



**CY 2018 Quick Response Fund (Batch 2) Repair/Rehabilitation of Classrooms
– Construction of Slope Protection at Pinsao Elementary School**

Contract Agreement Form

THIS CONTRACT, made and entered into this 26th day of December, 2018 by and between the Department of Education, *Schools Division of Baguio City*, located at #82 *Military Cut-Off, Baguio City* represented herein by its *Schools Division Superintendent, FEDERICO P. MARTIN, EdD, CEEd, CESO V*, hereinafter referred to as the “Owner” of the one part and *REAL CAT Construction*, represented herein by its *General Manager/ Proprietor, MR. ANDREW T. CAPUYAN*, with office address at #42 Ambiong Road, Ambiong, Baguio City, Beguet hereinafter referred to as the “Contractor” of the other part;

WHEREAS, the Entity is desirous that the Contractor execute *CY 2018 Quick Response Fund (Batch 2) Repair/Rehabilitation of Classrooms – Construction of Slope Protection at Pinsao Elementary School* (hereinafter called “the Works”) and the Entity has accepted the Bid for *Three Million One Hundred One Thousand Seven Hundred Two Pesos and 39/100 only (Php 3,101,702.39)* by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as integral part of this Agreement, to wit:
 - (a) General and Special Conditions of Contract;
 - (b) Drawings/Plans;
 - (c) Specifications;
 - (d) Invitation to Bid;
 - (e) Instructions to Bidders;
 - (f) Bid Data Sheet;
 - (g) Addenda and/or Supplemental/Bid Bulletins, if any;
 - (h) Bid form, including all the documents/statements contained in the Bidder’s bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder’s response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity’s bid evaluation;

- (i) Eligibility requirements, documents and/or statements;
 - (j) Performance Security;
 - (k) Notice of Award of Contract and the Bidder's conforme thereto;
 - (l) Other contract documents that may be required by existing laws and/or the Entity.
3. In consideration of the payments to be made by the Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Entity to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all respects.
4. The Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects wherein, 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 this Contract.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

SIGNED, SEALED AND DELIVERED BY:

Binding Signature of PROCURING ENTITY:

Binding Signature of Contractor:

FEDERICO P. MARTIN, EdD, C EdD, CESO V
Head of the Procuring Entity

ANDREW T. CAPUYAN
Owner

SIGNED IN THE PRESENCE OF:

WITNESSES

Witness 1

Witness 2

Allotment Available:

Funds Available:

Bele R. Tomin
BELEN R. TOMIN
Administrative Officer V/Budget

Lilibeth G. Degsi
LILIBETH G. DEGSI, CPA
Accountant III

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

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in baguio city, Philippines, this 24th day of December, 2018, personally appeared:

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

NAME	NUMBER	ISSUED AT
OWNER <u>FEDERICO P. MARTIN, Ed.D., Ed.D. CESO V</u>	<u>GSIS ID NO</u> <u>2002813752</u>	<u>BAGUIO CITY</u>
CONTRACTOR _____	_____	_____

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 Three (3) 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. 117
Page No. 24
Book No. VI
Series of 2018

Notary Public
Edgar S. Monoxen
EDGAR S. MONOXEN
Notary Public for Baguio City
Until December 31, 2019
N.A. 48-NC-18-N
Roll No. 62936; 05/6/2014
IBP No. 1083764; 12/15/2017, Baguio-Benguet
PTR No. 3403562; 12/15/2017, Baguio City
Contact No. 0917-496-9593 / Tel. (074) 620-2791
Rm. 4, Noble Bldg., Calderon Street, Baguio City



Republic of the Philippines
DEPARTMENT OF EDUCATION
 Cordillera Administrative Region
 DIVISION OF BAGUIO CITY
 # 82 Military Cut-Off, Baguio City



BAC Resolution Declaring LCRB and Recommending Approval

RESOLUTION NO. 377, S. 2018

WHEREAS, the Department of Education advertised the Invitation to Apply for Eligibility and to Bid of the **CY 2018 QUICK RESPONSE FUND (BATCH 2) REPAIR/REHABILITATION OF CLASSROOMS – CONSTRUCTION OF SLOPE PROTECTION AT PINSAO ELEMENTARY SCHOOL** and posted the same in the PhilGEPS and a conspicuous place at the premises of the Department of Education, Division of Baguio City;

WHEREAS, in response to the said advertisement, only **ONE (1)** contractor namely **REAL CAT CONSTRUCTION** purchased Bid Documents and participated in the Opening of Bids on December 20, 2018;

WHEREAS, the bid proposal of **REAL CAT CONSTRUCTION** was found to be substantially complying to wit:

Name of Bidders	Bid Amount (As Calculated)	% Variance from ABC
REAL CAT CONSTRUCTION	PhP 3,101,702.39	0.172 %

WHEREAS, on December 21 to 23, 2018, the end-user conducted the post qualification or detailed examination of the bid of the lowest and responsive bidder namely **REAL CAT CONSTRUCTION**;

WHEREAS, **REAL CAT CONSTRUCTION** has been found to be in order in all respect, complying as to the technical specifications and financial requirements and is considered as the bidder with the lowest calculated bid;

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

- a) To declare **REAL CAT CONSTRUCTION** as the Bidder with the Lowest Calculated and Responsive Bid in the amount of **THREE MILLION ONE HUNDRED ONE THOUSAND SEVEN HUNDRED TWO PESOS AND 39/100 ONLY (PhP 3,101,702.39)** for the **CY 2018 Quick Response Fund (Batch 2) Repair/Rehabilitation of Classrooms – Construction of Slope Protection at Pinsao Elementary School**.
- b) To recommend for approval by the Schools Division Superintendent of the Department of Education, Division of Baguio the foregoing findings.


