



Republic of the Philippines  
**DEPARTMENT OF AGRICULTURE**  
Regional Field Office No. XII  
Prime Regional Government Center  
Carpenter Hill, Koronadal City, South Cotabato  
Bids and Awards Committee Office - Telefax No. (083) 228-3411

**BAC Resolution No. 2020-14-17**  
**Topic 12 2020**  
**Series of 2020**

**RESOLUTION RECOMMENDING THE AWARD OF THE CONTRACT FOR THE CONSTRUCTION OF DA-12 PERIMETER FENCE WITH A BID PRICE OF THREE MILLION FIVE HUNDRED NINE THOUSAND SEVEN HUNDRED SEVENTY-TWO PESOS AND 20/100 (PHP3,509,772.20)**

**Whereas**, a public bidding was conducted on June 2, 2020 9:00 o'clock in the morning at DA XII Conference Room, Koronadal City, South Cotabato. It was presided by the BAC Vice-Chairman.

**Whereas**, there were twelve (12) bidders who participated and applied for eligibility check for the **Construction of DA-12 Perimeter Fence** under **ITB Reference No. 6991120** with an Approved Budget for the Contract (ABC) of **Four Million Six Hundred Eighty-Eight Thousand Sixty Pesos and 03/100 (Php4,688,060.03)**, i.e.;

<b>NAME OF BIDDERS</b>	<b>BID AMOUNT (Submitted)</b>	<b>BID AMOUNT (Calculated)</b>	<b>RANK</b>
<b>Everton General Construction &amp; Development Co.</b>	<b>Php3,509,782.97</b>	<b>Php3,509,772.20</b>	<b>LCB/Rank 1</b>
C.A. Betalac Construction & Gen. Mdse. Inc.	Php3,733,781.49	Php3,733,799.05	Rank 2
FFJJ Construction	Php3,812,917.21	Php3,812,908.03	Rank 3
HVC Sagittarius Commercial and Construction	Php3,860,775.84	Php3,860,765.64	Rank 4
NN Martin Construction	Php3,936,423.41	Php3,936,414.90	Rank 5
Ground Hug Construction	Php3,979,910.02	Php3,979,895.59	Rank 6
Verguz Construction	Php3,986,249.79	Php3,986,248.20	Rank 7
RNS Construction	Php4,031,585.25	Php4,031,577.25	Rank 8
High Beam Construction	Php4,119,102.52	Php4,119,119.46	Rank 9
Minrock Multi-Builders	Php4,263,206.19	Php4,380,237.06	Rank 10
FPJ Construction & Supply	Php4,574,399.12	Php4,574,399.13	Rank 11
Masulot Construction	-	-	FAILED. Section 30.1. Incomplete or Patently Insufficient (Bid Form Paragraph K)

**Whereas**, after thorough deliberation of the Bids and Awards Committee (BAC) and the Technical Working Group (TWG), the bid submitted by **Everton General Construction & Development Co.** in the amount of **Three Million Five Hundred Nine Thousand Seven Hundred Seventy-Two Pesos and 20/100 (Php3,509,772.20)** met the minimum requirements and was determined as the **Lowest Calculated Bid**. Therefore, subjected for Post-Qualification;

— 4

h.



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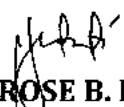
**Whereas**, per post-qualification evaluation of all submitted documents of **Everton General Construction & Development Co.**, it was determined that the latter was technically, legally and financially eligible and its bid was declared as the **Lowest Calculated Responsive Bid**;

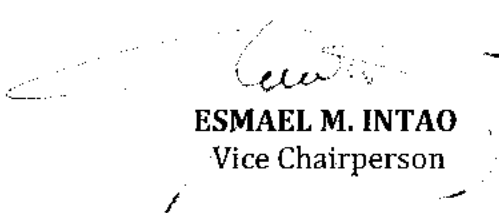
**Whereas**, Section 34.4 Rule X of RA 9184 states that *"If the BAC determines that the bidder with the Lowest Calculated Bid/Highest Rated Bid passes all criteria for post-qualification, it shall declare the said bid as the Lowest Calculated Responsive Bid/Highest Rated Responsive Bid, and recommend to the Head of the Procuring Entity the award of contract to the said bidder at its submitted bid price or its calculated bid price, whichever is lower..... xxx"*

