

CONTRACT AGREEMENT

Project Title: "Supply of Labor, Materials and Equipment Rentals for the Rehabilitation of Tupnew Diversion Dam in Kaleo, Barlig, Mt. Province" with an ABC of P1,000,000.00

No. 2021-28

THIS AGREEMENT is made on March 17, 2021, between Department of Agriculture-Regional Field Office-Cordillera Administrative Region, with office address located at BPI Compound, Guisad, Baguio City, Philippines, hereinafter called "the Entity" of the one part and, Bilanian General Construction of Purok 15, Agro, Irisan, Baguio City, hereinafter called "the Contractor" of the other part;

WHEREAS, the Entity is desirous that the Contractor execute "*Supply of Labor, Materials and Equipment Rentals for the Rehabilitation of Tupnew Diversion Dam in Kaleo, Barlig, Mt. Province*" (hereinafter called "Works"), and the entity has accepted the Bid for *Nine Hundred Seventy Three Thousand Two Hundred Sixty One Pesos and Eighty Centavos (P973,261.80)* 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 referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, viz.:
 - i. Philippine Bidding Documents (PBDs);
 - a. Drawing/Plans;
 - b. Specifications;
 - c. Bill of quantities
 - d. General and Special Conditions of Contract; and
 - e. Supplemental or Bid Bulletins, if any
 - ii. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;
 - iii. 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;

iii. Performance Security;

iv. Notice of Award of Contract; and the Bidder's conforme thereto; and

v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.**


CAMERON P. ODSEY
OIC-Regional Executive Director, DA-CAR


MARCIAL O. PANYO
AMO, Bilanian General Construction


MARLYN C. TEJERO
Rice Program Coordinator, DA-CAR


FILEMON A. SALVADOR
Chief, RAED, DA-CAR

3. In consideration for the sum of *Nine Hundred Seventy Three Thousand Two Hundred Sixty One Pesos and Eighty Centavos (P973,261.80)*, or such other sums as may be ascertained, Bilanian General Construction agrees to perform the *"Supply of Labor, Materials and Equipment Rentals for the Rehabilitation of Tupnew Diversion Dam in Kaleo, Barlig, Mt. Province"*, in accordance with its Bid.
4. The **Department of Agriculture - Regional Field Office - Cordillera Administrative Region** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines this _____ at Baguio City, Philippines.

FOR:

Department of Agriculture
Regional Field Office - CAR

FOR:

Bilanian General Construction


CAMERON P. ODSEY, DVM
OIC-Regional Executive Director


MARCIAL O. PANYO
Authorized Managing Officer

Witnesses:


MARILYN C. EJERO
Rice Program Coordinator


FILEMON A. SALVADOR
Chief, RAED

ALLOTMENT AVAILABLE:


AZON W. MANGAL-IP
Accountant III

Fund	91
PPA	214,000,000.00
Obligation No.	14-1111-2021-03-11948
Amount	4,000,000.00


ACKNOWLEDGMENT

Republic of the Philippines)
CITY OF BAGUIO) S.S.
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BEFORE ME, this 17th March 2021 at CITY OF BAGUIO
 personally appeared:

Name	Competent Evidence of Identity	Place and Date of Issue
CAMERON P. ODSEY , in his capacity as OIC-Regional Executive Director of the Department of Agriculture-RFO-CAR	Tax Identification Number (TIN) 117-814-350	Baguio City
MARCIAL O. PANYO , in his capacity as the Authorized Managing Office of Bilanian General Construction		


MARLYN C. TEJERO
 Rice Program Coordinator, DA-CAR


FILEMON A. SALVADOR
 Chief, RAED, DA-CAR



MARCIAL O. PANYO
 AMO, Bilanian General Construction


CAMERON P. ODSEY
 OIC-Regional Executive Director, DA-CAR

Both personally known to me or whom I have identified through their competent evidences of identity and who represented to me that that their respective signatures in the foregoing instrument were voluntarily affixed by them for the purposes stated in the instrument and that they acknowledged to me that the same is their free and voluntary act and deed and that of the entities they represent.

This Contract Agreement consists of three (3) pages, including the page on which this acknowledgement portion is written. The Parties and their instrumental witnesses have signed each and every page of this Contract which is sealed with my notarial seal.

WITNESS MY HAND AND SEAL on the date and place above-written.


