

NOTICE OF AWARD

September 5, 2023

MA. CONCEPCION A. ILEJAY
NEM CONSTRUCTION SUPPLIES & SERVICES
Authorized Representative
5A Zamora St., Brgy. Zamora-Melliza, Iloilo City

Dear Ma'am:

We are happy to notify that your Bid dated August 1, 2023 for execution of NEM CONSTRUCTION SUPPLIES & SERVICES, for the Rehabilitation of Electrical System of ISCOF-BN Phase 3 (ITB No.2023-07-10/ Ref no. 9937987) with a Contract Price amounting to Four Million Six Hundred Nineteen Thousand Three Hundred Six Pesos And 20/100 (Php 4,619,306.20), is hereby accepted.

You are hereby required to provide within ten (10) days the performance security in the form and the amount stipulated in the Instructions to Bidders. Failure to provide the performance security shall constitute sufficient ground for cancellation of the award and forfeiture of the security.

Very truly yours,



NORDY D. SIASON, JR., Ed.D., CESO VI
SUC President II

Conforme:



Ma. Concepcion A. Ilejay
Representative, NEM CONSTRUCTION SUPPLIES & SERVICES

Date: 09-05-23

Iloilo State University of Fisheries Science and
Technology Main Poblacion Site
Revised on: August 11, 2004

Reference Number: 9937987
Rehabilitation of Electrical System
of ISCOF-BN Phase 3

NOTICE TO PROCEED

September 11, 2023

MA. CONCEPCION A. ILEJAY
NEM CONSTRUCTION SUPPLIES & SERVICES
Authorized Representative
5A Zamora St., Brgy. Zamora-Melliza, Iloilo City

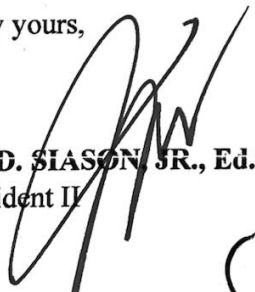
Dear Ma'am:

The attached Contract Agreement/ Purchase Order having been approved, notice is hereby given to NEM CONSTRUCTION SUPPLIES & SERVICES, that the Rehabilitation of Electrical System of ISCOF-BN Phase 3 may proceed to Iloilo State University of Fisheries Science and Technology Main Poblacion Site, J.T. Bretaña St., Barotac Nuevo, Iloilo with (Solicitation No. ITB No.2023-07-10/ Ref no. 9937987) upon receipt of this notice.

You are hereby responsible for performing the services under the terms and conditions of the agreement and in accordance with the Implementation 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 Iloilo State University of Fisheries Science and Technology Main Poblacion Site

Very truly yours,



NORDY D. SIASON, SR., Ed.D., CESO VI
SUC President II

Conforme:



Representative, NEM CONSTRUCTION SUPPLIES & SERVICES

Date: 09-25-23

BAC Resolution Declaring LCRB and Recommending Approval for Notice of Award on Rehabilitation of Electrical System of ISCOF-BN Phase 3

RESOLUTION NO. 09-67a s. 2023

Whereas, the Iloilo State University of Fisheries Science and Technology Main Poblacion Site advertised the Invitation to Apply for Eligibility to Bid for the Rehabilitation of Electrical System of ISCOF-BN Phase 3 with the ABC of Php 4,995,866.20 and posted it in Philgeps with Solicitation No. ITB2023-07-10 and Reference No. 9937987 and ISUFST Main Poblacion Site Bulletin for 19 days;

Whereas, in response to the said advertisement, five (5) bidders submitted the application for eligibility to bid and was found eligible and passed the preliminary examination of bids on August 1, 2023 @ 9:00 a.m.;

Name of Bidder	Bid Amount as Read	% Variance from ABC
MDC Electrical Supplies and Services	Php 4,335,107.43	12.98%
GLSUY Civil Engineering Construction	Php 4,501,056.00	9.90%
NEM Construction Supplies and Services	Php 4,619,306.20	7.54%
A. Maquiling Construction and Supply	Php 4,736,390.81	5.19%
Prefer Electrical engineering and Supply	Php 4,820,331.36	3.51%

Whereas, on August 3, 2023 @ 10:00 a.m. the Evaluation of Bids are as follows:

Name of Bidder	Bid Amount as Read	% Variance from ABC
MDC Electrical Supplies and Services	Php 4,335,107.43	12.98%
GLSUY Civil Engineering Construction	Php 4,501,056.00	9.90%
NEM Construction Supplies and Services	Php 4,619,306.20	7.54%
A. Maquiling Construction and Supply	Php 4,736,390.81	5.19%
Prefer Electrical engineering and Supply	Php 4,820,331.36	3.51%

Whereas, on August 7, 2023 @ 10:00 upon on-site post qualification MDC Electrical Supplies and Services failed to meet the requirements in both the technical and legal aspects and could not provide all the items in accordance to its specification.

