

Olympic and Paralympic Games Tokyo
Overlay Work (17)
Olympic BMX Course

Tender Briefing

June 2018

The Tokyo Organising Committee of the Olympic and Paralympic Games

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1. Provisions governing the public tender process

(1) Project name

Olympic and Paralympic Games Tokyo Overlay Work (17)
Olympic BMX Course

(2) Purpose

The purpose of temporary overlay work (hereinafter referred to as “the Work”) is to facilitate the smooth and efficient hosting of the Olympic and Paralympic Games Tokyo 2020 (hereinafter referred to as “the Games”).

(3) Client

The Tokyo Organising Committee of the Olympic and Paralympic Games (hereinafter referred to as “the Organizing Committee”).

(4) Work overview

The Work consists of preparing temporary facilities, infrastructure, equipment, and other resources necessary to the hosting of the Games (hereinafter referred to as “Overlay Work”), temporarily leasing them to the Client during the dates over which the Games are to be held, and then performing work to restore them to their original state after the Games have concluded. The Work includes all tasks related to the preparation of venues for the Games, including detailed design; construction administration; construction and installation; maintenance management services; overlay dismantling removal and venue reinstatement services, and supervising management services (taken separately, “Individual Work”). The contractor whose bid for the Work is selected (hereinafter referred to as “the Contractor”) will manage and supervise Individual Work (hereinafter referred to as “Overall Management”) and carry out that work.

(5) Overview of preparations at each venue

An overview of preparations at each venue (including the venue name, address, site area, sport and event, venue overview, preparations overview, contract term, and

preliminary designer) is provided in 【B- I appendix①】 “Summary of overlay work by Venues.”

(6) Adoption of a designated subcontractor approach

A designated subcontractor approach is being used for the following components of Overlay Work: detailed design, construction and installation work, maintenance management services, and overlay dismantling, removal, and venue reinstatement services for temporary seats (hereinafter referred to as “Temporary Seat Delivery Service”). Consequently, the Organizing Committee plans to enter into a contract that includes Temporary Seat Delivery Service after signing a separate agreement based on 【A- II】 the Designated Subcontractor Agreement (draft) between the following three parties: the Organizing Committee, the Contractor, and the contractor responsible for Temporary Seating Delivery Service.

However, venues for which designated subcontractor works have not been finalized will fall outside the scope of that contract. For more information about whether any given venue includes designated subcontractor works, see appendix (1), “Summary of temporary overlay work by Venues.”

(7) Out-of-scope works

Principal anticipated out-of-scope works apart from the Work includes temporary power, field of play work, communications equipment work, and kitchen work.

(8) Bidding method

A standard public tender with conditions will be used.

(9) Contract method

The tender will use a compound contract incorporating multiple types of work by packaging Individual Work components together.

(10) Other

[1] Applicable laws, ordinances, etc.

The Work must be carried out in accordance with the Building Standards Act, the

Fire Service Act, and other applicable laws and ordinances.

[2] Construction Material Recycling Act

The Work consists of preparation work for which recycling and other processing of sorted debris and designated construction material waste is required under the provisions of the Construction Material Recycling Act (Act No. 104 of 2000).

2. Qualifications for participating in the public tender

The Work is predicated on a range of constraints and conditions related to venue operation and must be completed during the allotted timeframe. Consequently, the Contractor will be required to exhibit comprehensive technical capability in design and construction techniques, procurement capability (including in making VE proposals), and a track record of successful execution and capability involving close coordination of event stakeholders, facility owners, parties involved in out-of-scope works, and other involved parties. The Work is based on the WTO Agreement on Government Procurement.

(1) Structure of entities that can participate in the public tender

The bidder must be a joint venture or single company.

(2) Requirements for joint ventures

[1] Joint ventures must adhere to one of the following arrangements:

A. Joint work arrangement

An arrangement in which the members of the joint venture perform the Work jointly

B. Apportioned work arrangement

An arrangement in which the members of the joint venture carry out only the service they have been apportioned

C. Combined arrangement

An arrangement in which the joint work arrangement and apportioned work arrangement are combined

[2] Member companies must have entered into a joint venture agreement that satisfies the following conditions:

- A. For a joint venture utilizing the joint work arrangement, the lead company must be the company with the greatest investment ratio.
- B. For a joint venture utilizing the apportioned work arrangement or the combined arrangement, any member company may serve as the lead company.
- C. The tender process must be completed by the lead company. This provision does not apply to the acceptance of bid declarations, loaning of order documents, viewing of materials, or submission of questions.
- D. Changes in the members of the joint venture are only permitted when the Client recognizes that such changes are unavoidable.

