

CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This AGREEMENT made this **MAR 04 2022** between, the CITY GOVERNMENT OF BALANGA, with office address at City Hall, Poblacion, Balanga City, herein represented by **Hon. FRANCIS ANTHONY S. GARCIA** (hereinafter called the "Procuring Entity"), and **NICAP CONSTRUCTION**, with office address at 248 G.J. Caparaz St., Brgy. Central, City of Balanga, Bataan, herein represented by **Mr. ROMEO L. CAPARAZ** (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute the **Construction of Drainage System at Barangay Cupang North, City of Balanga, Bataan** (hereinafter called "the Works") and the Entity has accepted the Bid for **ONE MILLION FOUR HUNDRED TWENTY-EIGHT THOUSAND TWO HUNDRED FIFTY-THREE PESOS ONLY (P1,428,253.00)** by the Contractor for the execution and completion of such Works and the remedying of any defects herein.

WHEREAS, the whole work comprised in the contract shall be completed within fifty-two (52) calendar days in accordance with the Provision of the Bid Documents.

THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Contract Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Condition 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 the 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.

ENGR. MIGUELA SANCHEZ III
OIC - City Engineer


JOSELITO R. EVANGELISTA
City Treasurer

HON. FRANCIS ANTHONY S. GARCIA
City Mayor

NICAP CONSTRUCTION
Supplier

3. In consideration of the sum of ONE MILLION FOUR HUNDRED TWENTY-EIGHT THOUSAND TWO HUNDRED FIFTY-THREE PESOS ONLY (₱1,428,253.00) or such other sums as may be ascertained, NICAP CONSTRUCTION agrees to execute the Construction of Drainage System at Barangay Cupang North, City of Balanga, Bataan in accordance with his/her/its Bid.
4. The CITY GOVERNMENT OF BALANGA hereby 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.


HON. FRANCIS ANTHONY S. GARCIA
City Mayor


ROMEO L. CAPARAZ
Authorized Representative

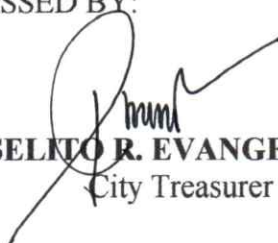
For:

For:

CITY GOVERNMENT OF BALANGA

NICAP CONSTRUCTION

WITNESSED BY:


JOSELITO R. EVANGELISTA
City Treasurer


Engr. MIGUEL A. SANCHEZ III
OIC - City Engineer

ACKNOWLEDGMENT

Republic of the Philippines)
Province of Bataan)
City of Balanga)

BEFORE ME, as the Notary Public for and in the Province of Bataan, personally came and appeared the following:

BEFORE ME, as the Notary Public for and within the City of Balanga, Province of Bataan, Philippines, personally appeared:

Name	Evidence of Identity	Date / Place of Issue
FRANCIS ANTHONY S. GARCIA	COB ID No. 0520	July 2016 / Balanga City
ROMEO L. CAPARAZ	_____	_____

known to me to be the same persons who executed the foregoing Contract Agreement and who acknowledged to me that the same is their true act and deed as well as that of the parties they represented.

This instrument consists of three (3) pages, including this page where the acknowledgement is written, signed by the contracting parties and their witnesses on the left margin of each and every page hereof.

WITNESS MY HAND AND NOTARIAL SEAL this MAR 04 2022 at
Balanga City, Bataan.

Doc. No. 390
Page No. 79
Book No. 36
Series of 2022

ATTY RAFAEL KENNETH DELA FUENTE
NOTARIAL COMMISSION NO. NC 379-20
NOTARY PUBLIC FOR BALANGA, BATAAN
DELA FUENTE LAY OFFICE 5th FLDG.
BRCY, BAYU DALANGAL BATAAN
ROLL OF ATTORNEY NO. 68203
IBP OR NO. 168645
ISSUE 12-28 2021 BATAAN CHAPTER
PTR NO. 3216863 ISSUED 01-03-2022



Republic of the Philippines
Province of Bataan
City of Balanga
OFFICE OF THE CITY MAYOR
(047) 2372256 / 2372969 / 2373510

NOTICE OF AWARD

28 February 2022

NICAP CONSTRUCTION
248 G.J. Caparaz St., Brgy. Central,
City of Balanga, Bataan

Dear Sir:

We are happy to notify you that your bid 03 February 2022 for execution of the project Construction of Drainage System at Barangay Cupang North, City of Balanga, Bataan for the Contract Price equivalent to **ONE MILLION FOUR HUNDRED TWENTY-EIGHT THOUSAND TWO HUNDRED FIFTY-THREE PESOS ONLY (P1,428,253.00)** is the Lowest Calculated Responsive Bid, and you are hereby awarded the contract for the said project.

You are therefore required, within ten (10) days from the receipt of this Notice of Award, to formally enter into contract with us, and to submit the Performance Security in the form and the amount stipulated in the Instruction to Bidders. Failure to enter into the said contract or provide the Performance Security shall constitute sufficient ground for cancellation of this award and forfeiture of your Bid Security.

