TERMS OF REFERENCE & TECHNICAL SPECIFICATIONS for the MAINTENANCE OF CONCRETE CURBS AND GUTTER, PORT OF CAGAYAN DE ORO (MPF-MOC-05-2026)

1. INTRODUCTION

1.1 The Philippine Ports Authority – Port Management Office of Misamis Oriental/Cagayan de Oro (PMO MO/C), through the Engineering Services Division (ESD), intends to undertake the **Maintenance of Concrete Curbs and Gutter, Port of Cagayan de Oro (MPF-MOC-05-2026)**, as part of its continuing commitment to maintain safe, functional, secure, and reliable port facilities for the benefit of port users, employees, and other stakeholders.

1.2 This engagement shall strictly adhere to the Guidelines on the Procurement of Infrastructure Projects for Government Projects and comply with the provisions stipulated in **Republic Act No. 12009**, or the **New Government Procurement Act (NGPA)** and its **Revised Implementing Rules and Regulations (IRR)**

1.3 The existing concrete curbs and gutters within identified areas of the Port of Cagayan de Oro are subject to deterioration, damage, and normal wear resulting from continuous port operations, vehicular movement, exposure to weather conditions, and other operational factors. Maintenance and replacement of deteriorated sections are therefore necessary to preserve the functionality and condition of these facilities.

1.4 The project shall generally involve the demolition and proper disposal of existing deteriorated concrete curbs; construction of replacement concrete curbs and gutters; installation of reinforcing steel bars; associated formwork, concreting, curing, and finishing works; installation of the required project billboard; and all other incidental works necessary for the complete implementation of the project. The approved plan identifies the curb-and-gutter works within the Port of Cagayan de Oro operational area.

1.5 The Contractor shall provide all necessary labor, materials, tools, equipment, supervision, transportation, testing, and other incidentals necessary for the complete and satisfactory implementation of the project in accordance with the approved plans, technical specifications, Program of Work (POW), applicable engineering standards, and relevant government regulations.

2. OBJECTIVES OF THE PROJECT

The PMO MO/C seeks to engage a qualified Contractor to undertake the maintenance and rehabilitation of the identified concrete curbs and gutters within the Port of Cagayan de Oro.

The project specifically aims to:

2.1 Remove and properly dispose of deteriorated or damaged portions of the existing concrete curbs that require replacement.

2.2 Restore the functionality, structural condition, and serviceability of the identified curb-and-gutter facilities through the construction of reinforced concrete replacement sections

2.3 Provide properly constructed and reinforced concrete curbs and gutters capable of withstanding normal operational conditions and exposure within the port environment.

2.4 Maintain proper delineation between roadways, sidewalks, landscaped areas, drainage facilities, and other operational areas, as applicable, thereby contributing to safer and more orderly and vehicular pedestrian movement within the port.

2.5 Ensure that demolition, reinforcing steel, formwork, concrete placement, curing, finishing, and related construction activities are performed with the approved plans, specifications, accepted engineering practices, and applicable safety standards.

2.6 Enhance the overall condition, appearance, durability, and operational serviceability of the affected areas of the Port.

3. APPROVED BUDGET FOR THE CONTRACT, PROCUREMENT METHOD, & PAYMENT TERMS

3.1 The Approved Budget for the Contract (ABC) is **Nine Hundred Ninety-Five Thousand Seventy-Three Pesos and 55/100 only (Php 995,073.55)**, inclusive of all applicable taxes, fees, and incidental expenses.

3.2 This procurement shall be undertaken as **Small Value Procurement** in accordance with the provisions of the NGPA and its IRR. In lieu of retention, the Contractor is required to submit their bank guarantee/surety bond callable on demand, in accordance with the NGPA.

3.3 The contract price shall be deemed to include all costs necessary for the complete accomplishment of the project.

3.4 Payment shall be made subject to the submission, review, verification, and acceptance of the required deliverables and compliance with existing government accounting rules and regulations.

3.5 The Procuring Entity may allow progress payment once (1) only, corresponding to completed and accepted deliverables up to 40-50%, subject to partial inspection by the ESD and the applicable procurement and accounting regulations.