(3) Qualifications for bidding

[1] A bidding joint venture may not include any of the following entities:

- A. An entity to which the provisions of Article 167 Paragraph 4 of the Local Government Enforcement Order (Cabinet Order No. 16 of 1947) apply
- B. An entity that is subject to a stop order under public tender bidder stop guidelines or similar rules issued by a local public body in the area where a venue is located
- C. An entity experiencing financial difficulties (an entity that has applied to start reorganization proceedings under Article 17 Paragraph 1 of the Corporate Reorganization Act [Act No. 154 of 2002], applied to start rehabilitation proceedings under Article 21 Paragraph 1 of the Civil Rehabilitation Act [Act No. 225 of 1999], or failed to honor one or more notes or checks, unless that entity has been recognized by the Organizing Committee as having adequately addressed those difficulties.)
- D. An entity that is subject to a cease and desist order under guidelines outlining measures to prevent the involvement of organized crime and other groups in contracts or similar rules issued by a local public body in the area where a venue is located
- E. An entity that serves as the preliminary designer for a venue included in appendix (1) "Summary of temporary overlay work by venues". This provision does not apply to participating in service related to venues for which the entity has not received a contract for preliminary design work.

[2] Requirements for entities performing Overall Management

An entity performing Overall Management must meet one of the following conditions:

- A. The entity must have experience serving as the prime contractor for a building whose total floor area was at least 5,000 square meters and whose principal application was a sports facility, either in Japan or overseas.
- B. The entity must have participated in the construction of a structure related to a sports event held by a national or international sports federation with total floor area of at least 5,000 square meters, either in Japan or overseas.
- C. The entity must have served as the prime contractor for a temporary building with a contract value of at least 1.0 billion yen, either in Japan or overseas (if overseas, convert to yen and note exchange rate).

[3] Requirements for entities performing design work and construction administration work

- A. The entity must be a registered Class 1 architectural office as defined by Article 23 of the Act on Architects and Building Engineers
- B. The entity must provide engineers who are registered Class 1 architects while performing the detailed design and construction administration work.

The requirements described in (A) and (B) above apply to all members performing design work and construction administration work.

[4] Requirements for entities performing construction and installation work and overlay dismantling, removal, and venue reinstatement services

- A. The entity must have a comprehensive evaluation score of at least 900 points for architectural work under the management skill assessment set forth in Article 27 Part 23 Paragraph 1 of the Construction Business Act (Act No. 100 of 1949) (for the most recent assessment, which must be valid at the time of application).
- B. The entity must have a permit for specified construction work as defined by Article 3 of the Construction Business Act.
- C. The entity (if a joint venture, the lead company) must have served as the prime contractor for a building with a contract value of at least 1.0 billion yen, either

in Japan or overseas (if overseas, convert to yen and note exchange rate).

D. The entity must be capable of assigning engineers with supervising engineer certification and supervising engineer training completion certification to each venue during the period over which the construction and installation work and the overlay dismantling, removal, and venue reinstatement services are performed.

(a) The engineers whom the entity plans to assign must have an employment history with the entity of at least three months as of the date the application is submitted.

In the event of a change in the engineers whom the entity plans to assign before the date on which construction starts, the engineers whom the entity plans to assign must have an employment history with the entity of at least three months as of the date the entity requests to make the change.

(b) The engineers whom the entity plans to assign must not be assigned full-time to a sales office.

E. The entity must be capable of assigning an overall safety and health officer and a contractor safety and health manager to each venue during the period over which the construction and installation work and the overlay dismantling, removal, and venue reinstatement services are performed.

The requirements described in (A) and (B) are required for all members, (C) is for at least one of the members, (D) and (E) are for among the members performing construction and installation work and the overlay dismantling, removal, and venue reinstatement services.

