



CONTRACT AGREEMENT (Negotiated 53.2)

This Contract made and entered in Quezon City, Metro Manila, this day of
SEP 15 2021, by and between:

QUEZON CITY, a public corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office at City Hall, Diliman, Quezon City, Metro Manila and herein represented by **MA. JOSEFINA G. BELMONTE**, in her capacity as City Mayor, herein after referred to as the **QUEZON CITY GOVERNMENT**;

- and -

MKM MARKETING a domestic company duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal Office at 4 Martires Street, Doña Carmen Street, Commonwealth, Quezon City and herein represented by **MS. MARITES E. ENRIQUEZ** in her capacity as **GENERAL MANAGER** hereinafter referred to as the **CONTRACTOR**;

WHEREAS, the QUEZON CITY GOVERNMENT is desirous that the Contractor execute for the **PROPOSED PROVISION OF WOODEN FLOORING FOR TENT 4 COVID 19 FACILITY-QUEZON CITY GENERAL HOSPITAL, BARANGAY BAHAY TORO** with **PROJECT NO. 21-001N** and the City has accepted the Bid for **SIX HUNDRED FIFTY SIX THOUSAND NINE HUNDRED TEN PESOS & 45/100 CTVS. (P 656,910.45)** 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 part of this Agreement, to wit:
 - (a) Request for Quotation;
 - (b) Drawings/Plans;
 - (c) Specifications;
 - (d) Proposal form, including all the documents/statements contained in the Proposal from envelopes, as annexes;
 - (e) Performance Securing Declaration (PSD);
 - (f) Notice of Award of Contract and the Bidder's conforme thereto;
 - (g) Other contract documents that may be required by existing laws and/or the Entity.

MA. JOSEFINA G. BELMONTE

City Mayor

MARITES E. ENRIQUEZ

Mkm Marketing



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.
5. That the Contractor hereby certifies that the site was regularly inspected and verified
6. The Contractor further undertakes to implement the awarded project in accordance with the approved plans, specifications and cost of contract.

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

QUEZON CITY GOVERNMENT

MKM MARKETING



BY:



MA. JOSEFINA G. BELMONTE
City Mayor 

BY:


MARITES E. ENRIQUEZ
General Manager

SIGNED IN THE PRESENCE OF:


ATTY. MARK DALE DIAMOND P. PERRAL
Chairman, BAC-Infra 


RUBY G. MANANGU
City Accountant
City Accountant Dept.

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)

Quezon City, Metro Manila)


BEFORE ME, a Notary Public, for and in the above jurisdiction, personally appeared this day of SEP 15 2021.

	<u>Competent Evidence of Identity</u>	<u>Place Issued</u>
MA. JOSEFINA G. BELMONTE	Govt. I.D. – OCM -0081744	Quezon City
MARITES E. ENRIQUEZ	Passport No. P00700481B	DFA, NCR

known to me to be the same person who executed the foregoing contract consisting of three (3) pages including this page to which this acknowledgement appears, and they acknowledged to me that the same is their own free will and voluntarily act and deed as well of the corporation/juridical entitles represented.

IN VIEW WHEREOF, I have hereunto set my hands and seal on the date and place mentioned above.

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Book No. XIV
Series of 2021


ATTY. CRIST T. PACULANANG
Notary Public
IBP LRN No. 05331, Quezon City
PTR No. 7588226-B / 1-4-2021
Roll No. Attorney's No. 49756 / QC
MCLE COMM. No. 0004852/02-05



Republic of the Philippines
Quezon City Government
BIDS AND AWARDS COMMITTEE FOR INFRASTRUCTURE & CONSULTANCY
2nd Floor, Finance Building, Procurement Department
Quezon City Hall Complex, Elliptical Road, Quezon City



NOTICE OF AWARD

PROJECT TITLE: PROPOSED PROVISION OF WOODEN FLOORING FOR TENT 4 COVID 19 FACILITY-QUEZON CITY GENERAL HOSPITAL, BARANGAY BAHAY TORO, DISTRICT 1

PROJECT NO: 21-001N

Notice is hereby given to **MKM MARKETING** with business address located at 4 Martires Street, Doña Carmen Street, Commonwealth, Quezon City that its proposal for the above mentioned project in the amount of **SIX HUNDRED FIFTY SIX THOUSAND NINE HUNDRED TEN PESOS & 45/100 CTVS. (P 656,910.45)** is the lowest calculated and responsive bid and is therefore hereby awarded the contract for the said project as per Resolution No. **N001; S-2021** issued by the QCBAC Infra & Consultancy on **AUG 20 2021**.

