



**SUPPLEMENTAL/BID BULLETIN NO. 2
CONTRACT NO. RO-CS2021-002**

**PROCUREMENT OF CONSULTANCY SERVICES FOR THE 5TH RATE
REBASING**

November 10, 2021

TO ALL CONCERNED:

Your attention is hereby invited to the following revisions and clarifications in the Bidding Documents:

1. **Annex A - The Technical Audit Guidelines (TAGs) and;**
2. **Annex B - The Concession Accounting and Auditing Guidelines (CAAGs)**

The TAGs and CAAGs will be uploaded in the MWSS RO website, which can be accessed at <https://ro.mwss.gov.ph/procurements-hirings/invitation-to-bid-2021/>, and PhilGEPs posting of this procurement.

3. **Additional document in Section VII. Bidding Forms - Financial Proposal Forms**

From	To
None	Please see attached FPF 2A. Detailed Cost of Estimates

4. **Item 11.5 of the Section III. Bid Data Sheet**

From	To
11.5 The consultant shall be subject to all applicable Philippine taxes.	11.5 The Consultant shall be subject to withholding taxes on payments made by the procuring entity except on advance payment. It shall be based on gross amount as stated in the billing/invoice with the following rates below: Government Money Payments- Withholding taxes for Purchase of Services (Including reimbursables)



	<p>Corporation and Joint Venture (JV)</p> <ul style="list-style-type: none"> • If VAT Registered - 5% Final Tax; 2% Expanded Withholding Tax (EWT) • If Non VAT - 1% Final Tax; 2% EWT <p>General Professional Partnership (if purely GPP)</p> <ul style="list-style-type: none"> • If VAT Registered - 5% Final Tax • If Non VAT - 1% EWT • Submit Certificate of GPP <p>(1% FT for Non VAT shall be effective from July 1, 2020 - June 30, 2023)</p> <p>Exempt: Submit Latest Certificate of Exemption (with period)</p> <p>Please note that withholding for income taxes of consultants and administrative staffs engaged in the project shall be the responsibility of the Winning Bidder as their withholding agent.</p> <p><i>*Taxes withheld by the procuring entity is still subject for evaluation of the BIR.</i></p>
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5. Answers to clarifications and queries:

Clarification/Query #1: Clause 4.2 (b) of Section II. Instruction to Bidders

“How will the pandemic protocol affect the implementation of the project? With due notice to your good office, can we simply be responsive to conditions that will exist at the time that we have scheduled to minimize any time that may be lost for inaction? As will be practicable, we may do a zoom meeting, a face-to-face meeting or a mixture of thereof.”

Answer: While the MWSS RO recognizes the possible consequences of the quarantine protocols implemented in the region, such issue can be comprehensively discussed in the negotiation stage between the bidder with the Highest Rated Bid and the Procuring Entity. Furthermore, any adjustment in the implementation of the project due to changes in restrictions and quarantine status may also be discussed

during the contract implementation with the Consultant after the award of the contract. On a final note, by agreement of the winning Consultant and the Procuring Entity, time extension may be granted upon showing of valid and reasonable causes subject to validation by the Procuring Entity.

Kindly refer to the Terms of Reference for the schedule to be followed in the implementation of the project and deliverables.

Clarification/Query #2: Clause 4.2 (c) of Section II. Instruction to Bidders

“During the pre – bid conference, the following have been addressed, but we would like to further verify the below items:

- *Will the Consultants’ office be fully furnished?*
- *Will a meeting/conference room be provided within the MWSS compound to facilitate our access to any documents that may be required by the meeting?*
- *Will a Wifi and landline telephone be provided, other than the internet and communication facilities that have been identified for the Consultant’s office?*
- *Who will shoulder the expenses incurred for water and electric usage?*
- *Will janitorial and cleansing services be part of our office allotment?*
- *Will Drinking Water/Water dispensers be provided?*
- *Will an air conditioner be provided for the office area?*
- *Will the Consultants and the administrative staff be provided with IDs to facilitate ingress and egress to the work area?*
- *Will there be any allotted parking space to the Consultants and the administrative staff?*

Answer: Please refer to the Terms of Reference for the full list of the assistance to be provided by the MWSS RO to the winning Consultant. Said Terms of Reference also include certain expenses that are allowed to be reimbursed by the MWSS RO. Additionally, you may use the TPF 3 Form for comments and suggestions on the Terms of Reference and on the assistance to be provided by the MWSS RO.

Clarification/Query #3: Clause 4.2 (j), (ii) of Section II. Instruction to Bidders

“What are the existing OSH policies and standards? What is the working arrangement? Will the consultant will be allowed to work from home or any such hybrid arrangement?

Answer : The Consultant is expected to have its own Safety and Health protocols and policies. However, it is expected from the Consultants to comply with the existing protocols being implemented in the building/compound.

Clarification/Query #4: Clause 4.3 (c) of Section II. Instruction to Bidders

“Should there be a need for a site visit, will MWSS ensure the safety and conditions of the area for the visit?”

Answer: The MWSS RO recognizes the concern for safety conditions of the Consultants. However, it is the prime responsibility of the Consultant to ensure safety and well-being of their employees during the project implementation.

Clarification/Query #5: Clause 11.5 of Section II. Instruction to Bidders

“What type of income-based taxes will be held from the consulting entities and how much income-based taxes will they be required to withhold from Consultants and project-based administrative staff? Will the provisions of the TRAIN law apply to them?”

Answer : Please refer to item #4.

Clarification/Query #6: Clause 26.2, 28 (d), and 53.5 (c) of Section II. Instruction to Bidders

“Putting these 3 provisions together will result in the following potential maximum number of days of delay in payment from the Procuring Entity :

- *Delay in payment from Procuring Entity = 60 days*
- *Notice from the Consultant of overdue payment = 45 days*
- *After receiving notice = 84 days*

Taken cumulatively, the Procuring Entity has a total of 188 days or over 6 months to make actual payment. Some adjustments may have to be made in this provision.

Answer : Clauses 26.2, 28 (d), and 53.5 (c) of Section II are standard provisions of the Philippine Bidding Documents issued by the GPPB. With that, the MWSS RO has no right or authority to modify said clauses.

Clarification/Query #7: Clause 54.1 and 54.2 of Section II. Instruction to Bidders

“If months is quite long after submission of regular reports, the time frame is a whole year longer after the submission of the final report. This length of time is also something that should be revisited by the Procuring Entity.

Answer : Clauses 54.1 and 54.2 of Section II are standard provisions of the Philippine Bidding Documents issued by the GPPB. With that, the MWSS RO has no right or authority to modify said clauses.

This Supplemental/Bid Bulletin No. 2 shall form part of the Bidding Documents.

For the guidance and information of all concerned.

(Sgd.) LEE ROBERT M. BRITANICO
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Please acknowledge the receipt of
this Supplemental/Bid Bulletin
No. 2 for Contract No. RO-
CS2021-002:

Name over Signature

Date:

Company/Agency