**Whereas**, the bid amount submitted by **Everton General Construction & Development Co.** which is advantageous to the government is **Three Million Five Hundred Nine Thousand Seven Hundred Seventy-Two Pesos and 20/100 (Php3,509,772.20)**;

**Wherefore**, premises considered, it is hereby **RESOLVED** to recommend to the Head of the Procuring Entity (HoPE) that the **Construction of DA-12 Perimeter Fence** in the amount of **Three Million Five Hundred Nine Thousand Seven Hundred Seventy-Two Pesos and 20/100 (Php3,509,772.20)** which is the **Lowest Calculated Responsive Bid**, be awarded to **Everton General Construction & Development Co.**

RECOMMENDED BY THE BIDS AND AWARDS COMMITTEE

  
**ROMIROSE B. PADIN**  
Chairperson


  
**ESMAEL M. INTAO**  
Vice Chairperson

  
**ENGR. CAROLINA T. GAYAPA**  
Member

**ENGR. PETER PAUL S. PERALTA, EnP**  
Member

**ENGR. NORBERTO S. LEYSA**  
Member

Approved by the Head of the Procuring Entity:

  
**ARLAN M. MANGELEN**  
Regional Executive Director



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**BAC Resolution No. 2020-0128**  
**June 12 2020**  
**Series of 2020**

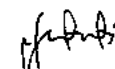
**RESOLUTION DECLARING THE WINNING BIDDER FOR THE CONSTRUCTION OF DA-12 PERIMETER FENCE WITH A BID PRICE OF THREE MILLION FIVE HUNDRED NINE THOUSAND SEVEN HUNDRED SEVENTY-TWO PESOS AND 20/100 (Php3,509,772.20).**

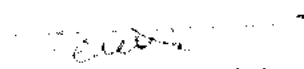
Whereas, in the public bidding conducted on June 2, 2020, 9:00 o'clock in the morning at DA XII Conference Room, Koronadal City, South Cotabato, **Everton General Construction and Development Co.** submitted the **Lowest Calculated Responsive Bid** for the **Construction of DA-12 Perimeter Fence** in the amount of **Three Million Five Hundred Nine Thousand Seven Hundred Seventy-Two Pesos and 20/100 (Php3,509,772.20)**;

Whereas, per Resolution No. 2020-0128 dated June 12, 2020, it was recommended by the Bids and Awards Committee (BAC) and was approved by the Head of the Procuring Entity (HoPE) that the above-mentioned project in the amount of **Three Million Five Hundred Nine Thousand Seven Hundred Seventy-Two Pesos and 20/100 (Php3,509,772.20)** be awarded to **Everton General Construction and Development Co.** being the bidder with the **Lowest Calculated Responsive Bid**;

Wherefore, premises considered, it is hereby **RESOLVED** to declare that **Everton General Construction and Development Co.** is the winning bidder for the **Construction of DA-12 Perimeter Fence** in the amount of **Three Million Five Hundred Nine Thousand Seven Hundred Seventy-Two Pesos and 20/100 (Php3,509,772.20)**. Hence, a Notice of Award shall be served.

**DECLARED BY THE BIDS AND AWARDS COMMITTEE**

  
**ROMIROSE B. PADIN**  
Chairperson

  
**ESMAEL M. INTAO**  
Vice Chairperson

  
**ENGR. CAROLINA T. GAYAPA**  
Member

  
**ENGR. PETER PAUL S. PERALTA, EnP**  
Member

**ENGR. NORBERTO S. LEYSA**  
Member

Approved by the Head of the Procuring Entity:

  
**ARLAN M. MANGELEN**  
Regional Executive Director



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**ITB Reference No. 6991120**  
**Contract No. 2020-0349**

## CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

JUL 14 2020

This contract is made and entered this \_\_\_\_\_ day of \_\_\_\_\_ by and between:

