

## BAC Resolution Declaring LCRB and Recommending the Award of Project

### BAC RESOLUTION NO. 2020-557

WHEREAS, the Municipal Government of Binangonan advertised and posted the Invitation to Bid of the Proposed Construction of Perimeter Fence at Municipal Building, Annex Gulod, Barangay Gulod, Binangonan Rizal in the Municipal Government of Binangonan website, the G-EPS and a conspicuous places at the premises of the Municipal Government of Binangonan continuously for 7 days;

WHEREAS, in response to the said advertisements, three (3) Contractors submitted letters of intent and purchased bid documents;

WHEREAS, three (3) bids were submitted on December 21, 2020 and all the bids of the following bidders passed the preliminary examination of bids;

<b>Name of Bidder</b>	<b>Bid Amount (As Read)</b>	<b>% Variance from ABC</b>
DIAZ AQUINO CONSTRUCTION CORP.	1,294,928.25	0.81%
CPF CONSTRUCTION	1,299,774.16	0.44%
MAK-JAMS CONSTRUCTION	1,296,125.25	0.72%

WHEREAS, the detailed evaluation of bids conducted on December 22, 2020 resulted in the following:

<b>Name of Bidder</b>	<b>Bid Amount (As Calculated)</b>	<b>% Variance from ABC</b>
DIAZ AQUINO CONSTRUCTION CORP.	1,294,928.25	0.81%
MAK-JAMS CONSTRUCTION	1,296,125.25	0.72%
CPF CONSTRUCTION	1,299,774.16	0.44%

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, DIAZ AQUINO CONSTRUCTION CORP., 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:

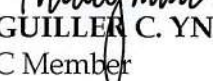
- a.) To declare, DIAZ AQUINO CONST. CORP., with the Lowest Calculated Responsive Bid for the Proposed Construction of Perimeter Fence at Municipal Building, Annex Gulod, Barangay Gulod, Binangonan Rizal;
- b) To recommend for approval by the Municipal Mayor of the Municipal Government of Binangonan the foregoing findings.

RESOLVED this 28<sup>th</sup> day of December, 2020 at SB Session Hall,  
Municipality of Binangonan, Rizal.

  
ENGR. PETRONIO C. TOLENTINO  
BAC Chairman

  
MS. MA. EDITHA A. CEÑIDOZA  
BAC Vice-Chairman

  
ENGR. DAVID A. DISIMULACION, JR.  
BAC Member


  
MR. RUSSEL GUILLER C. YNARES  
BAC Member

  
ATTY. FERDINAND C. PEREZ  
BAC Member

  
MR. RODEL C. FERRERO  
BAC Member

  
MS. ALICIA D. TORRES  
BAC Member

Approved by:

  
ENGR. CESAR M. YNARES  
Mayor

Date Approved:  
  
\_\_\_\_\_

## CONTRACT

*This contract made and executed by and between:*

### **MUNICIPALITY OF BINANGONAN, RIZAL**

A duly organized government institution with seat of government at Barangay Calumpang, Binangonan, Rizal represented herein by the **Mayor, HON. CESAR M. YNARES**, Filipino Citizen, of legal age, married with residence and postal address at Barangay Calumpang Binangonan, Rizal, pursuant to **BAC Resolution No. 2020-557** dated December 28, 2020 hereinafter referred to as the **MUNICIPALITY**.

- and -

### **DIAZ AQUINO CONSTRUCTION CORPORATION**

A duly organized private entity duly registered contractor under **Registration No. 2019-2527** with postal address at 0478 Barangay Tayuman, Binangonan, Rizal, represented herein by **ELMA DIAZ AQUINO**, Filipino Citizen, of legal age, married, with residence and postal address at the same, hereinafter referred to as the **CONTRACTOR**.

