



RESOLUTION NO. N008; 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Section 5 of which provides that the State of Public Health Emergency shall remain in force and effect until lifted or withdrawn by the President.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,** 24 March 2020 Republic Act No. 11469 entitled "An act declaring the existence of a National Emergency arising from the Corona Virus Disease of 2019 (COVID-19) situation and a National Policy in connection therewith and authorizing the president of the Republic of the Philippines for a limited period and subject to restrictions to exercise powers necessary and proper to carry out the declared National Policy and for other purposes";
- 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,** on 11 September 2020 Republic Act No. 11494 entitled "An act providing for COVID-19 response and recovery interventions and providing mechanism to accelerate the recovery and bolster the resiliency of the Philippine economy, providing funds therefor, and for other purposes";
- WHEREAS,** on 16 September 2020 Proclamation No. 1021 was issued extending the period of State of Calamity throughout the Philippines due to CORONA VIRUS DISEASE 2019 declared under Proclamation No. 929, effective 13 September 2020 to 12 September 2021;
- WHEREAS,** on 10 September 2020 Proclamation No. 1218 was issued extending further the period of State of Calamity throughout the Philippines due to CORONA VIRUS DISEASE 2019 declared under Proclamation No. 1021, effective 13 September 2021 to 12 September 2022
- 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, 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, 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 proposals submitted, the following bids were determined as lowest calculated and responsive bids for the corresponding projects:

PROJECT NO.	PROJECT TITLE	LOCATION (BRGY.)	CONTRACTOR WITH LOWEST CALCULATED & RESPONSIVE BID	CALCULATED BID AMOUNT
21-070N	Proposed Rehabilitation of Reception Area at Various Health Center (District 6 - Cluster 2)	Talipapa	MCP Enterprise & Gen. Contractor Inc.	240,517.00
21-071N	Proposed Rehabilitation of Reception Area at Various Health Center (District 3 - Cluster 3)	Escopa 1	A. Dela Cruz Builders, Inc.	404,743.01
21-072N	Proposed Rehabilitation of Reception Area at Various Health Center (District 2 - Cluster 2)	Commonwealth & Holy Spirit	A. Dela Cruz Builders, Inc.	728,675.64
21-073N	Proposed Rehabilitation of Reception Area at Various Health Center (District 3 - Cluster 2)	San Roque & Pansol	A. Dela Cruz Builders, Inc.	752,223.38

21-074N	Proposed Rehabilitation of Reception Area at Various Health Center (District 2 - Cluster 3)	Payatas & Bagong Silangan	MCP Enterprise & Gen. Contractor Inc.	805,521.74
21-075N	Proposed Rehabilitation of Reception Area at Various Health Center (District 4 - Cluster 2)	Doña Imelda, Kaunlaran & Tatalon	ADG Construction Corp.	918,288.00
21-076N	Proposed Rehabilitation of Reception Area at Various Health Center (District 5 - Cluster 2)	Novaliches Proper, Capri and San Bartolome	MCP Enterprise & Gen. Contractor Inc.	1,024,125.83
21-077N	Proposed Rehabilitation of Reception Area at Various Health Center (District 1 Cluster 3)	Sta. Teresita, San Jose and Balingasa	A. Dela Cruz Builders, Inc.	1,037,970.43
21-078N	Proposed Rehabilitation of Reception Area at Various Health Center (District 1 - Cluster 2)	Bagong Pag-Asa, Masambo ng, Project 6, Veterans Village and Bahay Toro	A. Dela Cruz Builders, Inc.	1,857,153.30
21-079N	Proposed Rehabilitation of Quezon City General Hospital (Phase 3) Isolation Facility	Bahay Toro	RWORKMATE Construction	24,039,737.10


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 DEC 31 2021, at Quezon City.


