



Republic of the Philippines
Department of Education
 Region IV-A
 SCHOOLS DIVISION OF QUEZON PROVINCE

Bids and Awards Committee

Electrification of Un-Energized Schools and Modernization of Electrical Systems On-Grid in Various School Sites in the Division of Quezon-Cluster 5 under CY 2020 BEFF

CONTRACT

No. 2020-0018

SEP 07 2020

THIS CONTRACT, made and entered into this SEP 07 2020 by and between the Department of Education, DIVISION OF QUEZON, located at Talipan, Pagbilao, Quezon, represented herein by its Officer In- Charge Office of Schools Division Superintendent, ELIAS A ALICAYA JR., Ed.D, hereinafter referred to as the "Owner" of the one part and BOTEY CONSTRUCTION represented herein by its Manager, VOLTAIRE C. ABANO with office address at Maharlika Highway, Ilayang Iyam, Lucena City, Quezon hereinafter referred to as the "Contractor" of the other part;

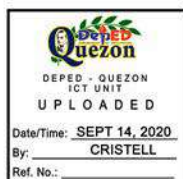
WHEREAS, the Owner invited bids for certain works stated in above Project consisting of **one cluster** school project sites and received bid from one(1) bidder; the Owner opened, read and evaluated the bid of the lone bidder; after the evaluation, the Owner post-qualified and declared the bid of the Contractor as the single calculated and responsive bid for said cluster;

WHEREAS, the Owner passed and approved a resolution to award in favor of BOTEY CONSTRUCTION in the sum of PHILIPPINE PESOS **FOUR MILLION TWO HUNDRED FIVE THOUSAND PESOS & 00/100 (PhP4,205,000.00)** only, hereinafter called the "Contract Price" with the following details:

| Project Description | Location | Contract Amount |
|--|---------------------------------------|------------------------|
| Electrification of Un-Energized Schools – Buenavista NHS | Division of Quezon Buenavista, Quezon | PhP4,205,000.00 |
| TOTAL | | PhP4,205,000.00 |

NOW, THEREFORE, PREMISES CONSIDERED, the parties hereby agree as follows:

1. In this Contract, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract;
2. The following documents shall be part of this Contract [in accord with IRR Sec. 37.2.3.:
 - 2.1. Bidding Documents issued by the Owner;
 - 2.2. Bid Bulletin(s) issued by the Owner;
 - 2.3. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents/statements submitted;
 - 2.4. Performance Security;
 - 2.5. Credit line issued by a commercial or universal bank, if applicable;



DEPEDQUEZON-TM-SDS-04-025-003



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 Email Address: quezon@deped.gov.ph
 Website: www.depedquezon.com.ph



CONTRACTOR'S WITNESS

CONTRACTOR

OWNER'S WITNESS

OWNER



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- 2.6. Owner's Notice of Award of contract; and
- 2.7. Construction schedule and S-curve, manpower utilization schedule, construction methods, equipment utilization schedule, construction safety and health program approved by the Department of Labor and Employment, PERT/CPM for the herein infrastructure works; and other contract documents that may be required by existing laws, if applicable

CONTRACTOR'S WITNESS

3. The contract duration or completion period shall be 120 calendar days reckoned on the "Start Date" of the contract duration or completion period; The "Start Date" is seven (7) calendar days from receipt of the Notice to Proceed by the Contractor.
4. In consideration of the Contract Price mentioned herein to be paid by the Owner to the Contractor, the Contractor hereby covenants, to the Owner, to execute and complete such works and to remedy all defects therein in conformity in all respects with the provisions of this Contract;
5. The Owner hereby covenants to pay the Contractor in consideration of the execution and completion of such Works and the remedying of all defects therein, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by the Contract.