Furthermore, the Technical Working Group (TWG) and Bids and Awards Committee (BAC) have determined that MDC Electrical Supplies and Services has been identified as the bidder with the lowest calculated but deemed non-responsive, and failed to be recommended for the Notice of Award.

Whereas, on August 7, 2023 the BAC Members sent a disqualification letter to MDC Electrical Supplies and Services.

Whereas, on August 14, 2023, MDC Electrical Supplies and Services submitted a reconsideration letter to the BAC Office.

TWG Emmanuel B. Tormon reported to the BAC Chairman that after receiving MDC Electrical Supplies and Services' Motion for Reconsideration on August 14, 2023, they conducted another onsite post-qualification with MDC Electrical Supplies and Services at their office and warehouse in Brgy. Tiza, Roxas City, Capiz on August 16, 2023.

During TWG's post qualification, it was ascertained that MDC Electrical Supplies and Services could not provide their Single Largest Completed Project and still not qualified to proceed with the project.

Whereas, on August 17, 2023 upon the deliberation regarding the onsite post-qualification with MDC Electrical Supplies and Services, the BAC Members decision remains the same.

Furthermore, the Bids and Awards Committee decided to conduct a post-qualification inspection to the second lowest bidder which is GLSUY Civil Engineering Construction and it was scheduled on August 18, 2023.

TWG Emmanuel B. Tormon reported to the BAC Chairman that upon careful deliberation and onsite inspection, GLSUY Civil Engineering Construction did not pass both technical and legal components and could not provide all the items in accordance to its specification.

Then, the Technical Working Group (TWG) and Bids and Awards Committee (BAC) have determined that, GLSU Civil Engineering Construction has been identified as the bidder with the second lowest calculated bid but deemed non-responsive, and is not recommended for the Notice of Award.

Furthermore, the BAC decided to conduct a post-qualification inspection to the third lowest bidder which is NEM Construction Supplies and Services, and it was scheduled on August 25, 2023.

TWG Emmanuel B. Tormon reported to the BAC Chairman upon careful deliberation and an onsite inspection at NEM Construction Supplies and Services office, and their Single Largest Completed Project at Lapaz 1 Elementary School, Lapaz, Iloilo City, NEM Construction Supplies and Services had passed both technical and legal components, and could provide all the items in accordance to its specification.

Furthermore, the Technical Working Group (TWG) and Bids and Awards Committee (BAC) declared NEM Construction Supplies and Services as the lowest calculated and responsive bidder and recommended for Notice of Award.

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

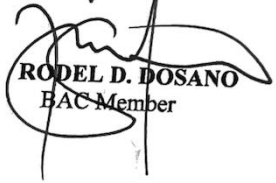
- a.) To declare NEM Construction Supplies and Services as the Lowest-Calculated and Responsive Bidder.
- b.) To recommend approval for Notice of Award on Rehabilitation of Electrical System of ISCOF-BN Phase 3.

RESOLVED, at the BAC Office, Iloilo State University of Fisheries Science and Technology, 1st day of September 2023.


