

CONTRACT AGREEMENT

THIS AGREEMENT, made this 5th day of August, 2022 between **THE PROVINCIAL GOVERNMENT OF DAVAO DEL SUR** with address at Capitol, Barangay Matti, Digos City, Davao del Sur (hereinafter called the "Entity") and **PASTCAR CONSTRUCTION & SUPPLY CO** with address at Jota Manilena Street, Near Poly Subdivision and Lanzona, Matina Aplaya, Talomo, Davao City (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute **CONCRETING OF FMR W/ INSTALLATION OF BOX CULVERT AT PUROK 3-B located at BALNATE, MAGSAYSAY, DAVAO DEL SUR** under IB No. C-069-22 (hereinafter called "the Works") and the Entity has accepted the Bid for **NINE MILLION NINE HUNDRED NINETY- FOUR THOUSAND THREE HUNDRED SEVENTY-TWO PESOS AND 12/100 (P9,994,372.12)** 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 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 part of this Agreement, viz.:
 - a. Philippine Bidding Documents (PBDs);
 - i. Drawings/Plans;
 - ii. Specifications;
 - iii. Bill of Quantities;
 - iv. General and Special Conditions of Contract;
 - v. Supplemental or Bid Bulletins, if any;
 - b. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

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;

- c. Performance Security;
- d. Notice of Award of Contract and the Bidder's conforme thereto; and
- e. 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.

3. In consideration for the sum of **NINE MILLION NINE HUNDRED NINETY- FOUR THOUSAND THREE HUNDRED SEVENTY-TWO PESOS AND 12/100 (P9,994,372.12)** or such other sums as may be ascertained, **PASTCAR CONSTRUCTION & SUPPLY CO** agrees to execute **CONCRETING OF FMR W/ INSTALLATION OF BOX CULVERT AT PUROK 3-B** located at **BALNATE, MAGSAYSAY, DAVAO DEL SUR** in accordance with his/her/lits Bid.



4. The **PROVINCIAL GOVERNMENT OF DAVAO DEL SUR** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

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


YVONNE ROÑA CAGAS
Governor


ROMY E. SIBAY
Proprietor

for:

for:

THE PROVINCIAL GOVERNMENT OF
DAVAO DEL SUR

PASTCAR CONSTRUCTION &
SUPPLY CO

Acknowledgment

REPUBLIC OF THE PHILIPPINES)
Province of Davao Del Sur)
Matti, Digos City

BEFORE ME, this AUG 05 2022 in DIGOS CITY personally
appeared:


Name	Valid ID	Issued at	Issued on
ROMY E. SIBAY	PRC LICENSE 0101447		
YVONNE ROÑA CAGAS	TIN 462-993-018-000		

Who represented to me to be the same persons who executed the foregoing instrument consisting two (2) pages including this Acknowledgment, and who acknowledged to me that the same is their voluntary and free act and deed.

IN WITNESS WHEREOF, I set my hand and affix my notarial seal on the date and place above written.

Notary Public

Doc. No. 159 ;
Page No. 32 ;
Book No. 7 ;
Series of 2022 .


Notary Public
ATTY. JOSE CARLO C. PANCHIDO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2022
PTR NO. 3-402014-1-4-22, DIGOS CITY
TBP NO. 195849-1-4-22, TIN NO. 285-844-152
ROLL NO. 58866; MCLE NO. VI-0010956; 04-14-22



Republic of the Philippines
PROVINCE OF DAVAO DEL SUR
Barangay Matti, Digos City, Davao del Sur

OFFICE OF THE BIDS AND AWARDS COMMITTEE (BAC)
Infrastructure Projects

NOTICE TO PROCEED

August 8, 2022

PASTCAR CONSTRUCTION & SUPPLY CO

Jota Manila Street, Near Poly Subdivision and Lanzona, Matina Aplaya, Talomo
Davao City

Sir/Madam:

The attached Contract Agreement have been approved, notice is hereby given to **PASTCAR CONSTRUCTION & SUPPLY CO** for **ONE JOB ORDER FOR THE CONCRETING OF FMR W/ INSTALLATION OF BOX CULVERT AT PUROK 3-B located at BALNATE, MAGSAYSAY, DAVAO DEL SUR.** Work may proceed hereinafter within seven (7) calendar days from **August 5, 2022** (date of approval of the contract).

