

CONTRACT AND AGREEMENT Additional Works for Rehabilitation of Electrical System of ISCOF-BN Phase 3

KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered into this 25th day of July year 2022 at ISCOF, Barotac Nuevo Campus, J.T. Bretaña St., Ilaya Poblacion, Barotac Nuevo, Iloilo.

The ILOILO STATE COLLEGE OF FISHERIES represented by MICHAEL B. DIZON, EdD, PhD., Campus Administrator, 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

PESOM CONSTRUCTION SERVICES with the office address at Leofel Village Subd., Brgy. Ticud, Lapaz, Iloilo City by ARLAN E. SOMODIO, Owner/General Manager, 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 FIFTY-FOUR THOUSAND FOUR HUNDRED SEVENTY-NINE PESOS AND 41/100 (Php 54, 479.41).

WHEREAS, THE WHOLE works in the PROJECT as covered by this CONTRACT shall be completed within Thirty (30) 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

ARLAN E. SOMODIO
Owner/General Manager

MICHAEL B. DIZON, EdD, PhD.
Campus Administrator

JOSE S. ANICAYA
Administrative Officer IV

GLADYS B. BELJERNA, PhD
Planning Officer, ISCOF
Barotac Nuevo Campus

- c. Conditions of Contract
- d. Drawing/Plans
- e. Invitation to Bid
- 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 Conformance 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 CONTRACTOR 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:

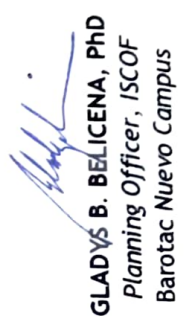
ITEM NO.	UNIT	QTY	ESTIMATED COST OF ITEM OF WORK	UNIT COST	TOTAL
			Scope of Work to be Done		
I	lot	1.00	FABRICATION / INSTALL ATION OF CABLE LADDER SUPORTS AND SECONDARY RACK SPOOL INSULATOR	11,912.67	11,912.67
II.	lot	1.00	CABLE PULLING, HARNESSING, AND TERMINATION	42,566.74	42,566.74
TOTAL					54,479.41

BREAKDOWN OF ESTIMATED EXPENDITURE	% of Total	AMOUNT
I. ESTIMATED COST		
A. DIRECT COST		45,275.00
LABOR		4,100.00
MATERIALS		41,175.00
EQUIPMENT RENTAL		
B. INDIRECT COST		9,204.41
1. Overhead Expnses	4.16	2,263.75
(5% to 8% of EDC w/c include Superintendence, Transportation, Office Expenses, CARI & Financing)		


ARLAN E. SOMODIO
 Owner/General Manager


MICHAEL B. DIXON, EdD, PhD.
 Campus Administrator


JOSE S. ARICAYA
 Administrative Officer IV


GLADYS B. BELICENA, PhD
 Planning Officer, ISCOF
 Barotac Nuevo Campus


ARLAN E. SOMODITO
 Owner/General Manager


MICHAEL B. BIZON, EdD, PhD.
 Campus Administrator


JOSE S. ARCEAYA
 Administrative Officer IV


GLADYS B. BELICENA, PhD
 Planning Officer, ISCOF
 Barotac Nuevo Campus

2. Contengencies (0.5% - 3% of EDC w/c include expences for coordination meetings)	0.66	362.20
3. Miscellaneous (0.5% - 1% of EDC w/c include expences for laboratory test & plan preparation)	0.66	362.20
4. Contractor's Profit (8% of EDC for Projects above 5M and 10% for projects below 5M)	6.65	3,622.00
5. VAT (5% of EDC, OCM and Profit)	4.76	2,594.26
6. Mobilizaton/ Demolition (up to 2% of EDC for projects up to P 10.0M)		
7. P.D.E.		
Sub Total	100.00	54,479.41
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)		
TOTAL ESTIMATED COST	100.00	54,479.41

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 Sixteen Thousand Three Hundred Forty-Three Pesos and 82/100 (P16,343.82) 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 - the 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.

$$\begin{aligned} \text{TLD} &= \text{VUUP} \times [(1 + \text{OCC} \times n - 1)] \times K \\ \text{VUUP} &= \text{TCP} - \text{VCUP} \end{aligned}$$

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

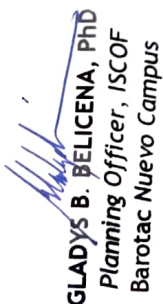
i = annual inflation rate

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. 019 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.


