



## SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2020 HELD ON THE 20<sup>TH</sup> DAY OF JULY 2020 AT THE SB SESSION HALL, LEGISLATIVE BUILDING

**PRESENT:**

HON. JAIME O. DUQUE	.. VICE MAYOR/PRESIDING OFFICER
HON. CLEOFE D. FAVIS	.. MEMBER
HON. RODOLFO C. ESPEJO, JR.	.. MEMBER
HON. ALBERTO C. MARZAN, JR., MD	.. MEMBER
HON. RUBEN V. GAMBOA, JR	.. MEMBER
HON. THELMAFLOR A. ESPEJO	.. MEMBER
HON. GEORGE MICHAEL P. AGUILAR	.. MEMBER
HON. JANIUS M. YASAY	.. MEMBER
HON. CELESTE A. AYSON	.. MEMBER
HON. GEORGE R. CUCHAPIN, MD	.. LnB PRESIDENT
HON. EZEKIEL C. RIVERA	.. SKF PRESIDENT

**ABSENT:**

NONE

### RESOLUTION NO. 36 Series of 2020

Sponsored by: COUN. ALBERTO C. MARZAN, JR, MD  
Chairman, Committee on Health, Sanitation and Environmental Protection

#### RESOLUTION AFFIRMING THE TERMS OF REFERENCE FOR THE JOINT VENTURE AGREEMENT ON THE PROPOSED ESTABLISHMENT OF A SEPTAGE TREATMENT FACILITY IN THE MUNICIPALITY OF MONCADA

WHEREAS, the Joint Venture Selection Committee (JVSC) submitted to this August Body the draft Terms of Reference (TOR) for the Joint Venture Agreement on the proposed establishment of a Septage Treatment Facility in the municipality;

WHEREAS, the draft TOR lays down the terms and conditions of the project for the procurement of a qualified contractor for the design, supply, installation, commissioning and process proving of 60-cubic meter per day capacity septage treatment plant aimed at complying with the new effluent standards;

WHEREAS, the Municipal Government of Moncada will invite qualified suppliers or contractors for the design, supply and upgrade including process proving of a Septate Treatment Facility pursuant to Republic Act 9275 or the Philippine Clean Water Act of 2004;

WHEREAS, the draft TOR also provides that the proposed project shall be carried out in accordance with Republic Act No. 9184 or the Government Procurement Reform Act;



Republic of the Philippines  
MUNICIPALITY OF MONCADA  
Province of Tarlac

## SANGGUNIANG BAYAN

WHEREAS, upon thorough review of the provisions of the TOR, the SB finds the same to be of merit;

NOW, THEREFORE, premises considered and on motion by Coun. Alberto C. Marzan, Jr, duly seconded;

RESOLVED, that this Sanggunian, acting on the favorable recommendation of the Committee on Health, Sanitation and Environmental Protection, hereby AFFIRMS the Terms of Reference for the Joint Venture Agreement on the proposed establishment of a Septage Treatment Facility in the Municipality of Moncada;

RESOLVED FURTHER, that the approved Terms of Reference shall form integral part of this Resolution;

RESOLVED FURTHERMORE, that copies of this Resolution be furnished all concerned for their information and appropriate action;

CARRIED.

CERTIFIED to have been duly  
ADOPTED on the above-mentioned  
date and place:

  
VICTOR SANDINO S. MOLINA  
Secretary to the Sanggunian

ATTESTED AND CERTIFIED  
TO BE DULY ADOPTED:

  
JAIME O. DUQUE  
Vice-Mayor & Presiding Officer

APPROVED UNDER  
SB RESOLUTION NO. 36, SERIES OF 2020  
dated July 20, 2020

## ***Terms of Reference***

**FOR THE PROCUREMENT OF A QUALIFIED CONTRACTOR FOR THE DESIGN, SUPPLY, INSTALLATION, COMMISSIONING AND PROCESS PROVING OF 60-CUBIC METER PER DAY CAPACITY SEPTAGE TREATMENT PLANT TO COMPLY WITH THE NEW EFFLUENT STANDARDS**

### **ARTICLE I**

#### **BACKGROUND**

##### **Section 1 Introduction**

- 1.1 The MUNICIPALITY OF MONCADA TARLAC is inviting qualified suppliers/contractors for the design, supply and upgrade including process proving of a Septage Treatment Facility pursuant to the mandate of Republic Act No. 9275 ("The Philippine Clean Water Act of 2004") which aims to protect, preserve and revive the quality of the country's fresh, brackish and marine waters as an economic growth policy of the States and is committed to improve the health condition of its constituents and the protection of the environment within its franchise area and neighboring municipalities.
- 1.2 The proposed Project is being carried out in accordance with Republic Act No. 9184, and its Implementing Rules and Regulations.