3.6 The remaining balance shall be released only upon 100% completion, final inspection, acceptance of the project, and submission of complete billing and close-out documents in accordance with existing government accounting and auditing rules and regulations

4. SCOPE OF SERVICES

The scope of services shall include, but not be limited to, as specified in Table 1.0 of this TOR: Specific Scope of the Project.

Table 1.0 –Specific Scope for the Project	
Item	**Description of Work**
1	Demolition and Disposal of Existing Concrete Curb
2	Supply of Materials, Labor, and Equipment for Concrete Curb Works
3	Supply of Materials, Labor, and Equipment for Reinforcing Steel Bar Works
4	Supply and Installation of Project Billboard

4.1 The Contractor shall conduct site verification and assessment prior to implementation to determine actual site conditions and ensure proper execution of the required works.

4.2 The Contractor shall undertake the complete rehabilitation of the fire exit facility, including but not limited to:

4.2.1. demolition, breaking, removal, hauling, and proper disposal of deteriorated concrete curb sections;

4.2.2. preparation and cleaning of affected areas prior to construction;

4.2.3. provision and installation of formworks;
4.2.4. supply, cutting, bending, placing, and tying of reinforcing steel bars;
4.2.5. supply, mixing, placement, vibration, curing, and finishing of concrete;
4.2.6. provision of necessary construction joints, connections, and related works;
4.2.7. restoration and cleaning of areas affected by construction;
4.2.8. installation of the required project billboard; and
4.2.9. all other incidental works necessary to deliver complete and serviceable concrete curb-and-gutter facilities.

5. TECHNICAL SPECIFICATIONS

5.1 The Contractor shall perform all works in accordance with applicable standards, codes, rules, and regulations issued by relevant government agencies and in accordance with accepted engineering and construction practices.

Manpower/Staffing Requirements

5.2 The key professionals expected for this project shall, at the minimum, possess the following eligibility criteria as referenced in Table 2.0 of this TOR – Basic Requirements for Manpower/Staffing:

Table 2.0 – Basic Requirements for Manpower/Staffing for the Project

KEY PERSONNEL	MINIMUM NO. OF PERSONNEL	ELIGIBILITY
Foreman	1-2 pax	Officially employed by the Contractor. Shall supervise and coordinate the demolition, concrete, reinforcing steel, and related construction activities.
Skilled Laborer	3-4 pax	Officially employed by the Contractor. The manpower shall include personnel competent in the required trades, particularly masonry/concrete works, carpentry/formworks, and steel/rebar works, or other equivalent skilled tradespersons possessing the necessary competency relevant to the project.
Unskilled Laborer	6-8 pax	Officially employed by the Contractor. Shall include construction helpers assigned to demolition, excavation/preparation, concrete works, reinforcing works, material handling, hauling, site cleaning, and other general construction activities.

Equipment Requirements

5.3 The Contractor shall also provide the necessary equipment, including but not limited to:

5.3.1. Backhoe with Pavement Breaker – minimum one (1) unit;
5.3.2. Payloader – minimum one (1) unit;
5.3.3. Dump Truck – minimum one (1) unit;
5.3.4. One-Bagger Concrete Mixer – minimum one (1) unit;
5.3.5. Concrete Vibrator – minimum one (1) unit;
5.3.6. Water Truck – minimum one (1) unit;
5.3.7. Bar Cutter – minimum one (1) unit;
5.3.8. Bar Bender – minimum one (1) unit;
5.3.9. Service/Elf Truck – minimum one (1) unit; and
5.3.10. Minor construction and hand tools as necessary

5.4 All items under the Manpower/Staffing and Equipment must be officially listed and included in the *Manpower and Equipment Deployment Commitment Form*, enclosed in the bids for submission.

Materials Requirements

5.5 All materials shall be:

5.5.1. Brand new and free from defects;
5.5.2. Conforming to applicable Philippine standards;
5.5.3. Suitable for outdoor and coastal environments; and,
5.5.4. Installed in accordance with the manufacturer's recommendations.

Project Site

5.6 The project site shall be implemented within the identified operational areas of the Port of Cagayan de Oro.

6. PROJECT DETAILS

6.1 The Contractor shall complete the required services within Forty-Five (45) Calendar Days from receipt of the Notice to Proceed (NTP).

6.2 Work suspensions & extensions may be granted only upon written request to the Procuring Entity, with sufficient justification, and subject to approval by the same, in accordance with the NGPA.

