



**BAC RESOLUTION AND RECOMMENDING APPROVAL**  
**RESOLUTION NO. 2020-119**

**WHEREAS**, the Biodiversity Management Bureau (BMB) posted an Invitation to Bid for the bidding of the *"Rehabilitation of WRC Structure/Cages/Enclosures"* in the Philippine Government Electronic Procurement System (Phil-GEPS), BMB Website and Bulletin Board with an Approved Budget for the Contract of **Php1,850,000.00**,


**WHEREAS**, in the opening of bids conducted on November 9, 2020, only one (1) bidder **E.P. DE GUZMAN CONSULTING ENGINEER CONTRACTOR** submitted bid proposal;

**WHEREAS**, after careful review and evaluation of the bid proposal and post-qualification procedure by the Technical Working Group, 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 **P1,838,404.60**, and
2. To recommend the foregoing findings for approval by the Director of the Biodiversity Management Bureau.

**RESOLVED**, this 27<sup>th</sup> 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



Republic of the Philippines  
**Department of Environment and Natural Resources**  
**BIODIVERSITY MANAGEMENT BUREAU**

Ninoy Aquino Parks and Wildlife Center  
Quezon Avenue, Diliman, Quezon City

Tel. Nos.: (632) 924-6031 to 35 Fax: (632) 924-0109, (632) 920-4417  
Website: <http://www.bmb.gov.ph> E-mail: [bmb@bmb.gov.ph](mailto:bmb@bmb.gov.ph)



## 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 of WRC Structure/Cages/Enclosure**" with a contract amount of **P1,838,404.60**.

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. 2020-029**

**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 of WRC Structure/Cages/Enclosures**" located at the Ninoy Aquino Parks and Wildlife Center, Quezon Avenue, Diliman, Quezon City with an Approved Budget for the Contract of **P1,850,000.00**;

**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 9, 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. 2020-119 dated 27 November 2020;

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

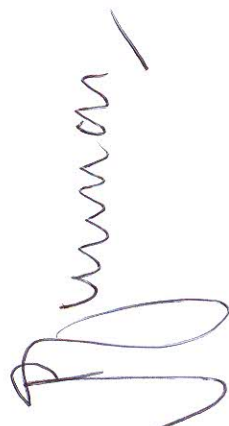
- a. Plans and Drawings
- b. Technical Specifications/Scope of Work
- c. Summary and Detailed Cost Estimate
- d. Certificate of Availability of Funds
- e. BAC Resolution
- f. Notice of Award
- g. Notice to Proceed

**ARTICLE I – SCOPE OF WORK**

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

1. Redesign or revision of proposed design-the proposed design of the WRC structure/cages/enclosures (Annex B), designated/numbered as CAGE 1, CAGE 2, CAGE 3, CAGE 4, CAGE 5, CAGE 6, CAGE 7, CAGE 8, CAGE 9 and CAGE 10 in the accompanying location plan (Annex C) shall be redesigned

or revised by the contractor to suit actual field condition, to prevent fighting of enclosed wildlife species with their neighbors, to protect the said wildlife species against predators (rats, lizards, etc.), to prevent the entry of wild birds (the brown one) also which will eat with the foods of the enclosed ones, and to protect the health of the same, and most importantly to protect the same against theft and scape, and to make the available fund good enough, which is very limited for the completion of the rehabilitation of the subject ten (10) cages; and

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2. Implementation of the redesigned or revised design for the subject ten (10) cages- the revised design for the said cages shall be approved first by the Head of the Procuring Entity (HOPE) prior to the implementation. The implementation of the project shall be in accordance with the approved revised design by the contractor. The buildable area or space shall be cleared as directed. All existing enclosed wildlife species affected shall be relocated by the end-user. The quantity of cages to be rehabilitated shall be ten (10) units, to be installed in accordance with the accompanying location plan (Annex C) or as directed as the case maybe. Sub-standard materials shall not be used. Laborers shall be skilled and careful with strict supervision of a competent supervisor. The quality of the project completed by the contractor shall be satisfactory and acceptable. For other details the project refer to the Project Engineer.

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 **ONE MILLION EIGHT HUNDRED THIRTY-EIGHT THOUSAND FOUR HUNDRED FOUR PESOS AND SIXTY CENTAVOS (Php1,838,404.60)** 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 One Hundred Fifteen (115) 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;
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

*ch* 06-101101-2020-11-2038  
310202100001000  
50604040-99  
P1,838,404.60

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 four (4) 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 DEC 2020 day of 2020 in Quezon City, Philippines.

Doc. No. 482  
Page No. 98  
Book No. VII-9  
Series of 2020

ATTY. JOSE FLORO 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]*