##### **Section 2 Description of the PROJECT**

The Project calls for the Design, Supply and Installation of Septage Treatment Plant with a capacity of 60 cumd expandable to 100 cumd subject to approvals and permits secured from relevant governing authorities.

### **ARTICLE II**

#### **TERMS AND CONDITIONS OF THE PROJECT**

##### **Section 1 General**

- 1.1 The Plant shall commence within \_\_\_\_\_ months from the receipt of Notice to Proceed and shall have a process proving and operation period for 12 months.
- 1.2 The qualified Supplier/Contractor shall have adequate track record in the design, upgrade, and commissioning of a septage treatment plant with technical capability and sound financial position including, if necessary, equity and firm commitments from reputable financial institution(s).

##### **Section 2 Bidders Qualification Requirements**

- 2.1 The qualified Supplier/Contractor of the PROJECT shall meet the following general technical requirements:
  - A. Supplier/Contractor

- i. The Supplier/Contractor must have the capacity and technical capability to perform the Project as expressed in the following qualifications:
- ii. Experience in the design, supply, installation, upgrade and optimization of sewage or septage treatment plant. The Supplier/Contractor shall submit at least two (2) contracts (in the form of contract award, notice to proceed, certificate of final acceptance, among other documentary support) similar to the project to bid.
- iii. ISO 9001:2015 Quality Management System (QMS) Certificate;
- iv. ISO 14001:2015 Environmental Management System Certificate
- v. Must have an existing Environmental Sanitation Clearance (ESC) for Collection and Transport, Treatment and Disposal of Septage issued by the Department of Health.
- vi. Must be a PCAB registered contractor for government projects with Category A, Medium B for Sewerage and Sewage Treatment/Disposal Plant
- vii. Shall have the proven experience in the operation and maintenance of vacuum trucks for at least ten (10) years and must submit documents to show experience.
- viii. Shall have proven experience in septage desludging and transporting operations for at least ten (10) years and must submit documents to show experience.
- ix. Tanker drivers and desludging assistants shall have at least three (3) years similar working experience, and tanker drivers shall have valid certification by accredited testing agency.
- x. Has the proven technical ability and extensive experience to train the Procuring Entity's personnel on the operations and maintenance of the plant facility and equipment.
- xi. With full-time Pollution Control Officer (PCO) duly accredited by the Environmental Management Bureau (EMB) of the Department of Environment and Natural Resources (DENR) who shall be responsible for all operations and submission of required reports.
- xii. Has a detailed Health and Safety Program specific for the operation of the plant and desludging shall be submitted during the bidding for the approval of the Procuring Entity during implementation.

## **B. Septage Treatment Facility**

- (i) Shall have experience in the design and build as well as operate and maintain a Septage Treatment Plant with capacity of at least 60 cubic-meter-per day
- (ii) Proven process performance and operational reliability records for at least five (5) years either in the Philippines or in other countries with similar septage characteristics.
- (iii) Reliable and of high quality that is suitable for the Septage Treatment Facility applications. Each piece of equipment shall have worked reliably and efficiently in tandem with the others as an integrated system
- (iv) Treated effluent quality shall be guaranteed to meet DENR DAO 2016-08
- (v) The Septage Treatment Facility shall be constructed in an MRF facility or any government-owned property with clean title located within Moncada, Tarlac
- (vi) The Septage Treatment Facility shall have reliable and high quality equipment suitable for Septage Treatment applications. Each piece of equipment should have worked reliably and efficiently in tandem with the others as an integrated system for at least five (5) years either here in the Philippines or in other countries.
- (vii) The facilities shall be designed and constructed to accept domestic septage from vacuum trucks.
- (viii) Treatment and disposal facilities for septage shall utilize fully mechanized technology, which means no aeration pond is allowed and should fit the designated area as per plan attached.

- (ix) Shall provide proven process performance and operational reliability records for at least three (3) years either in the Philippines or in other countries with similar septage characteristics.
- (x) System design shall be flexible to suit actual lot area, adaptable for portability requirements, and shall be readily expandable from initial built capacity.
- (xi) The Facilities shall include the following major components:
  - 1. Septage Acceptance Unit - This unit shall be fully mechanized equipment that will allow the removal of solid wastes, grits, rocks and other inert solids associated with the septage. The unit must be provided with a solid waste collection and storage system.
  - 2. SeptageDewatering Unit - This unit must be able to dewater raw septage to at least 20% dry solids.
  - 3. Biological Treatment System for filtrate system. This shall be mechanized aerobic system.
- (xii) Treated effluent quality shall be guaranteed to meet DENR DAO 2016-08 Class C Standards.
- (xiii) The dried sludge or Biosolids can be used as raw material for soil conditioner.
- (xiv) No hazards or pollution within the vicinity, and no odor, pests and noise nuisance.
- (xv) Complete Operations and Maintenance Manuals.
- (xvi) The Facilities shall include support systems:
  - 1. Calibrated Flow meters (influent, effluent and sludge recycling)
  - 2. Effluent pipe line systems
  - 3. Electrical and control systems
  - 4. Generator for Treatment Plant