### **WITNESSETH:**

Wherein, the Municipality offered through Public Bidding of the

#### **PROPOSED CONSTRUCTION OF PERIMETER FENCE Municipal Building Annex, Barangay Gulod, Binangonan, Rizal**

Whereby the contractor accepts to undertake the works pursuant to Plans and Specification, as integral part of this contract for a contract price of:

**ONE MILLION TWO HUNDRED NINETY FOUR THOUSAND NINE HUNDRED TWENTY EIGHT PESOS & 25/100. (P 1,294,928.25)**

To be paid by the Municipality to the contractor.

### **FURTHER WITNESSETH AS FOLLOWS:**

1. The Contractor shall finish the work prescribed in the Plans and Specification duly noted by both parties to this contract within 36 calendar days reckoned from the date of **NOTICE TO PROCEED** served by the Municipality to Contractors;
2. The Contractor shall be responsible for all obligations to all men working under his supervision in connection with this Contractors;
3. The contractor shall post a Performance security either in cash or Manager's Check equivalent to 5% of the contract price, a 10% Bank guarantee or a surety bond equivalent to 30% of contract price.
4. Protection of properties and equipment of contractor in transporting to and from and at jobsite shall be at his own risk;
5. Security of men working under the Contractor's supervision shall be subject to applicable penal code provision of the Republic of the Philippines;
6. The Contractor shall coordinate with the Municipality and allow the Municipality's authorized personnel to make inspection for the review and confirmation of compliance with Work Plans and Specification of this contract;

7. Delay or default in the performance of this contract shall be dealt with in accordance with applicable provision of R. A. 9184 and shall be determined to which fault such delay or default is attributable;
8. The following documents are necessary in the enforcement of this contract.
  - a. *Plans and Specifications*
  - b. *Bids & Abstract of Bids*
  - c. *Certificate of Availability of Fund*
  - d. *BAC Resolution*
  - e. *Approved Agency Estimates*
  - f. *Notice of Award and Acceptance of Contract*
  - g. *Notice to Proceed*
  - h. *Official Receipt of Performance bond*

**IN WITNESS WHEREOF**, the parties have hereunto signed this instrument this 29<sup>th</sup> day of December, 2020 at Binangonan, Rizal.

MUNICIPALITY OF BINANGONAN, RIZAL

DIAZ AQUINO CONSTRUCTION CORP.  
CONTRACTOR

By:



**HON. CESAR M. YNARES**  
Municipal Mayor

By:



**ELMA DIAZ AQUINO**  
President

Signed in the presence of:



WITNESS



WITNESS

**ACKNOWLEDGEMENT**

REPUBLIC OF THE PHILIPPINES )  
MUNICIPALITY OF BINANGONAN )  
PROVINCE OF RIZAL )  
X-----X

**BEFORE ME**, a notary public for and in the above jurisdiction, ~~this~~ 13 DEC 2020 day of \_\_\_\_\_ 2020 at Binangonan, Rizal came and appeared;

**HON. CESAR M. YNARES**, Taxpayer Identification No. 105-607-563-000.

**ELMA DIAZ AQUINO**, Taxpayer Identification No. 110-084-780-000.

Both known to me and known to be the same person who executed the foregoing instrument.

This instrument consisting of three (3) pages including this page wherein this acknowledgment is written duly signed by the parties and that instrument witness on each and every page hereof refer to a contract and they acknowledged to me that the same is voluntary deed and act.

**WITNESS MY HAND AND NOTARIAL SEAL**

Doc No. 377  
Page No. 76  
Book No. XLIV  
Series of 2020.

