



Sectors Group

Agriculture, Food, Nature, and Rural Development Sector Office

18 September 2024

Mr. Fuad Kurniawan

Commitment Making Officer (PPK)
Pemali Juana River Basin Organization
Directorate General of Water Resources
Ministry of Public Works and Housing
Jakarta, Indonesia

Dear Mr. Kurniawan,

**Subject: Loans 4410/8463-INO: Flood Management in North Java Project (FMNJP)
– (i) CWP-1DG Wulan River Improvement Works Package I and Satreyan River Works; (ii) CWP-2DJK Wulan River Improvement Works Package II; and (iii) CWP-3DJK Wulan River Improvement Works Package III**

We have reviewed the signed contract documents for the above three packages submitted on 9 September 2024 and we would like to offer the attached comments. As soon as our comments are addressed, we request the Ministry of Public Works and Housing to sign a contract addendum with the contractors and send us copies of the contracts for our reference and issuance of the corresponding Procurement Contract Summary Sheet (PCSS).

Should you need further clarifications, please contact Eric Quincieu (equincieu@adb.org) or Suharyani (suharyani@adb.org).

Thank you for your continued support.

Sincerely,

Yoshiaki Kobayashi
Principal Water Resources Specialist (Sector Project Administration Unit Head)
East and Southeast Asia, and the Pacific Team
Agriculture, Food, Nature, and Rural Development Sector Office
Sectors Group

Attachment: ADB Comments on Signed Contracts

ASIAN DEVELOPMENT BANK

6 ADB Avenue, Mandaluyong City
1550 Metro Manila, Philippines
Tel +63 2 8632 4444
Fax +63 2 8636 2444

Attachment: Loans 4410/8463-INO: Flood Management in North Java Project ADB Comments on Contract Documentation for (i) CWP-1DG Wulan River Improvement Works Package I and Satreyan River Works; (ii) CWP-2DJK Wulan River Improvement Works Package II; and (iii) CWP-3DJK Wulan River Improvement Works Package III

DOCUMENT	Included	Comments
(a) The Contract Agreement	Y	
(b) Letter of Acceptance	Y	
(c) Letter of Bid	Y	
(d) the Particular Conditions – Part A – Contract Data	Y	
1.1.31 Employer name and address		We suggest adding the following wording after the Employer name: “represented by Commitment Making Officer of SNVT Pelaksanaan Jaringan Sumber Air Pemali Juana”.
1.1.35 Engineer name and address		Please revise as follows: “Team Leader of Project Implementation Support Consulting Service (Bridging) for period xxx 2024 to xxx 2024 or Team Leader of Construction Management and Supervision Consultant for the subsequent period.
1.3.(d) Address of Employer for Communications		Please replace it with the email address of SNVT Pelaksanaan Jaringan Sumber Air Pemali Juana.
1.3 (d) Address of Engineer for Communications		Please replace it with the email address of Bridging or Construction Management Consulting Services.
1.4 Language for Communications		Please revise to “Bahasa Indonesia” only.
21.1 List of proposed member of DAAB		Please fill out.
21.6 (a) (i) rules of arbitration and administration of arbitration proceedings		Please remove provisions related with foreign contractor.
(e) the Particular Conditions – Part B – Special Provisions	Y	Please include Resettlement Plan.
(f) the Particular Conditions – Part C – Corrupt and Fraudulent Practices	N	Please include as per bidding documents and standard language for ADB’s financed contract
(g) the Particular Conditions – Part D – Environmental, Health and Safety (EHS) Metrics for Progress Reports	N	Please include as per bidding documents and standard language for ADB’s financed contract
(h) List of Eligible Countries as defined by the Bank	Y	
(i) General Conditions of Contract	Y	Each party (the Employer, the Contractor, and the Engineer) shall have their own license from FIDIC. Please clarify if this requirement has been fulfilled by each party. If not, please find below guidance on how to purchase license for FIDIC red book.
(j) the Specifications	Y	
(k) the Drawings	Y	

DOCUMENT	Included	Comments
(l) completed Schedules including Bill of Quantities,	Y	
(m) Environment, Health and Safety Code of Conduct for Contractor's Personnel	N	Please include as per bidding documents and standard language for ADB's financed contract
(n) Environment, Health and Safety Management Plan (EHSMP),	N	Please include as per bidding documents and standard language for ADB's financed contract
(o) the Joint Venture Undertaking (If Contract is a Joint Venture), and	N	Please include.
(p) any other documents shall be added here.		The following documents could be added: copy of performance security, advance payment guarantee, retention money guarantee.

Note: There is a folder named "number of addendum" containing addendum of the bidding document. Please remove it from the contract documents.

Guidance to Purchase FIDIC Red Book

You can purchase FIDIC publications on [online bookshop](http://fidic.org/bookshop) at anytime: <http://fidic.org/bookshop>

FIDIC publications are available in both the **hardcopy and electronic format**.

1. Select the item you chose on the bookshop (*type the name of the item in the Search if requested*).
2. Select the format hardcopy or electronic in the drop down menu.
3. Select the number of users for electronic version (in case of multiuser version required)
4. Select the language to find if the publication is available.
5. Modify quantities in the Basket page.
6. Fill in the order form.
7. Choose the delivery mode. (*the shipping fees will be displayed on your screen*)
8. Choose your payment mode. (*Bank transfer / Credit card / Proforma*)
9. An email notification will be sent to the email account used to place the order.
10. Payment can be made by [Credit card](#) or [Bank Transfer](#) as per FIDIC general conditions: <http://fidic.org/general-conditions>

For hardcopies, they provide worldwide delivery with DHL express.

More information on multi user electronic documents:

You can purchase **electronic publications** in single or multi user option.

1. Upon receipt of payment you will be granted access to your pdf files in your FIDIC user account under the **FILES tab**.
2. **FIDIC pdf files can be installed depending on the number of copies purchased**
3. For multiple user copies the documents can be issued as zip files to relevant users via email
4. **Do not install your files on the company server.**
5. FIDIC files are accessible for 1 year and can be printed 10 times for each user until expiry date
6. The General Conditions cannot be copied and pasted and will be provided in the encrypted pdf file
7. Only the Particular conditions and Forms can be copied and pasted. They will be provided in word editable format
8. The General conditions are contained in a pdf encrypted file. The name of the file ends with **_enc** (*e.g: plant_enc*)