



BAC RESOLUTION AND RECOMMENDING APPROVAL
RESOLUTION NO. 2020-120

WHEREAS, the Biodiversity Management Bureau (BMB) posted an Invitation to Bid for the bidding of the ***"Rehabilitation/Improvement of Wildlife Rescue Center Including Water and Sewage System" (Partial)*** in the Philippine Government Electronic Procurement System (Phil-GEPS), BMB Website and Bulletin Board with an Approved Budget for the Contract of ***Php3,300,000.00***,

WHEREAS, in the opening of bids conducted last November 16, 2020, only one (1) bidder (***E.P. DE GUZMAN CONSULTING ENGINEER CONTRACTOR***) submitted a bid proposal;

WHEREAS, after eligibility screening, ***E.P. DE GUZMAN CONSULTING ENGINEER CONTRACTOR*** submitted the complete required technical and financial documents;

WHEREAS, after a careful review and evaluation of the bid proposal and post-qualification procedure by the Technical Working Group, the BAC-TWG determined that all documents are valid and in order;

WHEREAS, during the post-qualification review performed by the BAC-TWG, ***E.P. DE GUZMAN CONSULTING ENGINEER*** was able to provide all original legal and technical documents;


WHEREAS, the BAC-TWG recommended to award the contract to ***E.P. DE GUZMAN CONSULTING ENGINEER CONTRACTOR*** being the Single Calculated and Responsive Bidder;

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

1. To declare the bid of ***E.P. DE GUZMAN CONSULTING ENGINEER CONTRACTOR***, as the Single Calculated and Responsive Bidder for the above mentioned requirement with a contract amount of ***P3,283,856.48***; and
2. To recommend the foregoing findings for approval by the Director of the Biodiversity Management Bureau.

RESOLVED, this 27th day of November 2020.


GLENN S. MAGUAD
Provisional Member, BAC
(End-user)


NANCY R. CORPUZ
Member, BAC



ATTY. THERESA M. TENAZAS
Member, BAC


MERIDEN E. MARANAN
Member, BAC


ARMIDA P. ANDRES
Vice-Chairperson, BAC


AMELITA D. ORTIZ
Assistant Director
Chairperson, BAC

Approved/Dissapproved :


RICARDO L. CALDERON, CESO III
OIC, Assistant Secretary for Climate Change and
Director, in concurrent capacity





NOTICE OF AWARD

Mr. Eduardo P. De Guzman
General Manager
E.P. De Guzman Consulting Engineer Contractor
250 McArthur Street, Veterans Village
Brgy. Pasong Tamo, Quezon City

Dear **Mr. De Guzman**:

This has reference to your letter of intent and bid proposal for the bidding of
"Rehabilitation/Improvement of Wildlife Rescue Center Including Water and Sewage
System (Partial)" with a contract amount of P3,283,856.48.

We are pleased to inform you that you **E.P. DE GUZMAN CONSULTING ENGINEER
CONTRACTOR** was declared the Single Calculated and Responsive Bidder.

In view thereof, you are hereby required to sign the Contract with BMB within ten
(10) calendar days upon receipt of this Notice. You are also reminded to post a
performance security in accordance with Section 39 of the 2016 Revised IRR of RA
9184.

Very truly yours,

RICARDO L. CALDERON, CESO III
OIC, Assistant Secretary for Climate Change and
Director, in concurrent capacity

Conforme:


EDUARDO P. DE GUZMAN

Date : 12-29-2020

CONTRACT
No. 2020-030

KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT made and executed this 29 DEC 2020 in Quezon City by and between:

The **BIODIVERSITY MANAGEMENT BUREAU (BMB)**, a staff Bureau under the **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)**, with principal office at Quezon Avenue, Diliman, Quezon City represented by its Director, **RICARDO L. CADERON**, hereinafter referred to as the "**BMB**";

- and -

E.P. DE GUZMAN CONSULTING ENGINEER CONTRACTOR, with business address at 250 McArthur Street, Veterans Village, Brgy. Pasong Tamo, Quezon City represented by its General Manager, **EDUARDO P. DE GUZMAN**, Filipino, of legal age and with the same office address and herein referred to as the "**CONTRACTOR**".