NOTARY PUBLIC
ATTY. ROBERTO G. CALABIAS
 No. 24 Upper Engineer's Hill, Baguio City
 Notary Public
 Until December 31, 2021
 PTR NO. 459423 Jan. 4, 2021-Baguio City
 IBP Lifetime Number 580499
 Roll No. 41275-05-07-98, Manila
 N.A. -05-NC-20-R / MCLE VI-0021964

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 Series of 2021.



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
REGIONAL FIELD OFFICE-CORDILLERA ADMINISTRATIVE REGION
BPI Compound, Gulsad, Baguio City
Telefax No. (074) 445-4973

NOTICE OF AWARD/ LETTER OF ACCEPTANCE

February 26, 2021

MARCIAL O. PANYO

Authorized Managing Officer
Bilanian General Construction
Purok 15, Agro, Irtisan
Baguio City
Email: marcialpanyo@yahoo.com

Dear Mr. Panyo:

We are happy to notify you that your bid for the project "*Supply of Labor, Materials and Equipment Rentals for the Rehabilitation of Tupnew Diversion Dam in Kaleo, Bartlig, Mt. Province*" on January 26, 2021 under IB No. 2021-16 with an amount of *Nine Hundred Seventy Three Thousand Two Hundred Sixty One Pesos and Eighty Centavos (P973,261.80)* in accordance with the Instruction to Bidders are hereby accepted by our Agency.

You are hereby required to provide within ten (10) calendar days, from receipt of this notice, the performance security in the form and the amount stipulated in the Instruction to Bidders. Failure to provide the performance security shall constitute sufficient ground for the cancellation of the award and forfeiture of the bid security. You are also required to submit construction (i) schedule and S-curve, (ii) manpower schedule, (iii) construction methods, (iv) equipment utilization schedule, (v) construction safety and health program approved by the DOLE as stated in the Instruction to Bidder before the signing of contract agreement.

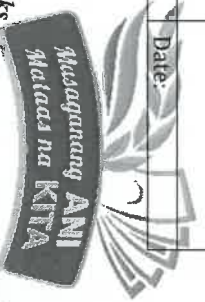
Truly yours,


CAMERON P. ODSEY
OIC-Regional Executive Director

Remarks: Notification to the bidder made through:

Personal receipt:	Email to:	Cellular Phone:	Fax:
<i>MARCIAL PANYO</i> Name of bidder/authorized representative			
Date: <i>03-15-2021</i>	Date:	Date:	Date:

*A food-secure and resilient Philippines
with empowered and prosperous farmers and fisherfolks*





Republic of the Philippines
DEPARTMENT OF AGRICULTURE
REGIONAL FIELD OFFICE-CORDILLERA ADMINISTRATIVE REGION
BPI Compound, Guisad, Baguio City
Telefax No. (074) 445-4973

NOTICE TO PROCEED

March 25, 2021

MARCIAL O. PANYO

Authorized Managing Officer
Bilanian General Construction
Purok 15, Agro, Irisan
Baguio City
Email: marcialpanyo@yahoo.com

Dear Mr. Panyo:

You are hereby requested to proceed/commence with the project "*Supply of Labor, Materials and Equipment Rentals for the Rehabilitation of Tupnew Diversion Dam in Kaleo, Barlig, Mt. Province*" as per approved plans and specifications and implementing rules and regulations of Republic Act No. 9184 and subject to the terms and conditions of the contract.

TERMS AND CONDITIONS:

Duration : **30 calendar days** upon receipt of this Notice
Location : Kaleo, Barlig, Mt. Province

QTY	UNIT	NAME OF PROJECT	AMOUNT (P)
1	Lot	Supply of Labor, Materials and Equipment Rentals for the Rehabilitation of Tupnew Diversion Dam	973,261.80

In case of failure to finish the project within the duration specified above, a penalty of one-tenth (1/10) of one percent for every day of delay shall be imposed.

Very truly yours,

CAMERON P. OBSEY
DIC-Regional Executive Director

Remarks: Notification to the bidder made through:

Personal receipt:	Email to:	Cellular Phone:	Fax:
Name of Bidder/Authorized Representative	Date:	Date:	Date:





Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Regional Field Office – Cordillera Administrative Region
BPI Compound, Gaisad, Baguio City



RESOLUTION DECLARING THE SINGLE CALCULATED AND RESPONSIVE BID (SCRB) AND RECOMMENDING THE AWARD OF CONTRACT NO. 2021-27

WHEREAS, it is the task of the Bids and Awards Committee to assist, and to ensure that the Department of Agriculture Regional Field Office Cordillera Administrative Region, abides by the standards set forth by Republic Act No. 9184, otherwise known as “The Government Procurement Reform Act” and its Revised Implementing Rules and Regulations, to all its procurement activities;

