



NOTICE TO PROCEED

20 September 2023

ENGR. JEREMY B. DARCIO

General Manager

LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE

Acop, Tublay, Benguet

09988192828

Dear Engr. Darcio,

Warm greetings from the Department of Social Welfare and Development – Cordillera Administrative Region (DSWD-CAR)!

The attached Contract Agreement having been approved, notice is hereby given to **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** that work may commence on the **Rehabilitation of the Regional Rehabilitation Center for the Youth (RRCY) Complex** under **ITB 2023-DSWD-CAR-23**, five (5) days after receipt of this Notice.

Upon receipt of this notice, you shall be responsible in 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 (1) copy and return the remaining copies to this Office.

Thank you.

Very truly yours,



LEO L. QUINTILLA

Regional Director

Conforme:  **ENGR. JEREMY B. DARCIO**

Date : SEPTEMBER 26, 2023

LLQ/EHGJr/MMAWA/love/lyps



CONTRACT AGREEMENT

THIS AGREEMENT made on the 26th day of **September 2023** between **Department of Social Welfare and Development – Cordillera Administrative Region** represented by **DIR. LEO L. QUINTILLA**, Regional Director with office address at 40 North Drive, Baguio City, Philippines (hereinafter called “the Entity”) of the one part and **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** represented by **ENGR. JEREMY B. DARICIO**, **General Manager** with office address at Acop, Tublay, Benguet (hereinafter called “the Contractor”) of the other part;

WHEREAS, the Entity is desirous that the contractor execute **Rehabilitation of the Regional Rehabilitation Center for the Youth (RRCY) Complex** under ITB No: **ITB 2023-DSWD-CAR-23** and has accepted a Bid by the Contractor with contract amount of **Fifteen Million Four Hundred Fifty Nine Thousand Seven Hundred Pesos and Sixty One Centavos (PhP 15, 459, 700.61)** (hereinafter called “the Contract Price”), for the execution and completion of such Works and 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);
 - i. Drawings /Plans;
 - ii. Specifications;
 - iii. Bill of Quantities
 - iv. General and Special Conditions of Contract
 - v. Supplemental or Bid Bulletins, if any
 - vi. Bid Data Sheet
- ii. 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;

- 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.

- 3. In consideration for the sum of **Fifteen Million Four Hundred Fifty Nine Thousand Seven Hundred Pesos and Sixty One Centavos (PhP 15, 459, 700.61)** for such other sums as may be ascertained, **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** agrees to provide the goods and services for the **Rehabilitation of the Regional Rehabilitation Center for the Youth (RRCY) Complex** under **ITB 2023-DSWD-CAR-23** in accordance with his/her/its Bid.
- 4. The **Department of Social Welfare and Development – 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 on the day and year first above written.


DIR. LEO L. QUINTILLA
Regional Director


ENGR. JEREMY B. DARCIO

for:

for:

Department of Social Welfare and Development – Cordillera Administrative Region

LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE

Signed in the presence of


ROJHELEA AN MARIE S. CLAUR
SWO IV / Regional Centers Coordinator

CERTIFIED FUNDS AVAILABLE:


WILBOURN B. BACOLONG

Accountant III

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ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
(LA TRINIDAD, BENGUET)


BEFORE ME, a Notary Public for in LA TRINIDAD, BENGUET Philippines,
personally appeared this SEP 26 2023 day of September 2023.

Name	Community Tax Cert. No./ID No.	Date/Place Issued
<u>DIR. LEO L. QUINTILLA</u>	<u>FO3-86-028457</u>	<u>Iloilo City/01/25/2022</u>
<u>ENGR. JEREMY B. DARICIO</u>	<u>PRC # 0099485</u>	<u>06/03/2004</u>

Known to me to be the same persons, who executed the foregoing instruments and acknowledged that the same is free and voluntary act and deed.

This document refers to the Contract of Services consisting of three (3) pages including this page signed by the parties and witnesses.

IN WITNESS WHEREOF, I have hereunto set my hands and affixed my notarial seal at the place and date above written.


REY JOHN L. LODIAS
Notary Public
NC No. 22F-NC-0558 / until December 31, 2023
PTR No. 20224 / 01-04-2023
IGP Receipt No. 266829, 01-04-2023 / Baguio-Benguet
Roll No. 75186; July 22, 2020, Manila
Page No. 238; Book No. XXXII / 07-22-2020
Km. 5 Pico, La Trinidad, Benguet

Doc. No.: 435
Page No.: 28
Book No.: 109
Series of: 2023





NOTICE OF AWARD

08 September 2023

ENGR. JEREMY B. DARCIO

President

LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE

Acop, Tublay, Benguet

09988192828

Dear Engr. Darcio,

Warm greetings from the Department of Social Welfare and Development – Cordillera Administrative Region (DSWD-CAR)!