WITNESSETH:

WHEREAS, BMB posted an Invitation to Bid for the "**Rehabilitation/Improvement of Wildlife Rescue Center Including Water and Sewage System (Partial)**" located at the Ninoy Aquino Parks and Wildlife Center, Quezon Avenue, Diliman, Quezon City with an Approved Budget for the Contract of **P3,300,000.00**;

WHEREAS, the BMB posted the requirement in the Philippine Government Electronic Procurement System (PhilGEPS), BMB Website and Bulletin Board;

WHEREAS, in the opening of bids conducted last November 16, 2020, only the **CONTRACTOR** submitted bid proposal;

WHEREAS, upon careful review and evaluation by the BAC-Technical Working Group, the proposal submitted by the **CONTRACTOR** was found to be the Single Calculated and Responsive Bidder per BAC Resolution No. 2020-120 dated 27 November 2020;

WHEREAS, the following documents shall be deemed to form and be read and construed as part of this agreement:

- a. Plans and Drawings
- b. Technical Specifications/Scope of Work
- c. Summary and Detailed Cost Estimate
- d. Certificate of Availability of Funds
- e. BAC Resolution
- f. Notice of Award
- g. Notice to Proceed

ARTICLE I – SCOPE OF WORK

The works in this agreement shall be the provision of labor and equipment for the project as follows:

1. Clearing and grubbing within the 1,200 square meters area- the open natural ground or base soil of the project site within 1,200 square meters area as shown in the attached plan (Annex B) shall be cleared completely and properly as directed. Likewise weeds and other unsightly/troublesome plants in the said

area/ground shall be totally and properly grubbed/removed as directed to prevent the said weeds and other unsightly or troublesome plants to grow again, ton include removal of all decaying leaves/branches/roots of trees, loose top soil and other objectionable matters prior to compaction. The objectionable matters shall be disposed of properly as directed. Clearing and grubbing shall be done carefully using appropriate materials, tools/equipment and labor to prevent disturbing/harming the animals and good trees in the Wildlife Rescue Center;

2. Grading and compacting the open natural ground- Right after the completion of the said clearing and grubbing works, the open natural ground or base soil of the project site shall be graded to a sloping grade (super elevation) that when it rains the area is not flooded, and thoroughly compacted immediately using appropriate materials, tools/equipment and labor as directed. Moreover, grading and compaction shall be done properly/carefully within the 1,200 square meters area only to prevent disturbing or harming the wildlife in the WRC;
3. Covering the open natural ground using gravels- Upon completing said grading and compaction works, the open natural ground or base soil of the project site shall be covered with $\frac{3}{4}$ -inch diameter crushed gravels. Aforesaid gravels shall be ordinary, however these shall be standard, clean, hard and durable (whitish) to improve the existing open natural ground of the project site within 1,200 square meters area. The minimum thickness of the gravel bed or covering shall be two (2) inches to be placed carefully and properly as directed;
4. Improvement of the viewing floor area and walkways/trails- All existing viewing floor area and walkways/trails within the 1,00 square meters area shall be rehabilitated/improved using appropriate materials like red cement, Portland cement, white washed sand, clean water, epoxy primer and epoxy paint for handrails, and other relevant materials of good quality as directed. The minimum thickness of red cement finishes for the viewing floor area and walkways/trails surfaces shall be one (1) inch or 2.54 cm. corduroy lined as directed. The red cement to be applied on the said surfaces shall last for a reasonable period of time without moss (lumot); and
5. Partial improvement of existing water and sewage system- the existing water and sewage system of WRC within the 1,200 square meters area shall be rehabilitated/improved partially using appropriate, materials, labor and tools/equipment as directed. The existing sewage canals shall be improved, to be provided with concrete covers as directed. The existing septic vault or septic tank shall be improved, also directed, using 3 chambers septic vault as shown in the septic vault design (Annex C) with a minimum total height of 1.80 meters. The exposed height of the said septic vault is 0.30 meter maximum above the existing ground level. The buried height of the same shall be 1.50 meters minimum, below the existing ground level. Sub-standard materials shall not be used. Laborers shall be skilled carefully. The quality of the work completed by the contractor shall be satisfactory and acceptable.

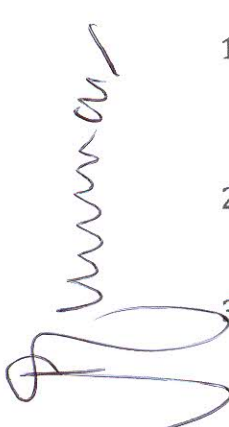
It is understood that all activities to be done as reflected above shall be strictly executed in accordance with the attached Technical Specifications and Scope of Work.

ARTICLE II – RESPONSIBILITIES OF BOTH PARTIES


RESPONSIBILITY OF THE BMB:

1. To pay the CONTRACTOR the sum of **THREE MILLION TWO HUNDRED EIGHTY THREE THOUSAND EIGHT HUNDRED FIFTY SIX PESOS AND FORTY-EIGHT CENTAVOS (Php3,283,856.48)** upon completion of the project duly supported by documents as required under the existing accounting and auditing rules and regulations. The CONTRACTOR may request for a 15% mobilization fee and the succeeding payment through progress billing.