RUBY F. PERASOL
BAC Chairman

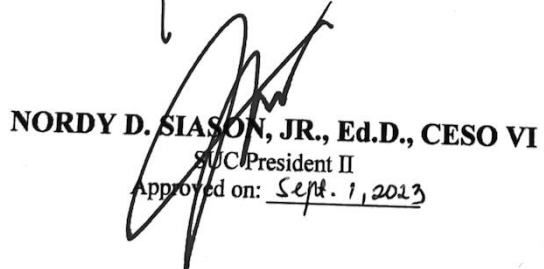

JOSE STARICAYA
BAC Member


FLOCERREDA H. BELANG
BAC Member

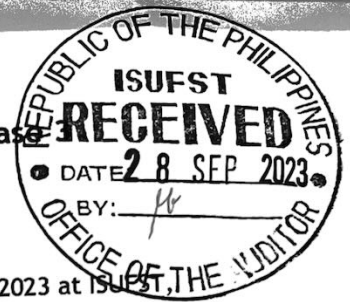

RODEL D. DOSANO
BAC Member


RENANTE A. DIAMANTE
BAC Member


ANNELYN J. DEASIS
BAC Member


NORDY D. SIASON, JR., Ed.D., CESO VI
SUC President II
Approved on: Sept. 1, 2023

CONTRACT AND AGREEMENT
Rehabilitation of Electrical System of ISCOF-BN Phase 1



KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered into this 7th day of September year 2023 at ISUFST, Main Poblacion Site, J.T. Bretaña St., Ilaya Poblacion, Barotac Nuevo, Iloilo.

The ILOILO STATE UNIVERSITY OF FISHERIES SCIENCE AND TECHNOLOGY represented by **NORDY D. SIASON JR., Ed.D., CESO VI**, SUC President II, with office address at J.T. Bretaña St., Ilaya Poblacion, Barotac Nuevo, Iloilo as the **PARTY OF THE FIRST PART**, hereinafter called the **EMPLOYER** duly authorized for this purpose.

and

NEM CONSTRUCTION SUPPLIES & SERVICES with the office address at 5A Zamora St., Brgy. Zamora-Melliza, Iloilo City by **MA. CONCEPCION A. ILEJAY**, Authorized Representative, who has been authorized for this purpose as the **PARTY OF THE SECOND PART** hereinafter called the **CONTRACTOR**.

WITNESSETH:

WHEREAS, as the **EMPLOYER** is desirous that the plan certain **WORKS** should be executed by the **CONTRACTOR**, viz: As per plan, specification and approved **POW** and has accepted the **BID** of the **CONTRACTOR** for the execution and completion of such **WORKS** and the remedying of any defects therein;

WHEREAS, the above-mentioned project has been undertaken through Public Bidding;

WHEREAS, the total amount of award for completion of the **WORKS** is **Four Million Six Hundred Nineteen Thousand Three Hundred Six Pesos And 20/100 (Php 4,619,306.20)**.

WHEREAS, **THE WHOLE** works in the **PROJECT** as covered by this **CONTRACT** shall be completed within **One Hundred Fifty (150) Calendar Days** in accordance with the provisions of the Bid documents.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. That in this Contract Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. That the following documents shall be deemed to form and be read and construed as part of this Agreement, viz:
 - a. The Bid Form accomplished and submitted by the Contractor including the following annexes:
 - i. Authority of the Signing Official
 - ii. Bid Prices in the Bill of Quantities
 - iii. Detailed Estimated
 - iv. Construction Schedule
 - v. Construction Methods
 - vi. Projects Organizational Chart
 - vii. Manpower Schedule
 - viii. Equipment Utilization Schedule
 - ix. Cash Flow and Payment Schedule
 - x. Certificate of the Site Inspection
 - xi. Supplementary PQ Statement per D.O. 88 of 1991.
 - b. Contract Agreement
 - c. Conditions of Contract
 - d. Drawing/Plans
 - e. Invitation to Bid

MA. CONCEPCION A. ILEJAY
Authorized Representative

NORDY D. SIASON JR., Ed.D., CESO VI
SUC President II

JOSE S. ARICAYA
Administrative Officer V


RES P. JANDONERO
Planning Officer, ISCOF
Barotac Nuevo Campus


- f. Specifications
- g. Instructions to Bidders
- h. Addenda
- i. Performance Bond
- j. Prequalification and Post Qualification Statements
- k. Certificate of Cash Deposit for Operating Expenses
- l. Notice of Award to Contractor and Constructor's Conforme thereto
- m. Contractor's All Risk Insurance
- n. Other pertinent documents as maybe required

3. That in consideration of the Payments to be made by the EMPLOYER to the CONTRACTOR as hereinafter mentioned the CONTRACTOR hereby covenants with the EMPLOYER to execute and complete the WORKS and remedy any defects therein in all respects with the provisions of the CONTRACT.
4. The owner hereby covenants to pay the CONTACTOR in consideration of the prosecution, completion and maintenance of the project in the manner and at the time specified in its Bid Form for the following but not limited to the herein items of works.


