VAT returns on <b>gross receipts</b> derived from the OECF funded projects..... The Table for the Summary of Bid Price (see attached copy) is also referring as “subject to the existing BIR RMC No. 8-2017. How can we be consistent with the BIR RMC No. 8-2017 if receipt for foreign currency will not be included as part of gross receipts?</p> <p>Second, Schedule 4 Value Added Tax, thus the formula following your response on GBB No. 15, Annex A, Item 1, Local Currency X 12% VAT, without including any foreign currency. Is our understanding correct?</p> <p>Third, there are two types of imported materials; the Permanent Materials and Temporary or Consumable Materials. The permanent materials’ consignee shall be the Employer who shall also be responsible and shoulder the import vat and duties, while for the Temporary or Consumable materials’ consignee shall be the Contractor and shall pay the import vat and duties. In the presentation and calculation of VAT, shall we consider this as local currency and included it in the VAT computations?</p> <p>Fourth, The Contractor shall also be having subcontract agreement with specialty contractors with both foreign and peso currency, and the same shall include VAT, Do</p>	<p>The winning Bidder shall coordinate with the BIR to establish required procedures.</p> <p>The foreign currency of the contract sum is conducted as an offshore payment, therefore subject to 0% VAT treatment as per Section 108(B) of The National Internal Revenue Code. The Contractor is required to declare this to the Board of Investments (BOI) accordingly.</p> <p>Yes, 12% VAT shall be included in the Local Currency of the Bid Price only, and shall not apply to the Foreign Currency.</p> <p>Please refer to item 2 of Annex “A”, GBB No. 7.</p> <p>Even if the Contractor imports Temporary or Consumable Materials for utilizing on the Project as declared by the Employer to the Bureau of Customs (BOC), the consignee should be the Employer and import duty and import VAT shall be dealt with according to PC Clause 14.1 (b) and ITB Clause14.7.</p> <p>The Contractor’s payment to sub-contractor in the Philippines is subject to VAT as provided under RMC No. 8-2017.</p>

<b>North – South Commuter Railway (NSCR) Project (Malolos – Tutuban) Package CP01: Elevated Structures, 7 Stations and Depot</b>								
<b>ITEM NO.</b>	<b>REFERENCE CLAUSE/ SECTION</b>	<b>CLARIFICATION REQUEST</b>	<b>RESPONSE</b>					
		<p>we consider the subcontract value as local currency and calculate the VAT based on the total Php subcontract value?</p> <p>Lastly, referring to the Summary of Total Bid Price (see attached copy as Annex E of GBB No. 15), What is the specific meaning of Schedule No. 3 Total Amount of Schedules (Bid Price without Contingencies) (a)=1+2? If there is still Schedule (a) Bid Price without Commercial Tax* (a)=1+2, is this not double count? Or Schedule 3 and (a), do they have the same value?</p>	<p>Schedule No. 3 of the Summary of Total Bid Price issued in Annex "E" of GBB No. 15 is revised as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;">3</td> <td style="width: 75%;">Total Amount of Schedules (<del>Bid Price without Contingencies</del>) (a)=1+2</td> <td style="width: 15%; text-align: center;">(L03)</td> <td style="width: 5%;"></td> <td style="width: 10%; text-align: center;">(F03)</td> </tr> </table>	3	Total Amount of Schedules ( <del>Bid Price without Contingencies</del> ) (a)=1+2	(L03)		(F03)
3	Total Amount of Schedules ( <del>Bid Price without Contingencies</del> ) (a)=1+2	(L03)		(F03)				
7	Section III, Page EQC-14, 3.Step 2: Determination of Responsiveness and Detailed Evaluation and of Technical Bids	<p><u>Reference:</u> <i>No.4 Concrete Curing Facilities (for fabrication of PC Segment)</i></p> <p><u>Clarification Request:</u> As there is no definite and specific description in the Technical Specification, could we request you to give us specific information or definition on what curing facility is being considered in this technical bid requirement?</p>	Concrete Curing Facilities for fabrication of PC segment shall have the capacity to fulfill all the requirements (quality, safety, etc.) for PC segments as per the relevant clauses in the Technical Specifications as well as relevant codal provisions. The same shall be demonstrated in the Bidder's proposal and shall be evaluated as per the provisions in the Bidding Documents.					
<b><i>Volume IA, Part 1 – Bill of Quantities</i></b>								
8	Pages BOQ-26, BOQ-43 and BOQ-60, Expansion Joint and Joint Cover Assemblies	<p><u>Reference:</u> <i>Method of Measurement for Expansion Joint</i></p> <p>As specified in General Bid Bulletin no. 5, Annex A, item no. 11, expansion joint shall be measured in square meters. May the Contractor understand the width basis for measurement is the gap width or the sight line width. Kindly confirm.</p>	Measurement should be sight line width.					