3. Tender schedule

The schedule, from announcement of the tender to the conclusion of a contract, is as follows:

Announcement of tender	Tuesday, June 19, 2018
Acceptance of bid declarations and order document loan requests	Tuesday, June 19, to Thursday, July 12, 2018
Acceptance of document viewing requests	Monday, June 25, to Thursday, August 9, 2018
Acceptance of questions, Stage 1	Tuesday, June 19, 2018
Deadline for Stage 1 questions	Friday, July 13, 2018
Issuance of answers to Stage 1 questions	Monday, July 30, 2018
Acceptance of questions, Stage 2	Friday, August 3, 2018
Deadline for Stage 2 questions	Monday, August 27, 2018
Acceptance of bidding qualification applications	Tuesday, July 17, to Friday, August 24, 2018
Issuance of answers to Stage 2 questions	Tuesday, September 18, 2018
Notification of bidding qualification results	Friday, September 21, 2018
Opening of bidding	Friday, September 28, 2018
Closing of bidding	Friday, September 28, 2018
Determination of entity with first refusal right (provisional)	Friday, October 5, 2018
Review of bid contents (provisional)	Tuesday, October 9, to Wednesday, October 31, 2018
Determination of tender award (provisional)	Friday, November 2, 2018

4. Matters related to the acceptance of submission of tender participation

Order documents will be loaned only to bidders whose qualifications to participate in the tender have been confirmed following the submittal of submission of tender participation.

(1) Documents required as part of the bid declaration

[1] Submission of tender participation : 【B- I appendix template1】

[2] (Provisional) past experience document (with attached documents to verify that requirements for Overall Management have been satisfied)
: 【B- I appendix template2】

(2) Timeline for submittal of submission of tender participation and acceptance of loaning of order documents

Submission of tender participation will be accepted from 1:30 pm to 5:00 pm daily from Tuesday, June 19 to Thursday, July 12, 2018, with the exception of Tokyo Metropolitan Government holidays as defined by Article 1 Paragraph 1 of the Tokyo Metropolitan Government Ordinance on Holidays (Tokyo Metropolitan Government Ordinance No. 10 of 1989).

Loaning of order documents will start in Thursday, July 12, 2018.

(3) Location for submittal of submission of tender participation and loaning of order documents

Submission of tender participation and (provisional) past experience document should be submitted through the Business Chance Navi 2020 website.

Business Chance Navi 2020 website: <https://www.sekai2020.tokyo/bcn/>

In addition, applicants should send their submission of tender participation and (provisional) past experience document as PDF files to the email address listed below. Loaning of order documents will be coordinated by email after the contents of those submitted documents are reviewed.

Procurement Section # 2, Procurement Department, Planning and Finance Bureau,
The Tokyo Organising Committee of the Olympic and Paralympic Games
1-23-1 Toranomom, Minato-ku, Tokyo

Phone: 03-6631-1948

Email: procurement-2@tokyo2020.jp

The subject for the email should be formulated as follows:

Overlay Work (17)_BidDeclarationAttached_CompanyName

(4) Return of tender order documents

Tender order documents must be returned to the location from which they were borrowed no later than one day prior to the tender deadline. Acceptable methods of return include registered post, confidential post (a type of registered post), and in-person delivery (after contacting the Procurement Section at the phone number or email address listed above).

(5) Viewing of documents

Entities to which tender order documents have been loaned may view a selection of documents. For more information about what documents will be available for viewing, see 【B- I appendix ②】 of the Tender Briefing, “Table of contents of tender order documents.”

(6) Method for viewing documents

Documents may be viewed at the specified time and date at the specified location after contacting the Procurement Section at the phone number or email address listed below.

[1] Contact information

Procurement Section # 2, Procurement Department, Planning and Finance Bureau, The Tokyo Organising Committee of the Olympic and Paralympic Games
1-23-1 Toranomom, Minato-ku, Tokyo

Phone: 03-6631-1948

Email: procurement-2@tokyo2020.jp

The subject for the email should be formulated as follows:

Overlay Work (17)_Document Viewing Request_CompanyName

[2] Viewing location (Please note that the location where documents may be viewed differs from the location at which bid declaration are to be submitted.)