CONTRACTOR

6. The Contract Price shall be paid to the Contractor through the Government disbursement procedures subject to the payment, retention money, and warranty provisions in the General Conditions of Contract, the Special Conditions of Contract, and the IRR of RA 9184;
7. The Contractor shall pay the Owner for liquidated damages (LD), and not by way of penalty, an amount equal to one-tenth (1/10) of one percent (1%) of the cost of the unperformed portion of the works for every day of delay. The Owner shall deduct the liquidated damages from payments or any money due or which may become due the Contractor under this Contract and/or collect such liquidated damages from the retention money or other securities posted by the Contractor whichever is convenient to the Owner. Once the cumulative amount of liquidated damages reaches ten percent (10%) of the amount of this Contract, the Owner shall rescind this Contract, without prejudice to other courses of action and remedies open to the Owner;
8. The Contractor shall post a Warranty Security valid for one (1) year from the date of Certificate of Final Acceptance issued by the Owner, in any of the following amounts and forms:

OWNER'S WITNESS

| | |
|--------------------------|--|
| 5% of the Contract Price | Cash; or Letter of Credit issued by a Universal or Commercial Bank, if issued by a foreign bank, the LC shall be confirmed or authenticated by a Universal or Commercial Bank. |
|--------------------------|--|

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OWNER



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| | |
|---------------------------|--|
| 10% of the Contract Price | Bank Guarantee confirmed by a Universal or Commercial Bank |
| 30% of the Contract Price | Surety Bond callable upon demand issued by the GSIS or any Surety or Insurance Company duly certified by the Insurance Commission. |

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed in accordance with the laws on the day and year first above written.

SIGNED, SEALED AND DELIVERED BY:

ELIAS A. ALICAYA JR., Ed.D
OWNER

VOLTAIRE C. ABANO
CONTRACTOR

SIGNED IN THE PRESENCE OF:

OWNER'S WITNESS
CONTRACTOR'S WITNESS

Fund Allotment Available:

CATHERINE A. PUREZA
Budget Officer III

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REPUBLIC OF THE PHILIPPINES)
 CITY OF _____) S.S.

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in _____, Philippines, this _____ day of _____, personally appeared:

GOVERNMENT ISSUED IDENTIFICATIONS
 (Passport, Driver's License, SSS, GSIS, Philhealth... IDs)

| NAME | NUMBER | ISSUED ON | ISSUED AT |
|----------------------------------|-----------------------------------|-----------|-----------|
| OWNER ELIAS A. ALICAYA JR., Ed.D | <u>PRC-0445241</u> | _____ | _____ |
| CONTRACTOR VOLTAIRE C. ABAÑO | <u>UMID ID NO. 0004-1137001-7</u> | _____ | _____ |

Known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is the free and voluntary act and deed of the entities which they respectively represent.

The foregoing instrument is a CONTRACT consisting of **four (4) pages** (exclusive of attachments), including this page on which this acknowledgment is written and signed by the parties and their instrument witnesses on the left hand margin of each and every page hereof.

WITNESS MY HAND AND NOTARIAL SEAL, on the date and place first above written.

Notary Public
CRISANTO R. BUELA
 NOTARY PUBLIC
 Until December 31, 2021
 Roll No. 33756
 MCLE No. VI-0006106
 P.T.R. No. 1051062-1-2-2020
 At Lucena City
 TIN 114-038-991

Doc. No. 391
 Page No. 79
 Book No. C11
 Series of 2020

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Registration Number:
QAC/R63/0216

Bids and Awards Committee

BAC Resolution Declaring the Single Calculated and Responsive Bid (SCRB) and Recommending Approval

Resolution No. 2019-12-27-146
Series of 2019

WHEREAS, the *Department of Education, Division of Quezon* posted the Invitation to Bid for the ELECTRIFICATION OF UN-ENERGIZED SCHOOLS AND MODERNIZATION OF ELECTRICAL SYSTEMS ON-GRID SCHOOLS IN VARIOUS SCHOOL SITES IN THE DIVISION OF QUEZON-Cluster No. 5 under CY2020 Basic Education Facilities Fund (BEFF) on PhilGEPS and at conspicuous place of the premises of *DepED Division of Quezon* continuously for 14 days;

WHEREAS, in response to the said advertisements, only one (1) contractor submitted a bid on December 16, 2019;

WHEREAS, the bidder was found to be complying for the Eligibility and Technical Components of the quotation;

WHEREAS, the assessment of the proposal of the Bidder resulted in the following bid:

| Name of Contractor | Bid Amount | % Variance from ABC |
|--------------------|------------------|---------------------|
| Botey Construction | PhP 4,205,000.00 | |

WHEREAS, upon careful examination, validation and verification of all the eligibility, technical and financial requirements submitted by the Bidder with the Single Calculated/Rated Bid, it has been found to be responsive;

NOW, THEREFORE, We, the Members of the Bids and Awards Committee, hereby RESOLVE as it is hereby RESOLVED:

To declare **Botey Construction** as the Bidder with the Single Calculated/Rated and Responsive Bid for the Electrification of Un-Energized Schools and Modernization of Electrical Systems On-Grid Schools in Various School Sites in the Division of Quezon-Cluster No. 5.