The following items and quantities are included in the scope of work:

ITEM NO.	ESTIMATED COST OF ITEM OF WORK Scope of Work to be Done	UNIT	QTY	UNIT COST	TOTAL
I.	GENERAL REQUIREMENTS	lot	1.00	122,000.00	122,000.00
	Processing of Permits, Utilities, Billboards, Occupational Safety and Health and Design, Sign and Seal				
II.	Installation of Transformer Pad and Railings, Fuse Cut-outs and Lightning Arresters	lot	1.00	1,674,500.00	1,674,500.00
	Transformer Pad with Railing Guard Power Fuse Cutout, 15 KV, 5KA, 60Hz. Surge Arresters "Supply, Installation and Banking of Transformer Bank (3-167kVA, 7.621kv/230v, 60hz Transformer)"				
III.	SUPPLY AND INSTALLATION OF PANELBOARDS	lot	1.00	903,000.00	903,000.00
	MDP (1200AT/1200AF, 240V, 3P, 45KAIC, 60Hz. MCCB MAIN) 200AT/300AF, 240V, 3P, 24KAIC, 60Hz. MCCB 175AT/300AF, 240V, 3P, 24KAIC, 60Hz. MCCB 125AT/300AF, 240V, 3P, 24KAIC, 60Hz. MCCB 750AT/750AF, 240V, 3P, 35KAIC, 60Hz. MCCB DP (750AT/750AF, 240V, 3P, 35KAIC, 60Hz. MCCB MAIN) Branches 100AT/225AF, 240V, 3P, 18KAIC, 60Hz. MCCB 150AT/225AF, 240V, 3P, 18KAIC, 60Hz. MCCB 200AT/225AF, 240V, 3P, 18KAIC, 60Hz. MCCB ADMIN-ACU(150AT/225AF, 240V, 3P, 18KAIC, 60Hz. MCCB MAIN) Main: 150AT/225AF, 240V, 3P, 18KAIC, 60Hz. MCCB 30AT/100AF, 240V, 3P, 12KAIC, 60Hz. MCCB PP2-AMIN, PP4-LIB, PP3-CIT (TYPICAL) Main: 100AT/100AF, 240V, 3P, 14KAIC, 60Hz. MCCB Branches 20AT/100AF, 240V, 3P, 12KAIC, 60Hz. MCCB 30AT/100AF, 240V, 3P, 12KAIC, 60Hz. MCCB SPARE				


MA. CONCEPCION A. LEJAY
 Authorized Representative


NORDY D. STASON JR., Ed.D., CESO VI
 SUC President-III


JOSE S. ARICAYA
 Administrative Officer V


RES P. JANDONERO
 Planning Officer, ISCOF
 Barotac Nuevo Campus


MA. CONCEPCION A. LEJAY
 Authorized Representative


NORDY D. SIAISON JR., Ed.D., CESO VI
 SUC President II



JOSE S. ARICAYA
 Administrative Officer V


RES P. JANDONERO
 Planning Officer, ISCOF
 Barotac Nuevo Campus

	PP1-CHM Main: 200AT/225AF, 240V, 3P, 18KAIC, 60Hz. MCCB Branches 40AT/225AF, 240V, 3P, 12KAIC, 60Hz. MCCB 30AT/225AF, 240V, 3P, 12KAIC, 60Hz. MCCB 20AT/225AF, 240V, 3P, 12KAIC, 60Hz. MCCB				
IV.	FABRICATION/ INSTALLATION OF CABLE LADDER AND SUPPORTS	lot	1.00	78,250.00	78,250.00
	85mtrs -18 in. wide x 4 in. deep Cable Ladder 75mtrs - 12 in. wide x 4 in. deep Cable Ladder 5 - Grounding Rod, 5/8" x 8' Round head slotted stove bolt w/nut 1/2 x 1/4" Anchor grip 3/8 X 1&1/2" Full threaded round bar				
V.	WIRES AND CONDUIT CABLE PULLING, HARNESSING AND TERMINATION	lot	1.00	918,900.00	918,900.00
	750 MCM THWN Aluminum Wire 38 mm sq. THWN Aluminum Wire 30 mm sq. THWN Aluminum Wire 100 mm sq. THWN Copper wire 50 mm sq. THWN Copper wire 38 mm sq. THWN Copper wire 30 mm sq. THWN Copper wire				
VI.	BOXES, FITTINGS, SUPPORTS AND CONSUMABLES	lot	1.00	30,000.00	30,000.00
	Boxes, Fittings, Supports, Consumables				
VII.	TESTING AND COMMISSIONING	lot	1.00	35,000.00	35,000.00
	PEE Equipment, Supports, Documentations and etc				
	TOTAL				3,761,650.00