**ATTY. FERDINAND C. PEREZ**  
COMMISSION NO. 18-003  
NOTARY PUBLIC  
BINANGONAN, ANGELES, RIZAL  
UNTIL DECEMBER 31, 2020  
IBF NO. 1416 12-20-19  
PTR NO. 13780065A 1-2-20  
ROLL NO. 54332  
MCF NO. VI-0015423 11-22-20

REPUBLIC OF THE PHILIPPINES )  
MUNICIPALITY OF BINANGONAN ) S.S.  
PROVINCE OF RIZAL )  
X -----X

**AFFIDAVIT**

I, **ELMA DIAZ AQUINO**, Filipino citizen, of legal age, with residence and postal address at 0478 Barangay Tayuman, Binangonan, Rizal, after having been duly sworn to in accordance with law, hereby depose and say:

1. That, I am the President of **DIAZ AQUINO CONSTRUCTION CORPORATION** with business address at 0478 Barangay Tayuman, Binangonan, Rizal.
2. That, I am the one who contracted the **Proposed Construction of Perimeter Fence at Municipal Building Annex, Barangay Gulod, Binangonan, Rizal.**
3. That by these presents, I hereby state under oath that I had paid all laborers, workers & employee utilized in the construction of said project.
4. That I have executed this affidavit in order to attest to the truth of all the foregoing and for all legal intents and purposes this may serve.

**IN WITNESS THEREOF**, I have hereunto affixed my signature this 11<sup>th</sup> day of February, 2020 at Binangonan, Rizal, Philippines.

*EDA*

**ELMA DIAZ AQUINO**  
Affiant

Comm. Tax Cert. 00280701  
Issued on January 5, 2021  
At Binangonan, Rizal

**SUBSCRIBED AND SWORN** to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020 at Binangonan, Rizal, Philippines.

Doc. No. 132  
Page No. 27  
Book No. V1  
Series of 2020.

**ATTY. FERDINAND C. PEREZ**  
COMMISSIONER NO. 18-003  
EXTENSION NO. 3795  
NOTARY PUBLIC, BINANGONAN, RIZAL

IBP No. 1523600A - 9/9/20  
PTR No. 1523600A - 1/4/21  
ROLL No. 54332  
MCLE No. VI-0015433 II-28

Republic of the Philippines  
Municipality of Binangonan  
Calumpang, Binangonan, Rizal  
Tel. No. 652-5535

**NOTICE OF AWARD**

December 29, 2020


MS. ELMA D. AQUINO  
Proprietor- Diaz Aquino Construction Corp.  
National Rd. Tayuman  
Binangonan, Rizal

Dear Ma'am:


We are happy to notify you that the Proposed Construction of Perimeter Fence at Municipal Building, Annex Gulod, Barangay Gulod, Binangonan Rizal is hereby awarded you as the Bidder with the Lowest Calculated Responsive Bid at a Contract Price equivalent to One Million Two Hundred Ninety Four Thousand Nine Hundred Twenty Eight Pesos & 25/100 (P1,294,928.25).

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 Instructions to Bidders. Failure to enter into the said contract or provide the Performance Security shall constitute a sufficient ground for cancellation of this award and forfeiture of your Bid Security.

Very truly yours,

  
ENGR. CESAR M. YNARES  
Municipal Mayor

Conforme :

  
Name of Representative of bidder  
Name of Bidder  
Date: December 29, 2020



Republic of the Philippines  
Province of Rizal  
MUNICIPALITY OF BINANGONAN



**OFFICE OF THE MUNICIPAL ENGINEER**

**NOTICE TO PROCEED**

January 7, 2021

**MS. ELMA D. AQUINO**


Proprietor- Diaz Aquino Construction Corp.  
National Rd. Tayuman  
Binangonan, Rizal

Dear Ms. Aquino,

Attached herewith is a photo copy of the contract for the **Proposed Construction of Perimeter Fence at Municipal Building, Annex Gulod, Barangay Gulod, Binangonan, Rizal** duly signed by the Municipal Mayor as per Bids and Awards Committee Resolution No. 2020-557 dated December 28, 2020.

You are therefore advised to start the project upon receipt thereof.

Truly yours,

  
**ENGR. DAVID A. DISIMULACION, JR.**  
OIC - Municipal Engineer/Building Official

Noted by:

  
**HON. ENGR. CESAR M. YNARES**  
Municipal Mayor

Received by:

  
Contractors/Representative

January 7, 2021

Date