Very truly yours,

FRANCIS ANTHONY S. GARCIA
City Mayor

Conforme:

Mr. ROMEO L. CAPARAZ
Contractor

Date



Republic of the Philippines
Province of Bataan
City of Balanga
OFFICE OF THE CITY MAYOR
(047) 2372256 / 2372969 / 2373510

NOTICE TO PROCEED

07 March 2022

NICAP CONSTRUCTION
248 G.J. Caparaz St., Brgy. Central,
City of Balanga, Bataan

Dear Sir:

The attached Contract Agreement having been approved, notice is hereby given to NICAP CONSTRUCTION that work may proceed on the project Construction of Drainage System at Barangay Cupang North, City of Balanga, Bataan within seven (7) days upon receipt of this Notice to Proceed.

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 Implementing 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 City Government of Balanga.

Very truly yours,

FRANCIS ANTHONY S. GARCIA
City Mayor

I acknowledge receipt of this Notice on March 7, 2022

Name of the Representative of the Bidder: Mr. ROMEO L. CAPARAZ

Authorized Signature: _____

PURCHASE ORDER

CITY OF BALANGA

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Supplier	NICAP CONSTRUCTION	P.O. No.	22-03-0179
Address	248 G.J. Caparaz St., Brgy. Central, City of Balanga, Bataan	Date	Mar 7, 2022
E-mail address	<u>nicap_09@yahoo.com</u>	Mode of	
Telephone No.	791-1570	Procurement	PUBLIC BIDDING
TIN	102-217-566		

Gentlemen:


Please furnish this office the following articles subject to the terms and conditions contained herein:

Place of Delivery	<u>Barangay Cupang North</u>	Delivery Term	<u>52 Calendar Days</u>
Date of Delivery	<u>April 28, 2022</u>	Payment of Term	: <u>CHECK</u>


STOCK NO.	UNIT	DESCRIPTION	QTY	UNIT COST	AMOUNT
		Construction of Drainage System at Barangay Cupang North, City of Balanga, Bataan			1,428,253.00
					1,428,253.00

(Total Amount in Words: **One Million Four Hundred Twenty-Eight Thousand Two Hundred Fifty-Three Pesos Only**)

In case of failure to make the full delivery within the specified above, a penalty of one-tenth (1/10) of one (1) percent for very day of delay shall be imposed

Very truly yours,


HON. FRANCIS ANTHONY S. GARCIA
Authorized Official

Conforme:

NICAP CONSTRUCTION
Signature over Printed Name of Supplier

Date

Funds Available:
MYRNA B. ROMAN
Chief Accountant

ALOBS No.: _____
Amount: 1,428,253.00



Republic of the Philippines
Province of Bataan
City of Balanga
OFFICE OF THE CITY MAYOR
(047) 237-2969 / 237-3510 / 237-2256 / 237-0722

RESOLUTION NO. 07 – S. 2022

BAC RESOLUTION DECLARING LCRB AND RECOMMENDING APPROVAL

WHEREAS, the City Government of Balanga posted the Invitation to Apply for Eligibility and to Bid of the Construction of Drainage System at Brgy. Cupang North, City of Balanga, Bataan in the Philgeps and City Government of Balanga websites and a conspicuous place at the premises of the City of Balanga continuously for 7 days;

WHEREAS, in response to the said advertisements, three (3) contractors purchased bid documents.

WHEREAS, three (3) contractors submitted applications for eligibility and all were found eligible on February 3, 2022 and the same number of bidders submitted their bid proposals on the same date and the following bidders passed the preliminary examination of bids;

Name of Bidder	Total Bid Amount As Read (Php)	% Variance from ABC
NICAP CONSTRUCTION	P 1,428,253.00	-1.33%
BPQ CONSTRUCTION AND TRADING	P 1,435,086.00	-0.86%
FAME BUILDERS PHILIPPINES	P 1,436,605.00	-0.75%

WHEREAS, the detailed evaluation of bids conducted on February 4 – 10, 2022 resulted in the following bids as calculated:

Name of Bidder	Total Bid Amount As Calculated (Php)	% Variance from ABC
NICAP CONSTRUCTION	P 1,428,253.00	-1.33%
BPQ CONSTRUCTION AND TRADING	P 1,435,086.00	-0.86%
FAME BUILDERS PHILIPPINES	P 1,436,605.00	-0.75%

WHEREAS, upon post-qualification or careful examination, validation and verification of all the eligibility, technical and financial requirements submitted by the Bidder with the Lowest Calculated Bid, NICAP CONSTRUCTION, its bid has been found to be responsive;

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

- a) To declare NICAP CONSTRUCTION as the Bidder with the Lowest Calculated Responsive Bid for the Construction of Drainage System at Brgy. Cupang North, City of Balanga, Bataan.
- b) To recommend for approval by the City Mayor of the City Government of Balanga the foregoing findings.

RESOLVED, at the City of Balanga this 23rd day of February 2022.


MARILEN Z. ALONZO
City Assessor
Chairman, Bids & Awards Committee


ELSA P. ILAGAN
City Planning Development Coordinator
Vice Chairman, Bids and Awards Committee


MIGUEL A. SANCHEZ III
OIC- City Engineer
BAC Member


LILIBETH T. CALATA
City General Services Officer
BAC Member


VELMEN T. LAROZO
Assistant City Human Resource
Management Officer
BAC Member

ATTESTED BY:


VANESSA M. AGUILAR
BAC Secretariat

APPROVED:


FRANCIS ANTHONY S. GARCIA
City Mayor



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BAC Secretariat

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FRANCIS ANTHONY S. GARCIA
City Mayor