WHEREAS, the Department of Agriculture – Regional Field Office – Cordillera Administrative Region advertised the Invitation to Bid for the “**Supply of Labor, Materials and Equipment Rentals for the Rehabilitation of Maag-Tupnew Diversion Dam in Kaleo, Barlig, Mt. Province**” with an Approved Budget for Contract of (ABC) of **One Million Pesos (P1,000,000.00)** in PhilGEPs as shown by the PhilGEPs Bid Notice Abstract with **Reference Number 7399984** and posted the same in the DA-RFO-CAR website, and in conspicuous place at the premises of the DA RFO CAR for at least seven (7) days, as prescribed by Republic Act 9184 and its 2016 Revised IRR;

WHEREAS, the procurement activities were scheduled as follows:

Procurement Activities	Date and Time	Remarks
Date Published	January 8, 2021 to January 26, 2021	Published in PhilGEPs and DA-CAR Website
Pre-bid conference	January 14, 2021 at 9:00 AM	Conducted as scheduled
Opening of bids	January 26, 2021 at 9:00 AM	Conducted as scheduled

WHEREAS, in response to the said Invitation, only one (1) bidder, Bilanian General Construction had purchased bidding documents;

WHEREAS, Bilanian General Construction did not attend the Pre-Bid Conference on January 14, 2021, 9:00 in the morning;

WHEREAS, Bilanian General Construction submitted bid proposals before the deadline of submission on January 26, 2021 at 8:30 in the morning;

WHEREAS, during the opening of bids on January 26, 2021 at 9:00 in the morning, Bilanian General Construction passed the preliminary examination of bids, per bid read out as follows:

Qty/ Unit	Name of Project	ABC	Bid Amount as Read
1 lot	Rehabilitation of Maag-Tupnew Diversion Dam	1,000,000.00	973,463.72

WHEREAS, during the bid evaluation of bids to determine the completeness of the documents Bilanian General Construction and conduct of arithmetical corrections, its bids are as follows:

Qty/ Unit	Name of Project	ABC	Abstract of Bid as Calculated	Remarks
1 lot	Rehabilitation of Maag-Tupnew Diversion Dam	1,000,000.00	973,261.80	Single Calculated Bid

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WHEREAS, post-qualification was conducted upon Bilanian General Construction by the TWG, found that the bidder complied all the minimum requirements, as shown by the Bid Evaluation Report and Post Qualification Evaluation Summary Report.

WHEREAS, upon careful examination, validation and verification of all the eligibility, legal and financial requirements submitted and after due deliberation, this Committee, unanimously concurs with the recommendation of the TWG with the bid of Bilanian General Construction as the Single Calculated Responsive Bid (SCRB) per attached summary:

Qty/Unit	Name of Project	ABC	Abstract of Bid as Calculated	Remarks
1 lot	Rehabilitation of Maag-Tupnew Diversion Dam	1,000,000.00	973,261.80	26,735.20

NOW, THEREFORE, FOREGOING PREMISES CONSIDERED, WE, THE MEMBERS OF THE BIDS AND AWARDS COMMITTEE, HEREBY RESOLVE, AS IT IS HEREBY RESOLVED, to recommend award of the project.

Name of Project	Supply of Labor, Materials and Equipment Rentals for the Rehabilitation of Maag-Tupnew Diversion Dam in Kaleo, Barlig, Mt. Province
To	Bilanian General Construction
In the total amount of (In words and Figures)	Nine Hundred Seventy Three Thousand Two Hundred Sixty One Pesos and Eighty Centavos (P973,261.80)

RESOLVED FINALLY, to forward this Resolution to the OIC-Regional Executive Director, Department of Agriculture - Regional Field Office - Cordillera Administrative Region for appropriate action.

ADOPTED this 24th day of February 2021 at the DA-RFO-CAR.

ATTY. JENNILYN M. DAWAYAN
Chairperson

VIRGINIA A. TAPAT
Vice-Chairperson

RUBEN A. DULAGAN
Member

ARLENE M. SAGAYO
Member

JERRY N. DAMOYAN
Member

FLEMON A. SALVADOR
Chief, RAED

APPROVED/DISAPPROVED:

CAMERON P. ODSEY
OIC-Regional Executive Director