You are therefore required, within ten (10) days from receipt of this Notice of Award, to formally enter into contract with Quezon City Government and to submit the required Performance Security in the form and amount stipulated hereunder:

Form of Security	Minimum Amount in % of Total Contract Price
1. Cash, certified check, cashier's check, manager's check, bank draft or irrevocable letter of credit	Five percent (5%)
2. Bank guarantee	Ten percent (10%)
3. Surety bond	Thirty percent (30%)

Further required for submission are the following contract documents:

1. Construction Schedule and S-Curve
2. Manpower Schedule
3. Construction Methods
4. Equipment Utilization Schedule
5. PERT-CPM

Failure to enter into the said contract shall constitute sufficient ground for cancellation of this award.

Signed this **SEP 03 2021**, Quezon City, Metro Manila.


MA. JOSEFINA G. BELMONTE
City Mayor 


**ACKNOWLEDGEMENT
RECEIPT**

CONFORME

MKM MARKETING
Company

Date: **SEPT. 10, 2021**

Signature over Printed Name
Authorized Representative
Official Designation



MARITES E. ENRIQUEZ
Signature over Printed Name
GENERAL MANAGER
Official Designation

Company TIN



Republic of the Philippines
Quezon City Government

BIDS AND AWARDS COMMITTEE FOR INFRASTRUCTURE & CONSULTANCY

2nd Floor, Finance Building, Procurement Department
Quezon City Hall Complex, Elliptical Road, Quezon City



NOTICE TO PROCEED

The **CONTRACT**, having been approved, **NOTICE** is given to:

MKM MARKETING

Contractor

4 Martires Street, Doña Carmen Street, Commonwealth, Quezon City

Address of Contractor

**PROPOSED PROVISION OF WOODEN FLOORING FOR TENT 4 COVID 19
FACILITY-QUEZON CITY GENERAL HOSPITAL**

21-001N

Name of Project


BARANGAY BAHAY TORO, DISTRICT 1

Location of Project

That the work on the project shall proceed and the number of days allowable under the contract is **THIRTY (30)** calendar days to take effect on **SEP 22 2021** and to expire on **OCT 22 2021**. A guideline is attached for the proper implementation of the project.


MA. JOSEFINA G. BELMONTE

City Mayor

Head of the Procuring Entity 

Received by:


MARITZA E. ENRIQUETA

Signature Over Printed Name

Date:

