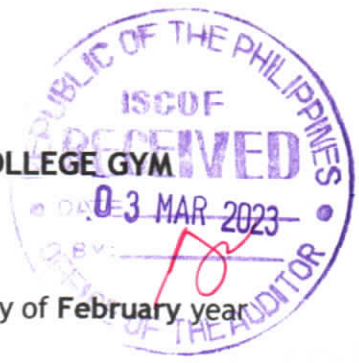


**CONTRACT AND AGREEMENT  
FOR THE REPAIR AND MAINTENANCE OF COLLEGE GYM**



**KNOW ALL MEN BY THESE PRESENTS:**

This contract made and entered into this 9<sup>th</sup> day of February year 2023 at ISCOF, Tiwi, Barotac Nuevo, Iloilo.

The ILOILO STATE COLLEGE OF FISHERIES represented by **DR. NORDY D. SIASON, JR.**, SUC President II, with office address at Tiwi, Barotac Nuevo, Iloilo as the **PARTY OF THE FIRST PART**, hereinafter called the **EMPLOYER** duly authorized for this purpose.

and

**5S CONSTRUCTION AND SUPPLY** with the office address at Ticud, Lapaz, Iloilo City by **NANCY C. PENIT**, Owner/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 Negotiated Procurement (Small Value Procurement-Sec. 53.9);

**WHEREAS**, the total amount of award for completion of the **WORKS** is **P651,000.00 (Six Hundred Fifty One Thousand) Philippine Peso**.

**WHEREAS**, **THE WHOLE** works in the **PROJECT** as covered by this **CONTRACT** shall be completed within **45 (forty five) Calendar Days (CD)** 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 never 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

**NANCY C. PENIT**  
Authorized Managing Officer

**JOHNNY B. DOLOS, EdD**  
Vice President for Administrative Affairs

**JOAN M. BELGA, PhD**  
Vice President for Academic Affairs

**NORDY D. SIASON, JR., EdD**  
SUC President II

  
NANCY C. PENIT  
Authorized Managing Officer

- 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.

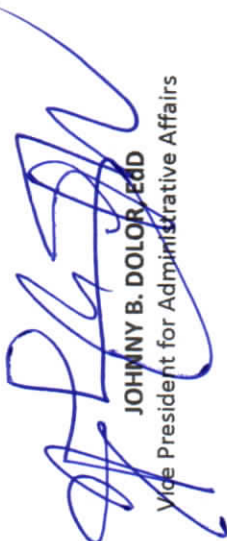
- b. Contract Agreement
- c. Conditions of Contract
- d. Drawing/Plans
- e. Invitation to Bid
- f. Specifications
- g. Instructions to Bidders
- h. Addenda
- i. Performance Bond
- j. Prequalification and Post Qualification Statements
- k. Certificate of Cash Deposit for Operating Expenses
- l. Notice 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.

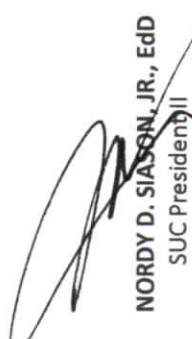
4. The owner hereby covenants to pay the CONTRACTOR in consideration of the prosecution, completion and maintenance of the project in the manner and at the time specified in its Bid Form for the following but not limited to the herein items of works.

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

Item No.	Quantity	Unit	Articles and Description	Unit Cost	Total Cost
I.	890	Sq.m	Repainting of Gym Flooring	P195.00	P173,550.00
II	24	Sq.m	Installation of ACP	5,300.00	127,200.00
III	1	lot	Scaffolding Works	48,000.00	48,000.00
IV	1	lot	Removal and Replacement of Bathroom and Electrical Fixtures and Doors	33,000.00	73,000.00
V	24	Sq.m	Ceiling Works	2,550.00	61,200.00
VI	40	Sq.m	Painting of Walls and ceiling of Comfort and Stockroom	1,452.00	58,080.00
VII	1	lot	Carpentry	68,120.00	68,120.00
IX	1	lot	Connection of Water Lines to Main Source	41,850.00	41,850.00
				<b>Grand Total</b>	<b>P651,000.00</b>

  
JOHNNY B. DOLOR, EDD  
Vice President for Administrative Affairs

  
JOAN M. BELGA, PhD  
Vice President for Academic Affairs

  
NORDY D. SIASON, JR., EDD  
SUC Presidency II



  
NANCY C. RENIT  
Authorized Managing Officer

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 Contract.

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 **Php 195,300.00 (One Hundred Ninety Five Thousand Three Hundred) Pesos** 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.