FEDERICO P. MARTIN, Ed.D.C., CESOV
 Schools Division Superintendent

ROBERTO R. GONZALES
 BAC Member

FRANCISCO C. COPSIYAN
 BAC Member

FERNANDO B. ELEPONGA
 BAC Member

JULIET SANNAAD
 BAC Vice-Chairperson

SORAYA T. FACULO Ph.D.
 BAC Chairperson

RESOLVED, at the Baguio Division Office Conference Hall, this 24th day of December, 2018.



SORAYA T. FACULO Ph.D.
BAC Chairperson



JULIET SANNAD
BAC Vice-Chairperson



FERNANDO B. ELEPONGA
BAC Member



FRANCISCO C. COPSIYAN
BAC Member



ROBERTO R. GONZALES
BAC Member

APPROVED:



FEDERICO P. MARTIN, Ed.D., CESO VI
Schools Division Superintendent

Approved on _____
(date of approval)



Republic of the Philippines
DEPARTMENT OF EDUCATION
Cordillera Administrative Region
SCHOOLS DIVISION OF BAGUIO CITY
82 Military Cut-Off, Baguio City



NOTICE OF AWARD

December 25, 2018

ANDREW T. CAPUYAN

Proprietor / General Manager
REAL CAT Construction
42 Ambiong Road, Ambiong,
Baguio City, Benguet

Project: CY 2018 Quick Response Fund (Batch 2) Repair/Rehabilitation of Classrooms – Construction of Slope Protection at Pinsao Elementary School

Dear *Mr. Capuyan*:

We are pleased to notify you that your bid(s) for the Project, is/are hereby accepted in the total amount of PHILIPPINE PESOS **Three Million One Hundred One Thousand Seven Hundred Two Pesos and 39/100 only (PhP 3,101,702.39)** inclusive of appropriate taxes and fees, has been accepted pursuant to DepED BAC Resolution No. 377 s. 2018. ONLY with the following details:

Lot No.	Project Description	Location	Contract Duration	Contract Amount
1	CY 2018 Quick Response Fund (Batch 2) Repair/Rehabilitation of Classrooms – Construction of Slope Protection at Pinsao Elementary School	Pinsao Pilot, Baguio City	120 calendar days	PhP 3,101,702.39

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 the following within ten (10) calendar days from receipt of this notice:

- a. **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; **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; 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.

- b. Tax clearance per Executive Order 398, series of 2005;
- c. Latest income and business tax returns per Revenue Regulations 3-2005;
- d. Certificate of PhilGEPS Registration.
- e. Other contract documents that may be required by existing laws and/or the procuring entity concerned in the Bidding documents, such as the construction schedule and S-curve, manpower schedule, construction methods, equipment utilization schedule, construction safety and health program approved by the Department of Labor and Employment and PERT/CPM for infrastructure projects.

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 Baguio City through its BAC Secretariat located at #82 Military Cut Off, Baguio City within two (2) days from date of your receipt hereof in accordance with **ITB 30.2** of the Bidding Documents.

Very truly yours,


FEDERICO P. MARTIN, Ed.D., C.Ed.D., CESO V
Schools Division Superintendent

CONFORME:


JIM ESTANGKI
(Signature Over Printed Name)

REPRESENTATIVE/REAL COF CONSTRUCTION
(Designation and Name of Company)

DEC. 25 2018
(Date)

c/o PACTON F.



Republic of the Philippines
DEPARTMENT OF EDUCATION
Cordillera Administrative Region
SCHOOLS DIVISION OF BAGUIO CITY
82 Military Cut-Off, Baguio City



NOTICE TO PROCEED

December 27, 2018

ANDREW T. CAPUYAN
Proprietor / General Manager
REAL CAT Construction
42 Ambiong Road, Ambiong,
Baguio City, Benguet

Dear Sir:

The attached Contract Agreement having been approved, notice is hereby given to **REAL CAT Construction** that work may proceed on the **CY 2018 Quick Response Fund (Batch 2) Repair/Rehabilitation of Classrooms - Construction of Slope Protection at Pinsao Elementary School** in the amount indicated in the Notice to Award/Contract and to complete the said works within **120 calendar days**.

Upon receipt of this notice, you are responsible for performing the services under the terms and conditions of the Agreement and in accordance with the Implementation Schedule.

Please acknowledge receipt and acceptance of this notice by signing both copies in the space provided below. Keep one copy and return the other to the **DepEd, Schools Division of City of Baguio City**

Very truly yours,


FEDERICO P. MARTIN, EdD, CeD, CESO V
Schools Division Superintendent

I acknowledge receipt of this Notice on 12-27-18

Name of the Representative of the Bidder: JIM ESTANGKI

Authorized Signature: 
(Signature over printed name)