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 Provincial Government of Davao del Sur.

Very truly yours,


YVONNE RONA CAGAS
Governor

I acknowledge receipt of this notice on August 09, 2022
Name of Representative of the Bidder Dennis L. Manalac
Authorized Signature 



Republic of the Philippines
PROVINCE OF DAVAO DEL SUR
Barangay Matti, Digos City, Davao del Sur
Mobile No: 0948-768-5848; Website: www.davaodelsur.gov.ph
Email Add.: sbacdavaodelsur@gmail.com

OFFICE OF THE GOVERNOR
BIDS AND AWARDS COMMITTEE (BAC)

Resolution No. 031
Series of 2022

A RESOLUTION
RECOMMENDING TO THE HEAD OF THE PROCURING ENTITY, GOVERNOR YVONNE ROÑA CAGAS, TO DECLARE IB NO. C-093-22| PR NO. 093-22-S| ONE JOB ORDER FOR THE CONSTRUCTION OF DIVISION PRODUCTION STUDIO LOCATED AT SCHOOL DIVISION, NORTHERN PALIGUE, PADADA, DAVAO DEL SUR| ABC: P1,500,000.00| END USER: PROVINCIAL ENGINEER'S OFFICE, A FAILURE OF BIDDING FOR THE 1ST TIME AND TO REPOST FOR ITS COMPETITIVE BIDDING – SECOND OPENING.

Be it enacted by the BAC MEMBERS in meeting assembled:

WHEREAS, the Province of Davao del Sur advertised the Invitation to Bid (IB) of the herein requisition of the **PROVINCIAL ENGINEER'S OFFICE**, by posting at the PhilGEPS, Provincial Government of Davao del Sur Official Website, and in the conspicuous places at the premises of the Provincial Capitol Bulletin, Provincial Health Office Bulletin, and Department Works and Highways Bulletin, all of Digos City, Davao del Sur continuously for 7 days after:

- o IB No. C-093-22| PR No.093-22-S| One Job Order for the **CONSTRUCTION OF DIVISION PRODUCTION STUDIO** located at **SCHOOL DIVISION, NORTHERN PALIGUE, PADADA, DAVAO DEL SUR| ABC: P1,500,000.00 (Competitive Bidding – First Opening)**

WHEREAS, no bidder bought bidding documents for the abovementioned project;

WHEREFORE, on motion of BAC Member Milana, duly seconded by BAC Member Gella, it was –

RESOLVED, as it is hereby **RESOLVED**, to **RECOMMEND TO THE HEAD OF PROCURING ENTITY, GOVERNOR YVONNE ROÑA CAGAS, TO DECLARE IB NO. C-093-22| PR NO. 093-22-S| ONE JOB ORDER FOR THE CONSTRUCTION OF DIVISION PRODUCTION STUDIO** located at **SCHOOL DIVISION, NORTHERN PALIGUE, PADADA, DAVAO DEL SUR| ABC: P1,500,000.00| END USER: PROVINCIAL ENGINEER'S OFFICE, A FAILURE OF BIDDING FOR THE 1ST TIME AND TO REPOST FOR ITS COMPETITIVE BIDDING – SECOND OPENING.**

RESOLVED FINALLY, to furnish copies of this Resolution to all agencies concerned for their information and guidance;

UNANIMOUSLY APPROVED at the Ralota Hall, Governor Douglas Ralota Cagas Sports and Business Complex, Barangay Matti, Digos City, Province of Davao del Sur, this 12th day of July, 2022.