6.3 The Contractor shall directly coordinate all project activities with PPA PMO MO/C, including the Project-in-Charge (PIC) from the Engineering Services Division (ESD) and shall secure all necessary permits, clearances, and authorizations required for the implementation of the project works.

6.4 The Contractor shall coordinate work schedules with the PIC to minimize interference with passenger movement, cargo operations, and other port activities.

7. RESPONSIBILITIES OF THE CONTRACTOR

7.1 The Contractor shall:

7.1.1. Provide qualified personnel necessary for the execution of the project;
7.1.2. Supply all required materials, tools, and equipment;
7.1.3. Observe applicable occupational safety and health standards;
7.1.4. Secure the work area and provide warning signs and barricades when necessary;
7.1.5. Ensure that all materials used are brand new, free from defects, and compliant with approved specifications;
7.1.6. Maintain proper housekeeping throughout project implementation and remove all debris, waste materials, excess construction materials, and temporary facilities upon completion of the project.
7.1.7. Correct all defective works identified during inspection at no additional cost to the PMO MO/C.

7.2 During Project Implementation, the Contractor shall submit the following:

7.2.1. Work Plan;
7.2.2. Deployment Schedule of Personnel and Equipment;
7.2.3. Progress Reports;
7.2.4. Geotagged Photographs of Activities;
7.2.5. Incident Reports for delays and deficiencies, if applicable; and,
7.2.6. Requests for Suspension and Resumption of Construction Activities, if applicable.

7.3 Acceptance of the project shall be based on the completeness, accuracy, quality, and compliance of all submitted deliverables with the requirements of this TOR and applicable construction standards, approved plans, specifications, and the Program of Work (POW).

7.4 Prior to final acceptance, the Contractor shall comply with all punch-list items identified by this PMO. Upon completion of all works, the Contractor shall formally request the Final Inspection and Billing through a written request addressed to the Port Manager of this PMO, through the ESD.

7.5 For both Partial/Final Billing of the project, the Contractor shall submit the following:

7.5.1. Letter Request for Partial/Final Inspection and Billing;
7.5.2. Geotagged Photo Documentation (Before, During, After)
7.5.3. As-Built Plan;
7.5.4. Affidavits certifying the full payment of labor and materials & certifying the claimant is the true contractor.
7.5.5. Performance and Warranty Bonds with the attached Original Receipt; and,
7.5.6. Other supporting documents as may be required by this PMO.

7.6 Only upon satisfactory compliance and acceptance of all requirements shall the Procuring Entity issue the corresponding Certificate of Completion and Acceptance for purposes of final billing and payment processing.

8. RESPONSIBILITIES OF THE PROCURING ENTITY

8.1 The PMO MO/C, through the ESD, shall:

8.1.1. Designate a Project-in-Charge (PIC) to coordinate and monitor the project;
8.1.2. Provide available reference documents and information relevant to the project;
8.1.3. Facilitate access to project sites, subject to applicable security protocols;
8.1.4. Review and evaluate submitted deliverables;
8.1.5. Conduct inspections and validation activities, when necessary;
8.1.6. Issue the corresponding Certificate of Completion and Acceptance upon satisfactory completion of the project;
8.1.7. Process payment in accordance with existing accounting and auditing rules and regulations.

9. PENALTIES FOR DELAY

9.1 For unjustified delay in the submission of required deliverables, Liquidated Damages shall be imposed at the rate of one-tenth (1/10) of one percent (0.10%) of the cost of the unperformed portion of the contract for every calendar day of delay.

9.2 The total Liquidated Damages shall not exceed ten percent (10%) of the total contract price, after which the Procuring Entity may rescind the contract in accordance with applicable procurement laws, rules, and regulations.

10. BIDDER QUALIFICATIONS & BID ENVELOPE PREPARATION

10.1 Interested and eligible Contractors shall submit the following eligibility, technical, and financial documents, as referenced in Table 3.0 – List of the Philippine Bidding Documents Required.

10.2 Failure to comply with the required eligibility, technical, and financial documents may constitute grounds for disqualification.