RESPONSIBILITY OF THE CONTRACTOR :

- 
1. To undertake the job specified under Article I hereof in accordance with the attached Technical Specifications and Scope of Work and all other requirements and condition as herein set;
 2. To supply materials, laborers and equipment needed for the proper execution of the project; and
 3. To complete the project within Ninety (90) Working Days reckoned from the receipt of the copy of the Notice to Proceed (NTP).

ARTICLE III – EFFECTIVITY, LIQUIDATED DAMAGES, OTHERS

- 
1. This Contract shall take effect upon receipt of the copy of Notice to Proceed;
 2. In case the CONTRACTOR refuses or fails to satisfactorily deliver/complete the Project within the time specified herein, BMB shall deduct from the money due to the CONTRACTOR Liquidated Damages computed in accordance with the formula provided for under RA 9184 and its IRR. The BMB need not prove that it had suffered actual damages;
 2. The CONTRACTOR shall hold BMB free from any liability or damages that may be inflicted to third persons or to the former employees and members in connection with the project;
 4. The workers and crew of the CONTRACTOR shall be allowed to work at the jobsite for any number of hours on a day to day basis, if necessary to meet the deadline requirement provided that the CONTRACTOR shall pay them overtime pay and shall comply with labor laws and regulations in connection therewith;
 5. Any modifications to the stipulations hereof shall be done through written and signed agreement by both parties; and
 6. Applicable provisions of the Civil Code on obligations and contracts are hereby adopted as part of this contract.

This Contract is subject to the provisions of R.A. 9184 and its 2016 Revised Implementing Rules and Regulations.

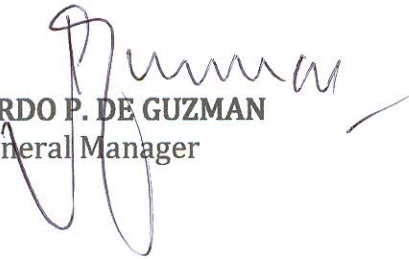
IN WITNESS WHEREOF, the parties hereto have caused their respective signature to be hereto affixed the day and year first above written

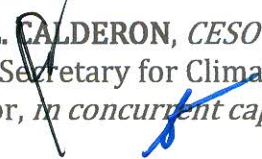
E.P. DE GUZMAN CONSULTING ENGINEER
CONTRACTOR

BIODIVERSITY MANAGEMENT BUREAU

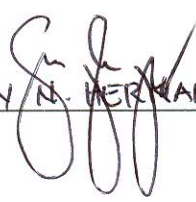
BY :

BY:


EDUARDO P. DE GUZMAN
General Manager


RICARDO L. CALDERON, CESO III
OIC, Assistant Secretary for Climate Change
and Director, *in concurrent capacity*

WITNESSED BY:


JAY N. HERNANDEZ


ATTY. THERESA M. TENAZAS
OIC, Wildlife Resources Division

FUNDS AVAILABLE:

IZEL D. IBARDOLAZA
Accountant II

06-101101-2020-11-2039
310201100001000
50604040-01
P 3,283,856.48

REPUBLIC OF THE PHILIPPINES)
QUEZON CITY) S.S.

ACKNOWLEDGEMENT

Republic of the Philippines)
City of Quezon) S.S.

BEFORE ME, a Notary Public for and in the above jurisdiction, personally appeared the following:

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE/PLACE ISSUED
RICARDO L. CALDERON	Passport No. S0012623A	11/6/2017/DFA MANILA
EDUARDO P. DE GUZMAN	Senior Citizen 02923	

Known to me to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their own free will and voluntary act and deed.

This instrument consists of five (5) pages including this page wherein this Acknowledgement is written, and is signed by the parties and their instrumental witnesses on each and every page hereof.

WITNESS MY HAND AND SEAL, this 29 day of DEC 2020 2020 in Quezon City, Philippines.

Doc. No. 481
Page No. 98
Book No. 111-B
Series of 2020

ATTY. JOSE FLOBO P. CRISOLOGO
Notary Public
Until December 31, 2021
Adm. Matter No. NP-023
PTR No. 9270054-C/01-02-2020 Q.C.
IBP Lifetime No. LRN-03688
Roll No. 49462
MCLE VI-0017262 Valid Until 4-14-2022

[Handwritten signature]