We are happy to inform that your bid/proposal received and opened on **22 August 2023** for the project, **Rehabilitation for the Regional Rehabilitation Center for the Youth (RRCY) Complex** under ITB No. **2023-DSWD-CAR-23** as corrected and modified is hereby accepted, as follows:

Quantity	Description	Contract Amount
1 Lot	Rehabilitation for the Regional Rehabilitation Center for the Youth (RRCY) Complex	PhP 15, 459, 700.61
	Fifteen Million Four Hundred Fifty Nine Thousand Seven Hundred Pesos and Sixty One Centavos only	

You are hereby required to provide within ten (10) calendar days from receipt of this notice to post the performance security in the form of cash, managers check or cashier's check or bank guarantee issued by a Universal or Commercial Bank in the amount of Ten (10%) percent or Surety Bond issued by a surety or insurance company duly certified by insurance commission as authorized to issue such security amounting to Thirty Percent (30%) of the total contract price.

Likewise, you are also required to submit Construction Schedule and S-curve, Manpower Schedule, Construction Methods, Equipment Utilization Schedule, Construction Safety and Health Program approved by DOLE within ten (10) calendar days from receipt of this notice which shall form part of the contract.

Failure to provide the performance security and the required documents shall constitute sufficient ground for cancellation of the award and forfeiture of the bid security.

Thank you.

Very truly yours,

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LEO L. QUINTILLA
Regional Director

Conforme: ENEN. JENNY B. DANCIO

Date : SEPTEMBER 18 2023

**BIDS AND AWARDS COMMITTEE (BAC)
BAC RESOLUTION DECLARING LOWEST CALCULATED RESPONSIVE BID AND
RECOMMENDING AWARD**

— ITB 2023-DSWD-CAR-23 —

Resolution No. 2023-09-1056

PR No: 2023-07-532

WHEREAS, the Department of Social Welfare and Development - Cordillera Administrative Region (DSWD-CAR) through the Regional Rehabilitation Center for the Youth (RRCY) planned for the Procurement of the project, **Rehabilitation of the Regional Rehabilitation Center for the Youth (RRCY) Complex** an Approved Budget for the Contract (ABC) amounting **Sixteen Million Five Hundred Thousand Pesos (PhP 16, 500, 000.00)**;

WHEREAS, in consonance with the Republic Act 9184 and its Implementing Rules and Regulations, a Project Procurement Management Plan (PPMP) for the project was incorporated in CY2023 Annual Procurement Plan (APP) of the Field Office adopting Public Bidding as mode of Procurement;

WHEREAS, the Bids and Awards Committee (BAC) through the BAC Secretariat advertised the Invitation to Bid from **03 August 2023 to 01:00PM (PST) 22 August 2023** at DSWD-CAR website, Philippine Government Electronic Procurement System (PhilGEPS) and posted at DSWD-CAR Bulletin Board located at the main entrance of the Field Office;

WHEREAS, in reference to BAC Resolution No. 2023-08-953 the bid of **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** the Lowest Bid as Calculated was declared **responsive** while the lowest bid of **AC CHI CONSTRUCTION SERVICES** and **JNMR GENERAL CONSTRUCTION** were declared not responsive due to the findings of the Technical Working Group as to its technical and financial components of the bid. **ANAS CONSTRUCTION's** bid on the other hand was found to be above the approved budget for the contract and was also found not responsive;

WHEREAS, during the presentation of the detailed bid evaluation **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** was recommended by the BAC-Technical Working Group for the conduct of post qualification. Likewise, the three (3) bidders were notified regarding the result of the detailed bid evaluation and were given three (3) calendar days to file their motion for reconsideration considering that they were the lowest bid as read and as calculated;

WHEREAS, on 29 August 2023, the BAC-TWG proceeded with the post qualification of the bidder, **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** whilst, **ANAS CONSTRUCTION, AC CHI CONSTRUCTION SERVICES** and **JNMR GENERAL CONSTRUCTION** were also notified regarding the result of the bid evaluation through email and were informed via phone call on 30 August 2023;

WHEREAS, on 30 August 2023, the BAC received a motion for reconsideration from **JNMR GENERAL CONSTRUCTION** and was presented on 31 August 2023;

WHEREAS, on 31 August 2023, the motion for reconsideration from **JNMR GENERAL CONSTRUCTION** was presented to the Bids and Awards Committee for deliberation and the following were the discussion and agreements of the BAC:

1. The bidder acknowledged the correction to the bid amount as calculated;
2. The bidder affirmed that they failed to attach the Notice to Proceed to support their Statement of All Ongoing Government and Private Contracts since their NTP was not yet issued by the Procuring Entity. Per deliberation by the Bids and Awards Committee, the reason is acceptable considering the date of issuance of award;
3. The bidder indicated in their motion that they are willing to add more key personnel, willing to present a certificate reinforcing steel works, willing to present biodata of foreman and willing to present relevant experience of electrician, carpenter, mason, tile setter, steel man and welder to comply with the required 24 months. The BAC deliberated that this cannot be accepted in

accordance with Section 55.1, that no additional documents cannot be accepted by the Bids and Awards Committee; and

