



Republic of the Philippines
Department of Public Works and Highways
OFFICE OF THE REGIONAL DIRECTOR
Region V
Regional Government Center, Rawis, Legazpi City

Terms of Reference

CSSP: Sustainable Infrastructure Projects Alleviating Gaps (SIPAG) – Multi-Purpose Buildings/Facilities to Support Social Services - Construction of Cruise Port and Facilities (Phase 2), Legazpi City, Albay

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1. Project Information

1.1. Project Description

The contract will involve the Design and Construction of the Legazpi Cruise Port and Facilities in Legazpi City, Albay that will accommodate international cruise ships.

The project is for the construction of a port related structure near the shore where the cruise ship may dock allowing a continuous passenger embarkation load and unload cargo or passengers and necessary fendering system, berthing and docking facilities and providing amenities to cruise passenger.

The plans and designs shall be in accordance with the conceptualized plan prepared by the Planning and Design Division (PDD), DPWH R.O. V or as conceptualized by the winning bidder if the latter is found to be superior (as defined in Section 3.1.1 of this TOR).

The proposed cruise port shall be designed and developed in accordance with the requirements of a port structure as prescribed in the National Building Code of the Philippines, Structural Code of the Philippines, Environmental and Sanitation Code of the Philippines, Fire Code of the Philippines, and other related standard codes

The Project shall have an Approved Budget for the Contract (ABC) of **PhP144,749,856.14**, inclusive of the cost for the Detailed Architectural and Engineering Design (DAED).

The project shall have the following basic components:

- a. Pre-detailed design which includes pre-detailed engineering works (engineering surveys and investigation, subsoil investigation, location and boundaries of existing port structures and existing utility lines), site planning and development and preparation of schematic drawings and documents for design development.

The bid shall be based on the conceptual/schematic drawings prepared by PDD DPWH R.O. V or that submitted by the winning bidder as defined in Section 3.1.1 of this TOR.

- b. Complete Detailed Architectural and Engineering Design Plans, technical specifications, and design calculations for the construction of the Project.

Such plans, designs, and technical specifications shall be subject for review and approval by the DPWH Regional Office V. The Design Development (DD) and the Contract Documents (CD) phases of the design shall continue after the bid is awarded. It shall likewise be subject for review and approval by the DPWH.

- c. The Contractor shall construct the Cruise Port in accordance with the approved Detailed Architectural and Engineering Design Plans.

Included in the Terms of Reference is the following information for the project:

- 1) Vicinity and Location Map
- 2) Conceptual Design
- 3) Section of Causeway

4) Geotechnical Investigation Report

1.2. Contractual Framework

The contractual arrangement to be used for the project is the Design-and-Build (DB) scheme. Under this scheme the procuring entity awards a single contract for the architectural/engineering design and construction to a single firm, partnership, joint venture or consortium.

The winning contractor shall consult and collaborate with the DPWH PDD for the preparation of the Detailed Architectural and Engineering Design of the Project. The Detailed Architectural and Engineering Design shall be subject for the review and approval by the DPWH PDD.

The obligations and liabilities of the contractor and its designer shall be joint and solidary for purposes of the Detailed Architectural Design of the Project in accordance with Article 1723 of the Civil Code of the Philippines and other pertinent laws.

The DB Scheme of procurement was recommended, endorsed, and adopted pursuant to the guidelines provided in Annex "G" – Guidelines for the Procurement and Implementation of Contracts of Design and Build Infrastructures of the revised IRR of RA 9184.

1.3. Minimum Qualifications of Proponent

The eligibility requirement shall comply with the provision of Sections 9, 10 and 11 of Annex "G" of the Revised IRR of RA 9184.

2. Scope of Contract

2.1. Obligations of the Winning Bidder/Contractor

- a. Render architectural and allied engineering design services including final schematic design necessary for the implementation of the Project. The allied engineering design services shall include, but shall not be limited to, design for architectural, civil, structural, electrical, mechanical/fire protection, sanitary/plumbing, electronics, and security systems works. All drawings shall be generated using licensed AutoCAD version 2020 or lower and printed on A2 (420mm x 594mm) high-quality mylar papers;
- b. Undertake Detailed Architectural and Engineering Designs (DAEDs) using the given data and conduct updated investigation (such as topographic, hydrographic and cross-section surveys, geotechnical and geological investigation, and hydrologic investigation, tide, current and waves condition at the project site) and initial schematic design or design concept provided by the DPWH PDD which conforms with the Minimum Performance Specifications and Standards (MPSS);
- c. Prepare detailed estimates, bill of quantities and program of works to be used in the construction phase. Moreover, construction schedule would be prepared in accordance with the approved plans and program of works prepared.
- d. The project shall be constructed according to the DAEDs prepared by the Winning Bidder and approved by the DPWH and in compliance with the MPSS. Likewise,