To recommend for approval by the Schools Division Superintendent of the Division of Quezon the foregoing findings.





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RESOLVED, at the Division of Quezon, this 20th day of December, 2019.


NADINE C. CELINDRO
BAC Chairman


ELIZABETH M. DE VILLA
Member


LORENA S. WALANGSUMBAT
Member


WALTER F. GALAROSA
Member


JOSEPH E. JARASA
Member

APPROVED:


CATHERINE P. TALAVERA, CESO VI
Schools Division Superintendent





Republic of the Philippines
Department of Education
Region IV-A
SCHOOLS DIVISION OF QUEZON PROVINCE

Bids and Awards Committee

NOTICE OF AWARD

SEP 04 2020

Date

MR. VOLTAIRE C. ABAÑO
Manager
BOTEY CONSTRUCTION
Maharlika Highway, Ilayang Iyam
Lucena City, Quezon

Name of Project: **Electrification of Un-Energized Schools and Modernization of Electrical Systems On-Grid Schools-Cluster 5 under CY 2020 BEFF**

Dear Mr. Abaño:

We are pleased to notify you that your bid for the Project, is hereby accepted in the total amount of **PHILIPPINE PESOS FOUR MILLION TWO HUNDRED FIVE THOUSAND PESOS & 00/100 (PhP4,205,000.00)** only, hereinafter called the **"Contract Price"** with the following details:

| Project Description | Location | Contract Amount |
|--|---------------------------------------|------------------------|
| Electrification of Un-Energized Schools – Buenavista NHS | Division of Quezon Buenavista, Quezon | PhP4,205,000.00 |
| TOTAL | | PhP4,205,000.00 |

Kindly affix your signature on the space provided below to indicate your acceptance of this notice and the bid price(s) after having been evaluated in accordance with the issued Bidding Documents. You are hereby required to enter into a formal contract with us and submit a Performance Security in any of the following forms within ten (10) calendar days from receipt of this notice:

- Ten percent (10%)** of the total contract price in the form of cash; cashier's check, or manager's check issued by a universal or commercial bank; bank draft, bank guarantee or irrevocable letter of credit issued by a universal or commercial bank, provided, that it shall be confirmed or authenticated by a universal or commercial bank if issued by a foreign bank; the performance security shall be callable on demand without the necessity on our part to substantiate our demand or prove or show grounds or reasons for our demand for the total sum specified herein.
- Thirty percent (30%)** of the total contract price in the form of surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security

Failure to enter into a contract with us or submit the Performance Security shall constitute a sufficient ground for cancellation of this award, forfeiture of your bid security or enforcement of your Bid Securing Declaration, and imposition of appropriate sanctions.

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Bids and Awards Committee

NOTICE TO PROCEED

SEP 09 2020

Date

MR. VOLTAIRE C. ABAÑO
Manager
BOTEY CONSTRUCTION
Maharlika Highway, Ilayang Iyam
Lucena City, Quezon

Name of Project: **Electrification of Un-Energized Schools and Modernization of Electrical Systems On-Grid Schools-Cluster 5 under CY 2020 BEFF**

Dear Mr. Abaño:

We wish to inform you that the Contract Agreement for the **Electrification of Un-Energized Schools and Modernization of Electrical Systems On-Grid Schools-Cluster 5** at Buenavista NHS, Buenavista had been approved.

You are now hereby notified to commence execution of Works and shall fully complete all of the Works within **One Hundred Twenty (120) calendar days**. The Contract effectivity shall be seven (7) calendar days from receipt of this notice.

Very truly yours,

ELIAS A. ALICAYA JR., Ed.D
Head of Procuring Entity

Receipt of NTP is hereby acknowledged:

VOLTAIRE C. ABAÑO
MANAGER / BOTEY CONSTRUCTION

SEP 10 2020

(Date)

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