BREAKDOWN OF ESTIMATED EXPENDITURE	% of Total	AMOUNT
I. ESTIMATED COST		
A. DIRECT COST		
LABOR		650,000.00
MATERIALS		3,111,650.00
EQUIPMENT RENTAL		
B. INDIRECT COST		
1. Overhead Expnses (5% to 8% of EDC w/c include Superintendence, Transportation, Office Expenses, CARI & Financing)		188,082.50
2. Contengencies (0.5% - 3% of EDC w/c include expences for coodination meetings)		18,808.25
3. Miscellaneous (0.5% - 1% of EDC w/c include expences for laboratory test & plan preparation)		18,808.25
4. Contractor's Profit (8% of EDC for Projects above 5M and 10% for projects below 5M)		376,165.00
5. VAT (5% of EDC, OCM and Profit)		218,175.70
6. Mobilizaton/ Demolition (up to 2% of EDC for projects up to P 10.0M)		37,616.50
7. P.D.E.		
Sub Total		4,619,306.20
II. ESTIMATED GOVERNMENT EXPENSES		
1. Engineering, Administrative Overhead and Supervision		
2. POW/ Site Acquisition		
3. Materials to be furnished by Government		
Sub Total		

III. CONTINGENCIES/ RESERVES		
1. Physical (up to 5% of the Estimated Project Cost)		
2. Price Escalation (up to 125 of the Estimated Project Cost)		4,619,306.20
TOTAL ESTIMATED COST		


MA. CONCEPCION A. IRENA
 Authorized Representative


NORDY D. SIAISON JR., Ed.D., CESO VI
 SUC President II


JOSE S. ARICAYA
 Administrative Officer V


RES P. JANDONERO
 Planning Officer, ISCOF
 Barotac Nuevo Campus

5. The Implementing Rules and Regulations of R.A., P.D. 1759 other existing laws, decrees, executive and administrative orders, circulars, issued by proper authorities affecting government construction projects, as well as the guidelines for the completion and payment of Price Escalation on infrastructure contracts adopted and approved by the Government, shall be made and formed as Integral Part of the Contact.
 6. That this CONTRACT shall take effect until the CONTRACTOR has furnished and delivered to the EMPLOYER a Performance Bond that is fully acceptable to the EMPLOYER in the form and amount **One Million Three Hundred Eighty-Five Thousand Seven Hundred Ninety-One Pesos and 86/100 (1,385,791.86)** as required in the Instruction to Bidders:
 - a. Cash certified check, cashier check, manager check bank draft or irrevocable letter of credit - five percent (5%)
 - b. Bank guarantee - ten percent (10%)
 - c. Surety Bond - thirty percent (30%)
 7. In case the CONTRACTOR refuse or fails to satisfy complete the work within the specified contract time. Plus any time extension duly granted and hereby in default under the CONTRACTOR shall pay the GOVERNMENT for liquidated damages, and not by way of penalty, an amount to be determined for each calendar day of delay, until the work is completed and accepted or take over by the Government.
 8. In case the CONTRACTOR lags, behind schedule in his work and incurs 15% or more negative slippage, based on his approved by PERT/CPM, SUC President II of the ILOILO STATE COLLEGE OF FSHERIES may at his discretion, terminate or rescind the contract pursuant to existing laws, rules and regulations.
- $TLD = VUUP \times [(1+OCC \ n-1)] \times K$
 $VUUP = TCP - VCUP$
- Where:
 TLD= Total Liquidated Damages, in Pesos
- VUUP = Value of the Uncompleted and Usable Portions of the Contract work, as of the expiry date of the contract, in Pesos
- TCP = Total Contract Price, in Pesos
- VCUP = Value of the Completed and Usable Portions of the Contract work, as of the expiry date of the contract, in Pesos
- OCC = Prevailing Opportunity Cost of Capital for Government Projects set by the NEDA which is currently pegged at 15%
- n = Total number of years that the contract is delayed are the expiry date of the contract
- K = Adjustment factor to cover additional losses
 $= 1+C+(I \times n)$
- Where:
 C = Cost of construction supervision as a percentage not exceeding 10% of the construction cost