Table 3.0 – List of the Philippine Bidding Documents Required

A. ELIGIBILITY DOCUMENTS

1.) Valid and Updated PhilGEPS Certificate of Registration and Membership, including its Annex "A" and its underlying documents: *

- SEC Certificate;
- Valid Mayor's/Business Permit;
- Tax Clearance;
- Audited Financial Statements for the immediately preceding year; and,
- PCAB License

2.) Omnibus Sworn Statement (OSS) under R.A. 12009 format, duly notarized; and,
3.) Other eligibility documents as may be required by the Procuring Entity.

B. TECHNICAL DOCUMENTS	C. FINANCIAL DOCUMENTS
1.) Annex "A": Manpower and Equipment Deployment Commitment Form, with its attached Affidavit, notarized; 2.) Annex "B": Certificate of Site Inspection, with its attached Affidavit, notarized; 3.) Other supporting technical documents deemed necessary by the Procuring Entity;	1.) Request for Quotation / Canvass Form, fully accomplished; 2.) Bid Form, fully accomplished; 3.) Other documents deemed necessary for minimum qualification.

10.3 All interested and eligible bidders shall submit their bid proposals using the **Three-Envelope System**, consisting of the following:

10.3.1. Eligibility Documents Envelope – containing all required Eligibility Documents listed in Table 3.0,

10.3.2. Technical Documents Envelope – containing all required Technical Documents listed in Table 3.0,

10.3.3. Financial Documents Envelope – containing all required Financial Documents listed in Table 3.0,

10.4 All three (3) envelopes shall each be properly sealed and clearly marked with the following information:

10.4.1. Project Name & Code;
10.4.2. Project Location;
10.4.3. Name of Bidder/Contractor/Company;
10.4.4. Address of Bidder/Contractor/Company;
10.4.5. Contact Details;
10.4.6. Designation of the Envelope as either **Eligibility Documents**, **Technical Documents**, or **Financial Documents**.

10.5 Once prepared, all three (3) envelopes shall be enclosed and properly sealed in one (1) Main Bid Envelope. The Main Bid Envelope shall be clearly labeled with the following information:

10.5.1. Project Name & Code;
10.5.2. Addressed to:
The Bids and Awards Committee (BAC)
Philippine Ports Authority
Port Management Office of Misamis Oriental/Cagayan de Oro
10.5.3. Addressed from:
Name of Bidder/Consultant/Company
Address
Contact Details
10.5.4. Insert a notation below, "DO NOT OPEN THIS ENVELOPE BEFORE THE SCHEDULED OPENING OF BIDS."

10.6 Bids submitted in envelopes that are improperly sealed, improperly labeled, or do not comply with the required sub-envelopes may be rejected or declared non-responsive by the BAC.

11. BID EVALUATION AND AWARD

11.1 The evaluation of proposals shall be conducted in accordance with the provisions of the NGPA, its IRR, and other applicable procurement guidelines governing Small Value Procurement for Infrastructure Projects.

11.2 The BAC shall evaluate all submitted bids based on compliance with the eligibility, technical, and financial requirements of this TOR, including personnel qualifications, equipment capability, contractor experience, and bid responsiveness.

11.3 The BAC may conduct verification of the Contractor's submitted experience, personnel qualifications, and equipment capability prior to recommendation for award.

11.4 The BAC shall evaluate the submitted proposals and determine the Lowest Calculated and Responsive Bid (LCRB), taking into consideration the Contractor's ability to satisfactorily perform the required services and complete the project works within the prescribed period.

11.5 Only Contractors who have substantially complied with all required documents shall be considered responsive and eligible for further evaluation**.**

11.6 The PPA PMO MO/C, through the BAC, reserves the right to:

11.6.1. Verify the accuracy, authenticity, and validity of all submitted documents and information;

11.6.2. Require the submission of additional supporting documents for verification and validation purposes;

11.6.3. Seek clarification on any aspect of the submitted proposal;

11.6.4. Reject any proposal that is incomplete, non-compliant, misleading, or found to contain false information; and,

11.6.5. Recommend award to the Contractor whose proposal is determined as the LCRB.

11.7 The Notice of Award shall be issued only after completion of the prescribed evaluation process and approval by the appropriate authority.

This TOR takes effect upon approval by the Head of the Procuring Entity/Port Manager and remains valid until full and satisfactory completion of the project.

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