The **DEPARTMENT OF AGRICULTURE, REGIONAL FIELD OFFICE XII**, with address at Regional Government Center, Brgy. Carpenter Hill, Koronadal City, South Cotabato represented herein by, **ARLAN M. MANGELEN, Regional Executive Director**, hereinafter referred to as the **First Party**;

-AND-

**EVERTON GENERAL CONSTRUCTION AND DEVELOPMENT CO.**, with principal address at Block 20, Lot 12, Phase 3, Decahomes Subdivision, Tugbok, Davao City represented by its Authorized Managing Officer, **ELMA E. ABELLA**, hereinafter referred to as the **Second Party**;

### WITNESSETH:

Whereas, the **First Party** has a procurement of **Construction of DA-12 Perimeter Fence** with an **Approved Budget for the Contract (ABC) of Four Million Six Hundred Eighty-Eight Thousand Sixty Pesos and 03/100 (Php4,688,060.03)**.

Whereas, a public bidding was conducted on June 2, 2020 with twelve (12) participating bidders in which **Everton General Construction and Development Co.** won in the bidding and was awarded the **Construction of DA-12 Perimeter Fence** in the amount of **Three Million Five Hundred Nine Thousand Seven Hundred Seventy-Two Pesos and 20/100 (Php3,509,772.20)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** in the amount of **Three Million Five Hundred Nine Thousand Seven Hundred Seventy-Two Pesos and 20/100 (Php3,509,772.20)** which shall be completely constructed within **120 calendar days** at **Regional Center, Carpenter Hill, Koronadal City, South Cotabato** upon receipt of the Notice to Proceed with the following specifications, to wit:

#### Project Description:

- Perimeter Fencing of 185.63 meters: Length (L) = 185.63; Height (H) = 2.0m (0.5m High CHB wall & 1.5m High Square Tubular Steel Wall with Fabricated DA Logo), Seven (7) unit Steel Gate with Fabricated DA Logo & 60 sets of 60-watt Integrated Solar Street Light with plastic housing

**NOW THEREFORE**, for and in consideration of the following premises, the parties hereto agreed 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 shall be attached, deemed to form, and be read and construed as integral part of this Agreement, viz:
  - a) General and Special Conditions of Contract;
  - b) Drawings/Plans;
  - c) Invitation to Bid;



- d) Instructions to Bidders;
  - e) Bid Data Sheet;
  - f) Addenda and/or Supplemental/Bid Bulletins, if any;
  - g) 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;
  - h) Eligibility requirements, documents and/or statements;
  - i) Performance Security;
  - j) Notice of Award of Contract and the Bidder's conforme thereto; and
  - k) Other contract documents that may be required by existing laws and/or Entity.
3. In consideration of the payments to be made by the **First Party**, the **Second Party** hereby covenants/agrees with the Department of Agriculture to construct and complete the works in conformity with all aspects with the provisions of this contract;
  4. The **First Party** hereby covenants to pay the 15% mobilization fee of the total cost of the project to the **Second Party** as advance payment, upon compliance of the following:
    - a. Letter request for 15% advance payment;
    - b. Standby irrevocable letter of credit/security bond/bank guarantee which corresponds to the amount of the 15% mobilization fee;
    - c. Installation of project billboard;
    - d. Construction of bunkhouse; and
    - e. Mobilization of initial equipment and personnel.
  5. The **Second Party** shall strictly observe the one (1) year warranty to reckon from the completion of the project up to final acceptance for the necessary repairs, maintenance and services and such other obligations as provided under Section 62 of the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184;
  6. The obligation for the warranty shall be covered by retention money, in an amount equivalent to ten (10%) percent of the total contract price, or a bank guarantee in a form of an irrevocable stand-by letter of credit. Said amount shall be released after the lapse of the warranty period;
  7. In case the **Second Party** incurs delay in its performance, as stipulated herein, Rule XXII, Section 68 of the 2016 revised IRR of RA 9184 shall be applied, which partly states, "*xxx. The amount of the liquidated damages shall be at least equal to one-tenth of one percent (0.001) of the cost of the unperformed portion for every day of delay. xxx*";
  8. 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 the defects therein in conformity with the provisions of this Contract in all respects;
  9. Other provisions of RA 9184 and its IRR not stipulated in this contract are deemed applicable; and

performed



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10. This Agreement shall be valid and binding upon approval of both parties.