i = annual inflation rate

9. The CONTRACTOR comply with, and strictly observed, all laws regarding workmen's health and safety, workmen's welfare compensation for injuries, minimum wages, hours of labors and other labor laws as Ministry Order No. 0\9 series of 1981.
10. The CONTRACT warrants that he has not given nor promised to give any money or gift to any employee of the EMPLOYER (or any Philippine Government Instrumentality) to secure this CONTRACT).
11. The Joint Guidelines on Change Orders, Extra Works Orders, etc. As provided under the pertinent provision of the implementing Rules and Guidelines of R.A. 9184 are hereby incorporated as part of the CONTRACT.
12. Within a period of 12 (twelve) months after completion and final acceptance of the PROJECT, the CONTRACTOR shall remain liable for any damaged or defect discovered on the works due to faulty construction or the use of materials of inferior quality of violation of terms of the CONTRACT.
13. If any dispute or difference of any kind whatsoever arises between the EMPLOYER or the ENGINEER and the CONTRACTOR in the connection with or arising out of the CONTRACT, or carrying out of the WORKS, it shall first be referred to and settled by, the ENGINEER is not satisfactory either to the EMPLOYER or the CONTRACTOR, such dispute may be submitted, and settled of the Construction Industry Arbitration Commission (CIAC) created by the Executive Order 1088.
14. This agreement becomes binding and valid upon approval by the proper authorities.

IN WITNESS WHEREOF, the parties hereto set their respective hands of on the day, month and year first above written.

**ILOILO STATE UNIVERSITY OF FISHERIES
SCIENCE AND TECHNOLOGY
(PARTY OF THE FIRST PART)**

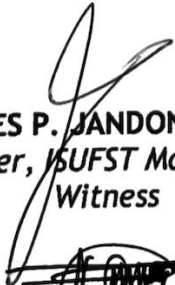
**NEM CONSTRUCTION
SUPPLIES & SERVICES
(PARTY OF THE SECOND PART)**

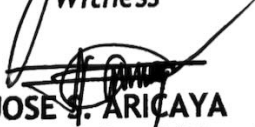
BY:


NORDY D. SIASON JR., Ed.D., CESO VI
SUC President II

BY:


MA. CONCEPCION A. ILEJAY
Owner/General Manager


RES P. JANDONERO
Planning Officer, ISUFST Main Poblacion Site
Witness


JOSE S. ARICAYA
Administrative Officer V
Witness

Approved this 7th day of September year 2023.

REPUBLIC OF THE PHILIPPINES
 CITY OF ILOILO)S.S.
 X-----X

ACKNOWLEDGEMENT

BEFORE ME, a Notary Public for and in the above jurisdiction, this _____ Personally, appeared the following persons presenting and exhibiting their respective identifications (IDs) bearing their respective photos and specimen signature as indicated below:

NAMES	TYPES OF IDENTIFICATION	ID No.	PLACE OF ISSUE	DATE OF ISSUE
NORDY D. SIASON JR., Ed.D., CESO VI				
MA. CONCEPCION A. ILEJAY				

Know to me and to known the same persons who executed the foregoing Agreement with which they acknowledge before me to be their free, voluntary act and deed consisting of 6 (six) pages including the page on which this Acknowledgement is written, signed by the Parties and their instrumental witnesses and every page hereof and sealed with my notarial seal.

IN WITNESS WHERE OF, I have hereunto set my hand and seal on the date and place first above written.

Doc No.: 358
 Book No.: CLXXXIX
 Page No.: 73
 Series of 2023.

NOTARY PUBLIC
IGNACIO A. PEREZ, JR.
 NOTARY PUBLIC FOR THE CITY & PROVINCE OF ILOILO
 UNTIL DECEMBER 31, 2025
 IEP No. 154650, 12/28/2023, ILOILO CITY
 PER No. 108421211/3/2023, ILOILO CITY,
 NOT. REG. NO. 36, ROLL NO. 25333
 MCLE VII 0009676 VALID UNTIL 04/14/2025
 TIN: 117-355-747
 MEZZANINE FLOOR, RED PLAZA BUILDING
 JM BASA STREET, ILOILO CITY 5000
 (033) 326-48-92

MA. CONCEPCION A. ILEJAY
 MA. CONCEPCION A. ILEJAY
 Authorized Representative

NORDY D. SIASON JR., Ed.D., CESO VI
 SUC President II

JOSE S. ARICAYA
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Planning Officer, ISCOF
 Barotac Nuevo Campus