4. With the above, the Bids and Awards Committee unanimously decided to **deny** the motion for reconsideration;

WHEREAS, on the same day, a post-qualification report was presented by the Technical Working Group with the following result:

- The technical and financial documents were found valid, updated and authentic;
- Latest Income and Business Tax Returns filed and paid through the BIR Electronic Filing and Payment System (eFPS) and has submitted to the BAC-TWG a copy covering the last six (6) months;
- The Technical Working Group also required the bidder to submit their contingency plan and based on the Contingency Plan, the following were the strategies to be employed by the bidder in cases that the award will be given to them:
 1. **Materials/Supplies Deliveries** - the Management would ensure that the materials canvassed to several suppliers two to three weeks earlier before the targeted delivery and installation date. Materials should be duly approved by the procuring entity. Target suppliers are: SEJ Hardware, Mommy A's, Colorsteel, Furukawa, TG Home Builders, RPB I-Beams Enterprises. Manila based partners are: Mayon Electrical Supplies and Auxillary, Daily Hardware Manila);
 2. **Manpower** - the management of Lincee General Construction and General Merchandise is committed to ensure that all sites have proper workforce re-scheduling. Moreover, the company has several workers employed from various procurement activities previously employed and deployed to multiple sites. Site engineers make sure to balance the number of skilled laborers and laborers as well.
 3. **Equipment** - Available owned equipment, partnered equipment suppliers (Lampitok Power Tools, Glotoc), Purchase Agreements ready for delivery upon release of Notice of Award; Lease of Equipment to other partners. As to replacement in cases of damaged tools and equipment, the company equipment was covered with warranty and after sales services. On site workers are also equipped/trained to do repairs.
 4. **Financial Resource** - Operating fund is allocated for each project. Mobilization and progressive billing per project accomplishment. The company has established good financial records on its bank accounts (China Bank, May Bank, Land bank). With several offers such as working capital and other operations source.
- The said bidder has ongoing contract with the Department particularly in the Construction of RSCC Building, in which, according to the Buildings and Ground Management Section Head, is on track and has met the required workmanship and timeline for the project;
- Overall Evaluation: **Responsive**

WHEREAS, on 31 August 2023, the BAC deliberated the result of Post-Qualification and found merit to the findings of the TWG however, the BAC did not decide to award the contract to **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** considering that there is a pending motion for reconsideration that the two (2) other bidders may file and was due until 02 September 2023;

WHEREAS, on 02 September 2023 was the deadline for the filing of motion for reconsideration of **AC CHI CONSTRUCTION SERVICES** and **ANAS CONSTRUCTION** but the email sent by the BAC Secretariat was not acknowledged by the said bidder. Considering that the BAC Secretariat already informed them via phone call but no acknowledgment and motion for reconsideration was made by the bidders, the BAC deemed that the said bidder acknowledged the findings of the BAC-TWG;

WHEREAS, on 05 September 2023, the Bids and Awards Committee convened to deliberate the outcome of the bidding activity and considering that **ANAS CONSTRUCTION** and **AC CHI CONSTRUCTION SERVICES** did not file its motion for reconsideration and **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** was found responsive by the Technical Working Group, the Bids and Awards Committee still did not award the contract and required the submission of the bidder of its S-Curve, manpower schedule, availability of key personnel and equipment schedule;

WHEREAS, on 07 September 2023, the bidder had submitted the additional documents required by the Bids and Awards Committee and upon assessment by the BAC-TWG, the said bidder was found to be responsive. Thus, the BAC unanimously decided to concur the recommendation of the BAC-TWG and recommended that the contract be awarded to **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE**, the lowest calculated and responsive bidder;

NOW, THEREFORE, we, members of the Bids and Awards Committee, hereby RESOLVE as it is hereby RESOLVED to:

- Declare the bid of **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** as the **Lowest Calculated and Responsive Bid (LCRB)**;
- Recommend the award of contract to **LINCEE GENERAL CONSTRUCTION AND GENERAL MERCHANDISE** with the contract cost amounting to Fifteen Million Four Hundred Fifty-Nine Thousand Seven Hundred Pesos and Sixty One Centavos (PhP 15, 459, 700.61).
- For approval of the HOPE;


Resolved at DSWD-CAR, Baguio City, Philippines this **7th day of September 2023**.

BIDS AND AWARDS COMMITTEE


CARMENCITA L. CHALUYEN
SWO III / RRCY
Provisional Member (End user)


AR. JIMMY MAYORES
Architect II / BGMS
Provisional Member (Technical Expert)


JESSIE F. CHELIM
AO V / AD-PSS
Alternate Regular Member


ENGR. ENRIQUE H. GASCON JR.
Director III / OARDA
Chairperson

Approved

Disapproved


LEO L. QUINTILLA
Regional Director
(per Special Order No. 3051, Series of 2022)
Authorized Representative/Head of the Procuring Entity

MMAWA/lovdy 