



**BAC Resolution Declaring LCRB and Recommending Approval**

**RESOLUTION NO. 114, S. 2018**

**WHEREAS**, the Department of Education advertised the Invitation to Apply for Eligibility and to Bid of the **CONSERVATION AND RESTORATION OF GABALDON SCHOOL BUILDING AT MAGSAYSAY 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, **FOUR (4)** contractors namely **SOY-ENG CONSTRUCTION, MOMENT DIAGRAM BUILDERS, ASS CONSTRUCTION** and **GOLDFINGER BUILDERS** purchased Bid Documents and participated in the Opening of Bids on May 7, 2018;

**WHEREAS**, SOY-ENG CONSTRUCTION and GOLDFINGER BUILDERS were disqualified due to non-submission of the Joint Venture document whether applicable or not;

**WHEREAS**, the bid proposal of **MOMENT DIAGRAM BUILDERS** was found to be substantially complying to wit:

Name of Bidders	Bid Amount (As Calculated)	% Variance from ABC
MOMENT DIAGRAM BUILDERS	PhP 8,059,404.00	21.95 %
ASS CONSTRUCTION	PhP 8,368,764.65	18.96%

**WHEREAS**, on May 17-18, 2018, the end-user conducted the post qualification or detailed examination of the bid of the lowest and responsive bidder namely **MOMENT DIAGRAM BUILDERS**;

**WHEREAS**, **MOMENT DIAGRAM BUILDERS** 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 **MOMENT DIAGRAM BUILDERS** as the Bidder with the Lowest Calculated and Responsive Bid in the amount of **EIGHT MILLION FIFTY NINE THOUSAND FOUR HUNDRED FOUR PESOS ONLY (PhP 8,059,404.00)** for the **Conservation and Restoration of Gabaldon School Buildings at Magsaysay Elementary School**.

**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 SANNAD**  
 BAC Vice-Chairperson

**SORAYA T. FACULO Ph.D.**  
 BAC Chairperson

- b) To recommend for approval by the Schools Division Superintendent of the Department of Education, Division of Baguio the foregoing findings.

RESOLVED, at the Baguio Division Office Conference Hall, this 22<sup>nd</sup> day of May, 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)



## NOTICE OF AWARD

May 22, 2018

**MR. ROBERT B. DACLILI**

Owner

**MOMENT DIAGRAM BUILDERS**

#418 Purok 1, Upper Km. 3,

Asin Rd., Baguio City

Project: Conservation and Restoration of Gabaldon School Building at Magsaysay Elementary School

Dear *Mr. Daclili*:

We are pleased to notify you that your bid(s) for the Project, is/are hereby accepted in the total amount of PHILIPPINE PESOS **Eight Million Fifty Nine Thousand Four Hundred Four Pesos only (PhP 8,059,404.00)** inclusive of appropriate taxes and fees, has been accepted pursuant to DepED BAC Resolution No. 114 s. 2018. ONLY with the following details:

Lot No.	Project Description	Location	Contract Duration	Contract Amount
1	Conservation and Restoration of Gabaldon School Building at Magsaysay Elementary School	Magsaysay Ave., Baguio City	180 calendar days	PhP 8,059,404.00

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 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., CESO VI**  
*Schools Division Superintendent*

**CONFORME:**

  
IMELDA  
(Signature Over Printed Name)

MOMENT D'ACTION PUBLICS  
(Designation and Name of Company)

6/2/18  
(Date)



## Conservation and Restoration of Gabaldon School Building at Magsaysay Elementary School

### Contract Agreement Form

THIS CONTRACT, made and entered into this 5<sup>th</sup> day of June, 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, Ed.D.C., Ed.D., CESO V*, hereinafter referred to as the “Owner” of the one part and *MOMENT Diagram Builders*, represented herein by its *General Manager, MR. ROBERT DACLILI*, with office address at #418 Purok 1, Upper Km.3, Asin Road, Baguio City, hereinafter referred to as the “Contractor” of the other part;

WHEREAS, the Entity is desirous that the Contractor execute *Conservation and Restoration of Gabaldon School Building at Magsaysay Elementary School* (hereinafter called “the Works”) and the Entity has accepted the Bid for *Eight Million Fifty Nine Thousand Four Hundred Four Pesos only (Php 8,059,404.00)* 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;

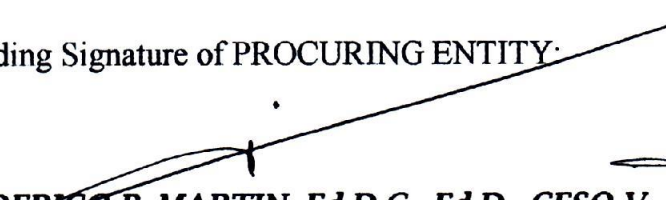
- (i) Eligibility requirements, documents and/or statements;
  - (j) Performance Security;
  - (k) Notice of Award of Contract and the Bidder's conforme thereto;
  - (l) Other contract documents that may be required by existing laws and/or the Entity.
3. In consideration of the payments to be made by 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, Ed.D.C., Ed.D., CESO V**  
 Head of the Procuring Entity

  
**ROBERT FACELL**  
 Owner

**SIGNED IN THE PRESENCE OF:**

WITNESSES

\_\_\_\_\_  
 Allotment Available: PPA 379/011/0748  
 CAR - 18 - 1595

\_\_\_\_\_  
 Funds Available:

  
**BELEN R. TOMIN**  
 Administrative Officer V/Budget

  
**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, Philippines, this 6<sup>th</sup> day of June, 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>956 0895706012</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. 244  
Page No. 50  
Book No. ✓  
Series of 2018

Notary Public  
*Edgar S. Monoten*  
EDGAR S. MONOTEN  
Notary Public for Baguio City  
Until December 31, 2019  
N.A. 48-NC-18-IV  
Roll No. 62936; 05/8/2014  
IBP No. 1083764; 12/15/2017, Baguio-Benguet  
PTR No. 3403562; 12/15/2017, Baguio City  
Contact No. 0917-446-9593 / Tel. (074) 620-2791  
Rm. 4, Noble Bldg., Calderon Street, Baguio City



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



**NOTICE TO PROCEED**

June 8, 2018

**MR. ROBERT DACLILI**  
 Owner  
 MOMENT Diagram Builders  
 #418 Purok 1, Upper Km. 3,  
 Asin Rd., Baguio City

Dear Sir:

The attached Contract Agreement having been approved, notice is hereby given to **MOMENT Diagram Builders** that work may proceed on the **Conservation and Restoration of Gabaldon School Building at Magsaysay Elementary School** in the amount indicated in the Notice to Award/Contract and to complete the said works within **180 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, Ed.D, CESO VI**  
 Schools Division Superintendent

I acknowledge receipt of this Notice on 6-8-18

Name of the Representative of the Bidder: ROBERT DACLILI

Authorized Signature:   
 (Signature over printed name)

FD of C: Nov 5, 2018