Prepared by:

MARK WAYNE C. APA, MBA
LAOO II

Member, BAC Secretariat (Infrastructure Projects)

BAC Resolution No. **031**, Series of 2022
Page 1 of 2



Republic of the Philippines
PROVINCE OF DAVAO DEL SUR
Barangay Matti, Digos City, Davao del Sur
Mobile No: 0948-768-5848; Website: www.davaodelsur.gov.ph
Email Add.: sbaccdavaodelsur@gmail.com

OFFICE OF THE GOVERNOR
BIDS AND AWARDS COMMITTEE (BAC)

I hereby certify to the correctness of above-mentioned resolution


Engr. SHIELA MAE ZAPANTA, MPA
Agricultural Technologist
Head, BAC Secretariat (Infrastructure Projects)

Attested by:


DOMINICK S. BUCOL JD
PGDH-Provincial Warden Office
BAC Member

(on leave)
RAUL R. FUECONCILLO, MagDev
PGDH-Office of the Provincial Agriculturist
BAC Member


Engr. ANGELIE R. GELLA
APGDH-PEO
BAC Member


Engr. RODERICK R. MILANA, REA
PGDH-PASSO
BAC Member


ALLAN C. PUTONG
PGDH-PGSO
BAC Member


RAUL D. RAUT, EnP, JD
PGDH-PHRMO
BAC Vice Chairperson


DESSAMIE BUAT-SANCHEZ, CPA, JD
PGDH – Provincial Budget Office
BAC Chairperson – Presiding Officer

Approved by:

YVONNE ROÑA CAGAS
Governor
Head of Procuring Entity


BY AUTHORITY OF THE GOVERNOR
YVONNE ROÑA CAGAS
PGDH-PHRMO



Republic of the Philippines
PROVINCE OF DAVAO DEL SUR
Barangay Matti, Digos City
Email: sbacdavaodelsur@gmail.com
Contact No. +63 948 768 54848

OFFICE OF THE BIDS AND AWARDS COMMITTEE (BAC)

Infrastructure Projects

NOTICE OF AWARD

July 14, 2022

PASTCAR CONSTRUCTION & SUPPLY CO

Matina Aplaya, Talomo
Davao City

Sir/Madam:

We are pleased to notify you that the **One Job Order for the CONCRETING OF FMR W/ INSTALLATION OF BOX CULVERT AT PUROK 3-B located at BALNATE, MAGSAYSAY, DAVAO DEL SUR** is hereby awarded to you as a bidder with **LOWEST CALCULATED AND RESPONSIVE BID** at a Contract Price equivalent to **NINE MILLION NINE HUNDRED NINETY FOUR THOUSAND THREE HUNDRED SEVENTY TWO PESOS AND 12/100 (P9,994,372.12)**.

You are therefore required, within ten (10) calendar days from the receipt of this Notice of Award, to formally enter into contract with us, conditioned on the submission of the following:


- 1.) Performance Security in any form and amount herein stipulated [Cash, Cashier's check, Manager's check, Bank guarantee/draft or Irrevocable Letter of Credit (10%), Surety Bond (30%), Foreign government guarantee (100%)], or Performance Securing Declaration using the prescribed form herein attached;
- 2.) Contractors Construction Safety and Health Program Approved by the Department of Labor and Employment (DOLE); and
- 3.) Contractor's All Risk Insurance (CARI)

Kindly bring one (1) envelop and photocopy the above-mentioned documents in three (3) sets for filing/submission purposes of SBAC Office to the Commission on Audit and End-User.

Failure to provide/submit the above-mentioned requirements shall constitute a sufficient ground for cancellation of this award and forfeiture of your Bid Security.

Very truly yours,


YVONNE RONA CAGAS
Governor

Conforme: 
Dennis S. Marilag
Date: July 22, 22
cc: PEO, DAVAO DEL SUR