**IN WITNESS WHEREOF**, the parties hereto set their respective signatures on the day written above.

**Department of Agriculture - RFO XII**

**Everton General Construction and Development Co.**

By:

By:

*[Signature]*  
**ARLAN M. MANGELEN**  
 Regional Executive Director

*[Signature]*  
**ELMA E. ABELLA**  
 Authorized Managing Officer

Reviewed and Witnessed by:

*[Signature]*  
**SARINTE S. BERNARDO**

*[Signature]*  
**REGIE B. BERNARD**

OK as to Allocation of Funds:

*[Signature]*  
**RUBYLYN J. CARDENAS**  
 Administrative Assistant III  
 OIC - Regional Budget Officer

Availability of Funds:

*[Signature]*  
**MAY-ANN G. DALENGGA**  
 Accountant II  
 OIC - Regional Accountant

**ACKNOWLEDGMENT**

REPUBLIC OF THE PHILIPPINES)  
 CITY OF KORONADAL ) SS  
 x-----x

Before me, a Notary Public for Koronadal City this \_\_\_\_\_ of \_\_\_\_\_ 2020, personally appeared the following persons:

- | NAME                 | PROOF OF IDENTITY                            |
|----------------------|--|
| 1. ARLAN M. MANGELEN | <i>[Handwritten: PDL No. M01-9d-002 vfd]</i> |
| 2. ELMA E. ABELLA    | <i>[Handwritten: SSS No. 0009-1949198-8]</i> |

Known to me to be the same persons who executed the foregoing instrument and acknowledged that the same is their voluntary acts and deeds.

This instrument consists of three (3) pages including this page in which this acknowledgement is written, and signed by the parties and their witnesses on each and every page.

WITNESS MY HAND AND SEAL.

Doc No. : 766  
 Page No. : 70  
 Book No. : XXXX  
 Series of : 2020

**JOFFREY L. MONTEFIO**  
 Notary Public  
 Koronadal City, Davao Region, Province of South Cotabato  
 Rooms 2 & 3, 2/F, Supermarket Bldg, Koronadal City  
 PTH No. 2243381; M-2-2620; Koronadal City  
 IBP No. 096781/11-26-14 BSC  
 Roll Number 24227; TIN: 194-850-362  
 Notarial Commission No. 482-43  
 Valid Until December 31, 2021



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## NOTICE TO PROCEED

**ELMA E. ABELLA**

Authorize Managing Officer

**EVERTON GENERAL CONSTRUCTION AND DEVELOPMENT CO.**

Block 20, Lot 12, Phase 3, Decahomes Subd.

Tugbok, Davao City

Dear Ms. Abella,

Having entered into a contract with the Department of Agriculture RFO XII, Koronadal City, you are hereby authorized to proceed with the **Construction of DA-12 Perimeter Fence** in the amount **Three Million Five Hundred Nine Thousand Seven Hundred Seventy-Two Pesos and 20/100 (Php3,509,772.20)** with **ITB reference No. 6991120** subject to the terms and conditions of the contract agreement specifically the provision on "LIQUIDATED DAMAGES" (LD) as stipulated under RA No. 9184 with the following specifications:

### **Project Description:**


- Perimeter Fencing of 185.63 meters: Length (L) = 185.63; Height (H) = 2.0m (0.5m High CHB wall & 1.5m High Square Tubular Steel Wall with Fabricated DA Logo), Seven (7) unit Steel Gate with Fabricated DA Logo & 60 sets of 60-watt Integrated Solar Street Light with plastic housing

**Project duration:** 120 calendar days

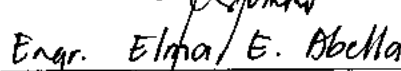
**Project Site:** Regional Center, Carpenter Hill, Koronadal City, South Cotabato

Done this \_\_\_\_ day of \_\_\_\_\_ 2020 at Koronadal City, Philippines.

Very truly yours,

  
**ARLAN M. MANGELEN**  
Regional Executive Director

Acknowledged Receipt:

  
Engr. Elma E. Abella

Signature over Printed Name

Date 7/23 - 2020