Venues Bureau, The Tokyo Organising Committee of the Olympic and Paralympic Games
2-8-1 Nishi-Shinjuku, Shinjuku-ku, Tokyo

5. Questions and answers

(1) Acceptance of questions

There will be two question and answer stages. Questions concerning engineering matters under consideration by the Contractor as well as compliance with requirements and assumptions related to the Work will be accepted.

(2) Submission method

Questions should be submitted by email to the below address with the subject written as "Overlay Work (17)_Stage1 (or Stage2) Questions_CompanyName".

Fill the questions in 【B- II】 format , " Q&A forms template (non venue specific , venue specific) "

To avoid misunderstandings, questions and inquiries will not be accepted by phone.

Procurement Section # 2, Procurement Department, Planning and Finance Bureau,
The Tokyo Organising Committee of the Olympic and Paralympic Games

1-23-1 Toranomom, Minato-ku, Tokyo

Phone: 03-6631-1948

Email: procurement-2@tokyo2020.jp

(3) Submission dates

Stage 1 questions and Stage 2 questions will be accepted daily until 5:00 pm from the announcement of the tender until Friday, July 13, 2018, and from Friday, August 3, to Monday, August 27, 2018, respectively.

(4) Answer method

All the answers will be provided by email to all bidders.

(5) Answer times and dates

Answers to Stage 1 and Stage 2 questions will be posted after 3:00 pm on Monday,

July 30, 2018 and on Tuesday, September 18, 2018, respectively.

6. Matters related to the submittal of submission of tender participation eligibility

(1) Submittal of submission of tender participation eligibility

Prospective bidders wishing to participate in the tender process should submit the following documents along with their bidding qualification application:

[1] Documents certifying that the bidder satisfies the bidding requirements (Follow 【B- I template3 appendix】 , “Bidding Qualification Certification Document Checklist.”)

- A. Copies of the notification of evaluation results, including management screening results and scale of operations as well as of the general evaluation report (for the most recent assessment, which must be valid at the time of application)
- B. A copy of the prospective bidder’s special construction business permit
- C. Past experience document
- D. Copies of the Class 1 architectural office registration and of Class 1 architect certifications for the engineers whom the prospective bidder plans to assign to the Work
- E. Copies of supervising engineer certifications and supervising engineer training completion certifications for the engineers whom the prospective bidder plans to assign to the Work

[2] Joint venture agreement (if bidding as a joint venture)

[3] Checklist of corporate sustainability (Each member shall prepare) : 【B- I attachment 2 of template 3】

[4] Letter of attorney (if bidding as a joint venture) : 【B- I template 4】

(2) Submission method

These documents should be submitted as PDF files by attaching them to an email sent to the email address listed below.

Procurement Section # 2, Procurement Department, Planning and Finance Bureau,

The Tokyo Organising Committee of the Olympic and Paralympic Games

1-23-1 Toranomom, Minato-ku, Tokyo

Phone: 03-6631-1948

Email: procurement-2@tokyo2020.jp

The subject for the email should be formulated as follows:

Overlay Work (17)_Bidding Qualification Application Attached_CompanyName

(3) Application submission dates

Bidding qualification applications will be accepted until 5:00 pm daily from Tuesday, July 17, to Friday, August 24, 2018.

(4) Bidding qualification confirmation notification

The results of a review of whether the applicant is qualified to participate in the tender will be reported by means of a bidding qualification confirmation notification. In the event the applicant is deemed unqualified, the reason will be included on the notification.

Notification date: Friday, September 21, 2018 (provisional)

(5) Withdrawal of bids

In the event a bidder wishes to withdraw a bid after submitting its submission of tender participation eligibility, it must communicate that fact immediately in an email to the address listed below.

Procurement Section#2, Procurement Department, Planning and Finance Bureau,
The Tokyo Organising Committee of the Olympic and Paralympic Games

Email: procurement-2@tokyo2020.jp

7. Bidding procedures, etc.

(1) Bid submission

Bids should be submitted through the Business Chance Navi 2020 website.