ARLAN E. SOMODIO
OWNER/ General Manager


MICHAEL B. DIXON, EdD, PhD.
Campus Administrator


JOSE S. ARISAYA
Administrative Officer IV


GLADYS B. BELICENA, PhD
Planning Officer, ISCOF
Barotac Nuevo Campus

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 COLLEGE OF FISHERIES

PESOM CONSTRUCTION SERVICES

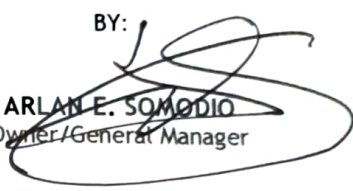
(PARTY OF THE FIRST PART)


(PARTY OF THE SECOND PART)

BY:

BY:


MICHAEL B. DION, EdD, PhD.
Campus Administrator

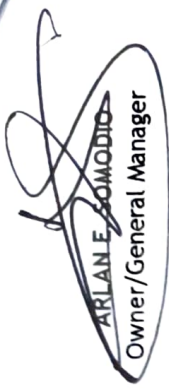

ARLAN E. SOMODIO
Owner/General Manager


JOSE S. ARICAYA
Administrative Officer IV
Witness


GLADYS B. BELCENA, PhD
Planning Officer, ISCOF Barotac Nuevo Campus
Witness

Approved this 14 day of July year 2022.

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


ARLAN E. SOMODIO
Owner/General Manager

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
MICHAEL B. DIZON, EdD, PhD.				
ARLAN E. SOMODIO				

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.: 45
Book No.: 91
Page No.: 70
Series of 2022.


JOSE S. ARICAYA
Administrative Officer IV


JOSE RONI CAMARARON
NOTARY PUBLIC
FOR THE CITY AND PROVINCE OF ILOILO
UNTIL DECEMBER 31, 2025
NATIONAL COMMISSIONER 76
100 ILOILO AVENUE
ISSUED AT ILOILO CITY ON JAN. 03, 2022
RTR 12.75.200051
ISSUED AT ILOILO CITY ON JAN. 7, 2022
RTR 12.75.200051
E. LOPEZ ST., SAN JUAN, ILOILO CITY


GLADYS B. BELICENA, PhD
Planning Officer, ISCOF
Barotac Nuevo Campus



REPUBLIC OF THE PHILIPPINES
ILOILO STATE COLLEGE OF FISHERIES
OFFICE OF THE BIDS AND AWARDS COMMITTEE

J.T. Bretaña St., Barotac Nuevo, Iloilo
5007 Philippines

Tel. No. (033) 339 7370 Local 1025 / (033) 327 5062

Website: www.iscof.edu.ph / Email: iscofbn-bac@iscof.edu.ph / iscofbcampusbac@gmail.com



NOTICE OF AWARD

July 27, 2022

ARLAN E. SOMODIO

Owner/General Manager
PESOM CONSTRUCTION SERVICES
Leofel Village Subd., Brgy. Ticud,
Lapaz, Iloilo City

Dear Sir:

We are happy to notify that your Bid dated July 11, 2022 for execution of ADDITIONAL WORKS FOR REHABILITATION OF ELECTRICAL SYSTEM OF ISCOF-BN PHASE 3 (Solicitation No. RFQ2022-07-16/ Ref. No. 8818972) with a Contract Price amounting to FIFTY-FOUR THOUSAND FOUR HUNDRED SEVENTY-NINE PESOS AND 41/100 (Php 54, 479.41), 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,

MICHAEL B. DIZON, EdD, PhD.
Campus Administrator

Conforme:

