



# DepEd – DIVISION OF QUEZON

Sitio Fori, Brgy. Talipan, Pagbilao, Quezon  
Trunkline # (042) 784-0366, (042) 784-0164, (042) 784-0391, (042) 784-0321  
www.depedquezon.com.ph  
"Creating Possibilities, Inspiring Innovations"



Registration Number:  
QAC/R63/0216

## Repair and Rehabilitation of Classrooms in Various School Sites in the Division of Quezon, Cluster No. 2 under CY 2020 QRF

### CONTRACT

No. 2020-07-10-02

THIS CONTRACT, made and entered into this JUL 27 2020 by and between the Department of Education, **DIVISION OF QUEZON**, located at Talipan, Pagbilao, Quezon, represented herein by its Schools Division Superintendent, **CATHERINE P. TALAVERA, CESO V**, 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;

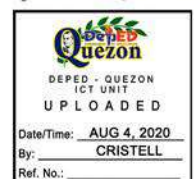
WHEREAS, the Owner invited bids for certain works stated in above Project consisting of **one cluster** school project sites and received bids from lone bidder; the Owner opened, read and evaluated the bid of the lone bidder; after the evaluation, the Owner post-qualified and declared the bid of the Contractor as the single calculated/rated 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 EIGHT HUNDRED FORTY THOUSAND PESOS & 00/100 (PhP4,840,000.00)** only, hereinafter called the "Contract Price" with the following details:

Project Description	Location	Contract Amount
Repair of Classrooms – Mabuhay ES	Division of Quezon San Francisco, Quezon	PhP 4,840,000.00
<b>TOTAL</b>		<b>PhP 4,840,000.00</b>

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;
  - 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



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CONTRACTOR'S WITNESS

CONTRACTOR

OWNER'S WITNESS

OWNER





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CONTRACTOR'S WITNESS

CONTRACTOR

OWNER'S WITNESS

OWNER

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:

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.

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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:

  
CATHERINE P. TALAVERA, CESO V  
OWNER


  
VOLTIRE 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 CI., Philippines, this JUL 27 2020 day of JUL 27 2020, personally appeared:

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

	NAME	NUMBER	ISSUED ON	ISSUED AT
OWNER	CATHERINE P. TALAVERA, CESO VI	CRM 006-0041-7518-4		LUCENA CITY
CONTRACTOR	VOLTAIRE C. ABANO	CRM 0604-115706-7		LUCENA CITY

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.

Doc. No. 435  
Page No. 2  
Book No. 1001  
Series of 2020

**CRISANTO R. BUELA**  
Notary Public  
**NOTARY PUBLIC**  
UNTIL **DECEMBER 31, 2021**  
ROLL NO. 33756  
MCLE NO. VI-0006106  
PTR NO. 1051082-1-2-2020  
AT LUCENA CITY  
TIN 114-038-991





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## Bids and Awards Committee

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

Resolution No. 2020-07-20-84  
Series of 2020

**WHEREAS**, the *Department of Education, Division of Quezon* posted the Invitation to Bid for the REPAIR AND REHABILITATION OF CLASSROOMS IN VARIOUS SCHOOL SITES IN THE DIVISION OF QUEZON-Cluster No. 2 under CY2020 Quick Response Fund (QRF) 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 June 29, 2020;

**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, 840, 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 and Responsive 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 and Responsive Bid for the Repair and Rehabilitation of Classrooms in Various School Sites in the Division of Quezon-Cluster No. 2.

Mabuhay Elementary School, San Francisco (Aurora)







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

RESOLVED, at the Division of Quezon, this 20th day of July, 2020.

ELIAS A. ALICAYA, JR.  
BAC Chairman

MARIA DOLORES D. ATIENZA  
Vice Chairperson

ELIZABETH M. DE VILLA  
Member

LORENA S. WALANGSUMBAT  
Member

WALTER F. GALAROSA  
Member

JOSEPH E. JARASA  
Member

ATTY. HANNAH IRISH R. CAÑEDA  
HANNAH IRISH R. CAÑEDA  
Member

APPROVED:

CATHERINE P. TALAVERA, CESO V  
Schools Division Superintendent





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## Bids and Awards Committee

### NOTICE OF AWARD

JUL 22 2020

Date

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

**Project: Repair and Rehabilitation of Classrooms in Various School Sites in the Division of Quezon, Cluster No. 2 under CY 2020 QRF**

Dear Mr. Abano:

We are pleased to notify you that your bid for the Project, is hereby accepted in the total amount of PHILIPPINE PESOS FOUR MILLION EIGHT HUNDRED FORTY THOUSAND PESOS & 00/100 (PhP5,050,000.00) with the following details:

Project Description	Location	Contract Amount
Repair of Classrooms – Mabuhay ES	Division of Quezon San Francisco, Quezon	PhP 4,840,000.00
<b>TOTAL</b>		<b>PhP 4,840,000.00</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.
- 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,

**CATHERINE P. TALAVERA, CESO V**  
Head of Procuring Entity

CONFORME:

**VOLTAIRE C. ABANO**  
**MANAGER / BOTEY CONSTRUCTION**

07-23-2020  
(Date)

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JUL 22 2020

Date

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Manager  
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Maharlika Highway, Ilayang Iyam  
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<b>TOTAL</b>		<b>PhP 4,840,000.00</b>

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Very truly yours,

**CATHERINE P. TALAVERA, CESO V**  
Head of Procuring Entity

CONFORME:

VOLTAIRE C. ABANO  
MANAGER / BOTEY CONSTRUCTION

07-23-2020  
(Date)

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## Bids and Awards Committee

### NOTICE TO PROCEED

JUL 29 2020

Date

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

Name of Project: **Repair and Rehabilitation of Classrooms in Various School Sites in the Division of Quezon, Cluster 2 under CY 2020 QRF**

Dear Mr. Abano:

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 2** at Mabuhay ES, San Francisco, Quezon 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,

  
CATHERINE P. TALAVERA, CESO V  
Schools Division Superintendent

Receipt of NTP is hereby acknowledged:

  
VOLTAIRE C. ABANO  
MANAGER / BOTEY CONSTRUCTION

\_\_\_\_\_  
(Date)

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