



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

**Bids and Awards Committee**

**Repair and Rehabilitation of Classrooms in Various School Sites in the Division of Quezon-Cluster 5 under CY 2020 BEFF**

**CONTRACT**

No. 2020-0005

SEP 24 2020

THIS CONTRACT, made and entered into this SEP 24 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 the 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 FIVE MILLION ONE HUNDRED SEVENTY THOUSAND PESOS & 00/100 (PhP5,170,000.00) only, hereinafter called the "Contract Price" with the following details:

Project Description	Location	Contract Amount
Repair and Rehabilitation of Classrooms – Don Eulogio Capino ES	Division of Quezon Dolores, Quezon	PhP2,216,057.88
Repair and Rehabilitation of Classrooms – Don Eulogio Capino ES Annex (Putol)	Division of Quezon Dolores, Quezon	PhP2,026,979.83
Repair and Rehabilitation of Classrooms – Pedro Bombane ES	Division of Quezon Dolores, Quezon	PhP 926,962.29
TOTAL		PhP5,170,000.00

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

In this Contract, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract;

The following documents shall be part of this Contract [in accord with IRR Sec. 37.2.3.:



DEPEDQUEZON-TM-SDS-04-025-003



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Address: Sitio Fori, Brgy. Talipan, Pagbilao, Quezon  
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Email Address: quezon@deped.gov.ph  
Website: www.depedquezon.com.ph







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CONTRACTOR'S WITNESS

CONTRACTOR

OWNER'S WITNESS

OWNER

- 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;
  - 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
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.
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:

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Registration Number:  
QAC/R63/0216



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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.
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 LUCENA CITY ) S.S.

**ACKNOWLEDGMENT**

BEFORE ME, a Notary Public for and in LUCENA CITY, 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 0495241</u>	<u>VALID 10-11-2020</u>	<u>MANILA</u>
CONTRACTOR VOLTAIRE C. ABANO	<u>CRN 0004-1137061-7</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.

**CRISANTO P. BUELA**  
Notary Public  
NOTARY PUBLIC  
UNTIL DECEMBER 31, 2021  
ROLL NO. 33756  
MCLE NO. VI-0006106  
PTR NO. 1051062-1-2-2020  
AT LUCENA CITY  
TIN 114-038-991

Doc. No. 497  
Page No. 100  
Book No. C11  
Series of 2020

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## DepEd – DIVISION OF QUEZON

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### Bids and Awards Committee

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

Resolution No. 2019-12-27-133  
Series of 2019

**WHEREAS**, the *Department of Education, Division of Quezon* posted the Invitation to Bid for the REPAIR AND REHABILITATION OF CLASSROOM 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 bid;

**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 5,170,000.00	

**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 Repair and Rehabilitation of Classroom 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 E. GALAROSA**  
Member

  
**JOSEPH E. JARASA**  
Member

**APPROVED:**

  
**CATHERINE P. TALAVERA, CESO VI**  
Schools Division Superintendent







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**Bids and Awards Committee**

**NOTICE OF AWARD**

SEP 23 2020

Date

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

Name of Project: **Repair and Rehabilitation of Classrooms-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 **FIVE MILLION ONE HUNDRED SEVENTY THOUSAND PESOS & 00/100 (PhP5,170,000.00)** only, hereinafter called the **"Contract Price"** with the following details:

Project Description	Location	Contract Amount
Repair and Rehabilitation of Classrooms – Don Eulogio Capino ES	Division of Quezon Dolores, Quezon	PhP2,216,057.88
Repair and Rehabilitation of Classrooms – Don Eulogio Capino ES Annex (Putol)	Division of Quezon Dolores, Quezon	PhP2,026,979.83
Repair and Rehabilitation of Classrooms – Pedro Bombane ES	Division of Quezon Dolores, Quezon	PhP 926,962.29
<b>TOTAL</b>		<b>PhP5,170,000.00</b>

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.

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- b. **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.

Please return the original copy of this Notice to the **DepED- DIVISION OF QUEZON** through its BAC Secretariat located at Talipan, Pagbilao, Quezon within two (2) days from date of your receipt hereof in accordance with **ITB 30.2** of the Bidding Documents.

Very truly yours,

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

CONFORME:

**MR. VOLTAIRE C. ABAÑO**  
MANAGER/BOTEY CONSTRUCTION

SEP 24 2020

(Date)

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Bids and Awards Committee

**NOTICE TO PROCEED**

SEP 29 2020

Date

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

Name of Project: **Repair and Rehabilitation of Classrooms-Cluster 5 under  
CY 2020 BEFF**

Dear Mr. Abaño:

We wish to inform you that the Contract Agreement for the Repair and Rehabilitation of Classrooms in various school sites in the Division of Quezon-Cluster No. 5 at Don Eulogio Capino ES, Dolores; Don Eulogio Capino ES Annex (Putol), Dolores; and Pedro Bombane ES, Dolores 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:

MR. VOLTAIRE C. ABAÑO  
MANAGER/BOTEY CONSTRUCTION

SEP 29 2020

(Date)

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