Representative, **PESOM CONSTRUCTION SERVICES**

Date: 7/27/22



REPUBLIC OF THE PHILIPPINES
ILOILO STATE COLLEGE OF FISHERIES
OFFICE OF THE BIDS AND AWARDS COMMITTEE

J.T. Bretaña St., Barotac Nuevo, Iloilo
5007 Philippines

Tel. No. (033) 339 7370 Local 1025 / (033) 327 5062

Website: www.iscof.edu.ph / Email: iscofbn-bac@iscof.edu.ph / iscofbcampusbac@gmail.com



Iloilo State College of Fisheries
Revised on August 11, 2004

Reference Number 8818972
Additional Works for Rehabilitation of Electrical System of ISCOF-
BN Phase 3

NOTICE TO PROCEED

July 29, 2022

ARLAN E. SOMODIO
Owner/General Manager
PESOM CONSTRUCTION SERVICES
Leofel Village Subd., Brgy. Ticud,
Lapaz, Iloilo City

Dear Sir:

The attached Contract Agreement/ Purchase Order having been approved, notice is hereby given to PESOM CONSTRUCTION SERVICES, that the ADDITIONAL WORKS FOR REHABILITATION OF ELECTRICAL SYSTEM OF ISCOF-BN PHASE 3 may proceed to Iloilo State College of Fisheries – Barotac Nuevo Campus, J.T. Bretaña St., Barotac Nuevo, Iloilo with (Solicitation No. RFQ2022-07-16/ Ref. No. 8818972) 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 College of Fisheries – Barotac Nuevo Campus.

Very truly yours,


MICHAEL B. DIZON, EdD, PhD.
Campus Administrator

Conforme:

Representative, **PESOM CONSTRUCTION SERVICES**

Date: 7/29/22



REPUBLIC OF THE PHILIPPINES
ILOILO STATE COLLEGE OF FISHERIES
OFFICE OF THE BIDS AND AWARDS COMMITTEE
 J.T. Bretaña St., Ilaya Poblacion, Barotac Nuevo, Iloilo 5007 Philippines
 Contact No.: (+63) 9652740330
 Website: www.iscof.edu.ph / Email: iscofpresident2016@gmail.com/iscofbncampusbac@gmail.com



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

RESOLUTION NO. 07-24b s. 2022

Whereas, the Iloilo State College of Fisheries, Barotac Nuevo Campus advertised the Invitation to Apply for Eligibility to Bid for the Additional Works for Rehabilitation of Electrical System of ISCOF-BN Phase 3 with the ABC of Php 54,500.00 and posted it in Philgeps with Solicitation No. RFQ 2022-07-16 and Reference No. 8818972 and ISCOF Barotac Nuevo Campus Bulletin for 3 days;

Whereas, in response to the said advertisement, one (1) bidder submitted the application for eligibility to bid and was found eligible and passed the preliminary examination of bids on July 11, 2022@ 9:00 a.m.;

Name of Bidder	Bid Amount as Read	% Variance from ABC
PESOM Construction Services	Php 54, 479.41	0.04%

Whereas, on July 12, 2022@ 9:00 a.m. the Evaluation of Bids are as follows:

Name of Bidder	Bid Amount as Read	% Variance from ABC
PESOM Construction Services	Php 54, 479.41	0.04%

Whereas, on July 14, 2022@ 9:00 a.m. upon careful examination, validation and verification of all the technical and financial requirements submitted by the bidder with the Single Calculated Bid, PESOM Construction Services has been found responsive;

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

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

RESOLVED, at the BAC Office, Iloilo State College of Fisheries, Barotac Nuevo Campus, 18th day of July 2022.

JOSE S. RICAYA
 BAC Chairman

RYAN M. AGSALUNA
 BAC Vice Chairman

FLOCERPADA H. BELAONG
 BAC Member

RUBY F. PERASOL
 BAC Member

RES P. JANDONERO
 BAC Member

RENANTE A. DIAMANTE
 BAC Member

RODEL D. DOSANO
 BAC Member

MICHAEL B. BIZON, EdD, PhD
 Campus Administrator
 Approved on: 7/18/22