**Additional facilities:**

- 5. Operations and Maintenance Office
- 6. Laboratory room including Basic Laboratory equipment
- 7. Blower room/Stand-by generator set room
- 8. Chemical storage room
- 9. Control and instrumentation room
- 10. Storm Drainage
- 11. Security Office

#### **Section 4      Obligations of the Supplier/Contractor**

- 4.1      **Works.** The Supplier/Contractor shall design, build and supply of a septage treatment facility as described above; provide staff training and technical support services for the PROJECT in accordance with the minimum design and specifications as prescribed in the Technical Specifications/Terms of Reference and Performance Standards set by the Bids and Awards Committee
- 4.2      Technical advice and supervision during the construction and commissioning of the Septage Treatment Facility.
  - a.      Process Proving of the Septage Treatment Facility over a period of two (2) months
  - b.      Provision of at least four (4) weeks training to the Septage Treatment Facility engineers, operators and maintenance crew to properly operate and maintain the system, do basic repair and carry out preventive maintenance.
  - c.      Stocking of spare parts for the service life of the Vacuum Tanker and provision of a complete list of spare parts to the Procuring Entity.

- d. Assist the implementing agency/LGU during the initial phase of the plant's operation in conducting census and public consultations with barangays, households and commercial establishments pertaining to the desludging service.
- e. Staff training for the PROJECT shall be for a period of four (4) weeks from the satisfactory commissioning of the Septage Treatment Facility and Vacuum Tankers.
- f. User Acceptance Tests will be conducted after the completion of the plant to validate the design, performance and operation parameters proposed by the Project Proponent.
- g. Any other works as may be required.

#### **Section 5      Obligations of the Procuring Entity**

- 5.1 To grant the Supplier/Contractor the exclusive right to design, construct, and install a Septage Treatment Plant, as well as siphoning, transport and disposal facility within its jurisdiction and nearby Municipalities.
- 5.2 To actively monitor the construction of the septime treatment plant at key milestones and to provide information needed for the successful completion of the PROJECT, including geological and hydrological studies, water usage statistics, local septime attributes, etc or to assist the Supplier/Contractor in acquiring such information.
- 5.3 The Procuring Entity shall assist the supplier/contractor to obtain any and all Philippine governmental and/or other authorizations, approvals, licenses, permits and/or consents, insurances, tax incentives and other incentives which may be required and/or necessary and/or desired to enable the Supplier/Contractor to perform its obligations under the Contract.
- 5.4 To deliver free-of-charge to the Supplier/Contractor right-of-ways for the PROJECT upon the execution of the Contract for the entire duration of the Contract including any extension thereof.
- 5.5 To provide the land where the Septage Treatment Facility will be installed and to ensure that the land use class classified accordingly.
- 5.6 Provision of right-of-ways for the PROJECT upon the execution of the Contract for the entire duration including any extension thereof.
- 5.7 To assist, on a best effort basis, the Supplier/Contractor in setting up of the plant equipment at the designated site.

#### **ARTICLE III**

## GENERAL RULES

### Section 1 Due Diligence

- 1.1 The Supplier/Contractor shall be solely responsible for its own due diligence of all matters relating to the TOR and the PROJECT that may, in any manner affect its Bid. The Procuring Entity shall not be responsible for any erroneous interpretation of, or conclusion derived from, any data furnished by the Procuring Entity in the TOR, bidding documents and bid bulletins. Failure of Supplier/Contractor to observe the requisite diligence shall be at its own risk and no relief for error or omission will be granted.
- 1.2 The Supplier/Contractor shall have the sole responsibility to determine and satisfy itself such means as it considers necessarily desirable on all matters pertaining to the Project, including: (a) the terms and conditions of the Contract; (b) development requirements of its PROJECT site; (c) existence or absence of access roads and utilities; (d) other factors that may affect the cost, duration, execution and implementation of the PROJECT.
- 1.3 Before submitting its Bid, the Supplier/Contractor shall be deemed to have studied all Applicable Laws that may affect its Bid and the implementation of the PROJECT.
- 1.4 No verbal agreement or conversation with, or any verbal clarification from, any officer or employee of the Procuring Entity, the Bids and Awards Committee ("BAC") or any other advisers shall affect or modify any of the terms and conditions of the TOR that are set down in writing and circulated to the prospective Supplier/Contractor by the BAC by way of bid bulletin or other issuances shall be binding upon the Procuring Entity.