ARCH. LUCILLE H. CHUA
 Vice Chairman


MS. MARIAN C. ORAYANI
 Member


ATTY. MARK DALE DIAMOND P. PERRAL
 Chairman


MR. CARLOS I. VERZONILLA
 Member


MR. RAMON T. ASPRER
 Member

Approved


MA. JOSEFINA G. BELMONTE
 City Mayor



Republic of the Philippines
PROCUREMENT DEPARTMENT
Office of the Mayor



CONTRACT AGREEMENT
(Negotiated 53.2)

This Contract made and entered in Quezon City, Metro Manila, this day of FEB 16 2022, 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 -

A. DELA CRUZ BUILDERS, INC. a domestic company duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal Office at 12 E. Ramos Street, Krus Na Ligas, Diliman, Quezon City and herein represented by **MR. ARMANDO R. DELA CRUZ** in his capacity as **PRESIDENT** hereinafter referred to as the **CONTRACTOR**;

WHEREAS, the QUEZON CITY GOVERNMENT is desirous that the Contractor execute for the **PROPOSED REHABILITATION OF RECEPTION AREA AT VARIOUS HEALTH CENTER (DISTRICT 2 - CLUSTER 2), BARANGAY COMMONWEALTH & HOLY SPIRIT with PROJECT NO. 21-072N** and the City has accepted the Bid for **SEVEN HUNDRED TWENTY EIGHT THOUSAND SIX HUNDRED SEVENTY FIVE PESOS & 64/100 CTVS. (P 728,675.64)** 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

ARMANDO R. DELA CRUZ
A. Dela Cruz Builders, Inc.

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

A. DELA CRUZ BUILDERS, INC.

BY:



MA. JOSEFINA G. BELMONTE
City Mayor 

BY:


ARMANDO R. DELA CRUZ
President

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)

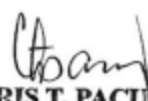
Quezon City, Metro Manila)

BEFORE ME, a Notary Public, for and in the above jurisdiction, personally appeared this day of FEB 16 2022.

	<u>Competent Evidence of Identity</u>	<u>Place Issued</u>
MA. JOSEFINA G. BELMONTE	Govt. I.D. – OCM -0081744	Quezon City
ARMANDO R. DELA CRUZ	PRC-0018034	

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.


ATTY. CRIS T. PACULANANG
Notary Public
IBP LRN No. 05331, Quezon City
PTR No. 4583253-B/1-4-2022
Roll No. Attorney's No. 49756/QC
MCLE COMM. No. 0005-126/10-7-09/QC

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NOTICE OF AWARD

PROJECT TITLE: PROPOSED REHABILITATION OF RECEPTION AREA AT VARIOUS HEALTH CENTER (DISTRICT 2 - CLUSTER 2), BARANGAY COMMONWEALTH & HOLY SPIRIT, DISTRICT 2

PROJECT NO: 21-072N

Notice is hereby given to **A. DELA CRUZ BUILDERS, INC.** with business address located at 12 E. Ramos Street, Krus Na Ligas, Diliman, Quezon City that its proposal for the above mentioned project in the amount of **SEVEN HUNDRED TWENTY EIGHT THOUSAND SIX HUNDRED SEVENTY FIVE PESOS & 64/100 CTVS. (P 728,675.64)** is the lowest calculated and responsive bid and is therefore hereby awarded the contract for the said project as per Resolution No. **N008; S-2021** issued by the QCBAC Infra & Consultancy on DEC 31 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 FEB 04 2022, Quezon City, Metro Manila.


MA. JOSEFINA G. BELMONTE
City Mayor 

CONFORME


ARMANDO R. DELA CRUZ
Signature Over Printed Name

President
Official Designation

Feb. 8, 2022
Date

Company TIN



NOTICE TO PROCEED

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

A. DELA CRUZ BUILDERS, INC.

Contractor

12 E. Ramos Street, Krus Na Ligas, Diliman, Quezon City

Address of Contractor

**PROPOSED REHABILITATION OF RECEPTION AREA AT
VARIOUS HEALTH CENTER (DISTRICT 2 - CLUSTER 2)**

21-072N

Name of Project

BARANGAY COMMONWEALTH & HOLY SPIRIT, DISTRICT 2

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 **FEB 22 2022** and to expire on **MAR 24 2022**. A guideline is attached for the proper implementation of the project.

MA. JOSEFINA G. BELMONTE

City Mayor

Head of the Procuring Entity

Received by:

Signature Over Printed Name

Date: Feb. 18, 2022