construction includes conformance to the provisions pertaining to buildings under the latest edition of the DPWH Standard Specifications for Public Works Structures, Volumes II and III and construction requirements for different items of work, including the tests to be conducted during construction by the DPWH-accredited testing laboratory. The Blue Book incorporates pertinent provisions of the American Society for Testing and Materials (ASTM) and American Concrete Institute (ACI), among other standards, pertaining to construction. Attention shall be given to the relevant items of work in the following Parts of the Blue Book:

Volume III

- Part A – Facilities for the Engineer
- Part B – Other General Requirements
- Part C – Earthwork
- Part D – Reinforced Concrete
- Part E – Finishings and other Civil Works
- Part F – Electrical
- Part G – Mechanical
- Part H – Piling
- Part I – Protective works and Accessories
- Part J – Bulkheads

For materials and technologies not covered by the Blue Book, or if the Proponent intends to use any new materials/technology which is not accredited by the DPWH Bureau of Research and Standards (BRS), the Proponent shall submit a certification from a recognized foreign or international institution to the effect that the new materials or technology meets the MPSS for this Project and has been successfully used in existing structures with proven integrity.

- e. The Winning Bidder or Contractor shall be held liable for design and structural defects and/or failure of the completed project within the warranty period specified in Section 62.2 of the IRR of RA 9184 and,
- f. Conduct Value Engineering Study to determine the most economical scheme.

2.2. Obligations of the DPWH

- a. Provide full information on all requirements for the Project;
- b. Approve the Winning Bidder or Contractor's design without diminishing their full and sole responsibility for the quality and integrity thereof;
- c. Give prompt written notice thereof to Winning Bidder or Contractor, if it observes or becomes aware of any defect in the Project;
- d. Designate, when necessary, representatives authorized to act on its behalf. It shall examine documents submitted by the Winning Bidder or Contractor and render decisions pertaining thereto promptly, to avoid unreasonable delay in the progress of their work. It shall observe the procedure of issuing orders to the Winning Bidder or Contractor;
- e. If applicable, secure environmental clearance or an "Environmental Compliance Certificate (ECC)". If the proposed project is considered outside the purview of

the Philippine Environmental Impact Statement (EIS) System, a Certificate of Non-Coverage or Certificate of Exemption shall be secured.

- f. Supervise and monitor the implementation of the project; and,
- g. Pay the accomplishment accepted in the conformance with the MPSS included under the Design and Build Contract.

2.3. Bidding Documents

The Standard Bidding Documents in the approved Government Procurement Policy Board (GPPB), including Form of Contract, and in the DPWH Procurement Manual as per D.O. No. 151, s. of 2016 shall be used, with appropriate modifications to incorporate pertinent provision of Annex "G" of the Revised IRR of RA 9184.

3. Scope of Works

3.1. Design Phase

3.1.1. Preliminary Plan by Bidder

The conceptual design shall adopt location and orientation so as to minimize the impact of any adverse effect on natural and physical environment. In general terms, the cruise port must include the wharf and pier structure, breasting dolphins, mooring dolphins, access trestle, and utilities. The building's design shall blend with the adjacent Kapuntukan Hill.

Bidders shall submit also an alternative design concept with respect to the space allocation which provides an optimum use of spaces taking into consideration the structures shown in the DPWH's conceptual plans. This alternative design by the winning bidder shall be adopted should the same be found to be superior than the one conceptualized by the DPWH.

3.1.2. Detailed Architectural and Engineering Design (DAED) by the Winning Bidder

During the implementation of the Project, the Winning Bidder shall prepare the DAED of the Project and submit the same to the Department of Public Works and Highways (DPWH) for approval prior to the execution of the construction works.

The Winning Bidder shall prepare the DAED based on its preliminary architectural plan as reviewed and accepted by the DPWH and in accordance with the MPSS. The DAED shall be undertaken with a degree of accuracy that will allow estimates to be made within approximately plus or minus five percent (+/-5%) of the final quantities.

Once approved by the DPWH, the Winning Bidder's DAED shall form part of the MPSS. The DPWH-approved DAED, together with the MPSS provisions on Construction under Section 2.0 hereof, shall govern the actual Construction undertaken by the Winning Bidder.

The Winning Bidder shall undertake the necessary field surveys and investigation in accordance with the DPWH Design Guidelines, Criteria and