9-17-2021



RESOLUTION NO. N001; S-2021

RECOMMENDING AWARD OF NEGOTIATED CONTRACT DECLARING THE SINGLE CALCULATED AND RESPONSIVE BID

- WHEREAS,** on 08 March 2020, Proclamation No. 922 entitled "*Declaring a State of Public Health Emergency throughout the Philippines*" was signed and Section 5 of which provides that the State of Public Health Emergency shall remain in force and effect until lifted or withdrawn by the President.
- WHEREAS,** on 09 March 2020, GPPB Resolution No. 03-2020 entitled "*Approving the Adoption of Efficient, Effective, and Expedient Procurement Procedures during a State of Public Health Emergency*" was approved.
- WHEREAS,** on 16 March 2020, Proclamation No. 929 entitled "*Declaring a State of Calamity throughout the Philippines due to Corona Virus Disease 2019*" was signed.
- WHEREAS,** on 26 March 2020, Joint Memorandum Circular No. 1 entitled "*Emergency Procurement by the Government during a State of Public Health Emergency Arising from the Coronavirus Disease 2019 (CoViD-19)*" was issued by the Commission on Audit (COA) and the Government Procurement Policy Board (GPPB).
- WHEREAS,** Section 3.1 on General Provisions of the aforementioned Circular provides that, to further support the Government's efforts to mitigate, if not contain the transmission of CoViD-19 in the country, the GPPB issued Resolution Nos. 03-2020 and 05-2020 to simplify and streamline the Rules on Negotiated Procurement (Emergency Cases) modality embodied in Section 53 (b) or RA No. 9184 and Section 53.2 of its 2016 IRR, as an exemption to Public Bidding under R.A. 9184, and enable Procuring Entities to efficiently and expediently undertake procurement during a State of Public Health Emergency;
- WHEREAS,** Section 3.2 on General Provisions of the same Circular provides that, during the state of Public Health Emergency declared by the President Procuring Entities are allowed to resort to Negotiated Procurement (Emergency Cases) under Section 53 (b) of R.A. No. 9184, Section 53.2 of its 2016 IRR and associated issuances for the procurement of Goods, Infrastructure Projects and Consulting Services that are directly related to the mitigation and containment of the transmission of COVID-19, in order for Procuring Entities to properly and timely respond to this Public Health Emergency;
- WHEREAS,** on 16 September 2020, Proclamation No. 1021 entitled "*Extending the period of the State of Calamity throughout the Philippines due to Corona Virus Disease 2019 Declared under Proclamation No. 929, S-2020*" extended the period of State of Calamity for a period of one (1) year, effective 13 September 2020 to 12 September 2021, unless earlier lifted or extended;
- WHEREAS,** Section 53 of the 2016 Revised Implementing Rules and Regulations of RA 9184, otherwise known as the Government Procurement Reform Act provides that: Negotiated Procurement of Goods, Infrastructure

Projects and Consulting Services, whereby the procuring Entity may directly negotiate a contract with technically, legally and financially capable supplier, contractor or consultant;

WHEREAS, Section 53.2 of the 2016 Revised Implementing Rules and Regulations of RA 9184, otherwise known as the Government Procurement Reform Act provides that: In case of imminent danger to life or property during a state of calamity, or when time is of the essence arising from natural or man-made calamities or other causes where immediate action is necessary to prevent damage to or loss of life or property, or to restore vital public series, infrastructure facilities and other public utilities. In the case of Infrastructure Projects, the Procuring Entity has the option undertake the project through negotiated procurement;

WHEREAS, the City Mayor approved said Q.C. BAC Infra Resolution No. 03-01;

WHEREAS, various contractors were invited to submit bid proposals for the above named project and the same responded accordingly by submitting their corresponding bid proposals within the deadline stated in the Request for Quotation;

WHEREAS, upon evaluation of proposal submitted, the lone bidder was determined as Single calculated and responsive bids for the corresponding projects:


PROJECT NO.	PROJECT TITLE	LOCATION (BRGY.)	CONTRACTOR WITH LOWEST CALCULATED & RESPONSIVE BID	CALCULATED BID AMOUNT
21-001N	Proposed Provision of Wooden Flooring for Tent 4 Covid 19 Facility-Quezon City General Hospital	Bahay Toro	MKM Marketing	656,910.45
21-002N	Proposed Construction of Perimeter Zocalo and Wooden Flooring for Tent 3 Covid 19 Facility-Quezon City General Hospital	Bahay Toro	MKM Marketing	740,345.42

NOW THEREFORE, the QC-BAC - Infra & Consultancy hereby recommends for the approval by the Honorable Mayor of Quezon City the above mentioned contractors based on the foregoing findings.

DONE this AUG 20 2021, at Quezon City.


ARCH. LUCILLE H. CHUA
Vice Chairman


ATTY. MARK DALE DIAMOND P. PERRAL
Chairman


MR. CARLOS I. VERZONILLA
Member


MS. MARIAN C. ORAYANI
Member


MR. RAMON T. ASPRER
Member

Approved


MA. JOSEFINA G. BELMONTE
City Mayor