Business Chance Navi 2020 website: <https://www.sekai2020.tokyo/bcn/>

(2) Bid deadline

Bids must be submitted by 12:00 pm on Friday, September 28, 2018.

(3) Tender bond

Once a bidder's qualifications have been confirmed, the bidder must deposit a tender bond equal to at least 3% of the amount of the quotation prior to submitting its bid.

The tender bond may be waived in either of the following circumstances:

- [1] If the bidder enters into a bid bond insurance contract with an insurance company naming the Organising Committee as the insured party and submits the insurance certificate for that coverage to the Organising Committee prior to entering into the contract
- [2] If the bidding qualification confirmation notification indicates that no tender bond is required

(4) Submission of a breakdown of construction and other costs

[1] The bidder must submit a breakdown of construction and other costs that are included in the bid amount specified in the bid format : 【B-Ⅲ】 “Bill of Quantities template”.

[2] The bidder must enter the required information using the format specified by 【B-Ⅳ】 the Bid price elaboration instructions and submit it through the Business Chance Navi website as an electronic file along with the bid format.

(5) Opening of tender

16:00 pm on Monday, September 28, 2018

Individuals wishing to attend the tender should communicate that desire in advance to the email address listed below.

Procurement Section, Procurement Department, Planning and Finance Bureau, The Tokyo Organising Committee of the Olympic and Paralympic Games

Email: procurement-2@tokyo2020.jp

The subject for the email should be formulated as follows:

Overlay Work (17)_TenderAttendanceRequest_CompanyName

(6) Bid invalidation

Bids will be considered invalid in any of the following circumstances:

- [1] If the bid involves fraudulent conduct
- [2] If the bid application contains false information

[3] If the bidder otherwise violates instruction to bidders (in violation of the Tokyo Metropolitan Government Rules of Conduct for Bidders in Public Construction Tenders)

(7) Determination of entity with priority negotiating rights

Notice of determination of the entity with priority negotiating rights will be sent by email on Friday, October 5 (provisional), 2018. In principle, the entity with priority negotiating rights will be the lowest bidder.

(8) Treatment of bids in the same amount, so as to result in two or more entities with priority negotiating rights

If two or more bidders submit bids in the same amount so that both would be considered an entity with priority negotiating rights, they will be required to submit new bids.

(9) Negotiations with the entity with priority negotiating rights

[1] If the amount of the bid exceeds the anticipated amount, the Client will negotiate with the entity with priority negotiating rights to reduce the amount of the bid.

[2] Concerning the status of sustainability initiatives, the winning bidder must submit a pledge stating that it will abide by the provisions of the Procurement Code. For more information, see "Confirmation of Sustainability"

(<https://tokyo2020.org/jp/games/sustainability/sus-code/wcode-timber/data/explanation-2.pdf>).

[3] The Client will conduct hearings with the entity with the priority negotiating rights concerning its consideration of structures, schedule, and procurement planning.

(10) Contract language and currency

The language and currency used in the contract process will be Japanese and Japanese yen, respectively.

(11) Contract bond

The winning bidder must remit a contract bond equal to at least 10% of the contract

amount prior to entering into the contract. However, the contract bond may be waived in any of the following circumstances:

[1] If the winning bidder enters into a performance guarantee insurance contract with an insurance company naming the Organising Committee as the insured party and submits the insurance certificate for that coverage to the Organising Committee prior to entering into the contract

[2] If the winning bidder enters into an insurance contract with an insurance company as set forth in Article 2 Paragraph 4 of the Act on Guaranty Service Related to Advance Payment of Public Works (Act No. 184 of 1952) naming the Organising Committee as the insured party and submits the insurance certificate for that coverage to the Organising Committee prior to entering into the contract

[3] If the bidding qualification confirmation notification indicates that no contract bond is required

(12) Payment terms

The Client will remit payment when invoiced at the following three times: when detailed design service is completed, when construction and installation service is completed, and when all service is completed. The Client will also remit payment equivalent to 10% (if the amount includes a fraction of less than 100,000 yen, it shall be discarded) of fees associated with detailed design work and construction and installation work as advance payment if so invoiced.

8. Treatment of information about the winning bidder

The Client may disclose information about the winning bidder in connection with the Work (company name, amount of bid).