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

Where :

TLD= Total Liquidated Damages, in Pesos

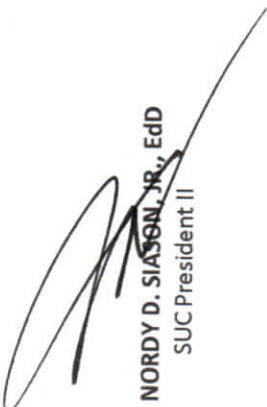
VUUP = Value of the Uncompleted and Usable Portions of the Contract work, as of the expiry date of the contract, in Pesos

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

  
JOHNNY B. DOLOR, EdD  
Vice President for Administrative Affairs

  
JOAN M. BELGA, PhD  
Vice President for Academic Affairs

  
NORDY D. SIASON, JR., EdD  
SUC President II

  
NANCY C. PENIT  
Authorized Managing Officer

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

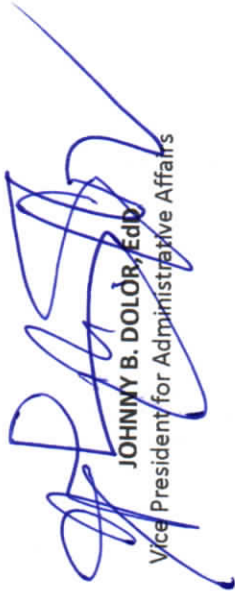
K = Adjustment factor to cover additional losses  
=  $1 + C + (I \times n)$

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, ect. 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 biding and valid upon approval by the proper authorities.

  
JOHNNY B. DOLOB, EdD  
Vice President for Administrative Affairs

  
JOAN M. BELGA, PhD  
Vice President for Academic Affairs

  
NORDY D. SIASON, JR., EdD  
SUC President II

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

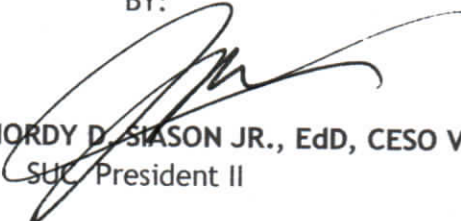
**ILOILO STATE COLLEGE OF FISHERIES**

(PARTY OF THE FIRST PART)

**5S CONSTRUCTION AND SUPPLY**

(PARTY OF THE SECOND PART)


BY:


  
NORDY D. STASON JR., EdD, CESO VI  
SUC President II

BY:

  
NANCY C. PENIT  
Owner/Manager

Signed in the presence of:

  
JOAN M. BELGA, PhD  
Vice President for Academic Affairs  
Witness

  
JOHNNY B. DOLOR, EdD  
Vice President for Administrative Affairs  
Witness



  
**NANCY C. PENIT**  
 Authorized Managing Officer

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
Dr. Nordy D. Siason, Jr.				
Nancy C. Penit				

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.

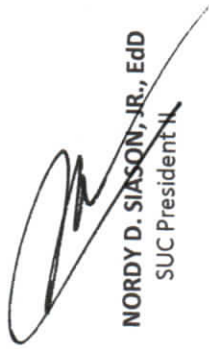
IN WITNESS WHERE OF, I have hereunto set my hand and seal on the date and place first above written.

Doc No.: 242  
 Book No.: 70  
 Page No.: (XXXIV)  
 Series of 2023.

  
**JOSE ROMULO MARANDA**  
 NOTARY PUBLIC  
 FOR THE PROVINCE AND CITY OF ILOILO  
 UNTIL DECEMBER 31, 2023  
 NOTARIAL COMMISSION REG. NO. 60  
 VIA MEMBERSHIP NO. 263390  
 ISSUED AT PASIG CITY - P.F. 07 JAN. 3, 2023  
 P.A. No. 0792135  
 ISSUED AT ILOILO CITY ON JAN. 3, 2023  
 I. L. OF ATTOR. NO. 83326  
 ADDRESS: E. LOPEZ ST. WARD, ILOILO CITY

  
**JOHNNY B. DOLOR, EdD**  
 Vice President for Administrative Affairs

  
**JOAN M. BELGA, PhD**  
 Vice President for Academic Affairs

  
**NORDY D. SIASON, JR., EdD**  
 SUC President



REPUBLIC OF THE PHILIPPINES  
ILOILO STATE COLLEGE OF FISHERIES

Office of the Bids and Awards Committee

Tiwi, Barotac Nuevo, Iloilo  
5007 Philippines

Contact No. (+63) 917-624-6100

Website: [www.iscof.com.ph/](http://www.iscof.com.ph/) Email: [iscofpresident2016@gmail.com](mailto:iscofpresident2016@gmail.com)  
or [iscofmainbac@gmail.com](mailto:iscofmainbac@gmail.com)



Iloilo State College of Fisheries

Reference Number: 9447784  
**Repair & Maintenance of College Gym**  
ISCOF-Main Tiwi Campus  
Tiwi, Barotac Nuevo, Iloilo

Standard Form Number: SF-INFR-65  
Revised on: August 11, 2004

**NOTICE OF AWARD**

February 8, 2023

**5'S CONSTRUCTION AND SUPPLY**  
Ticud, Lapaz, Iloilo City

Dear Sir/Madame:

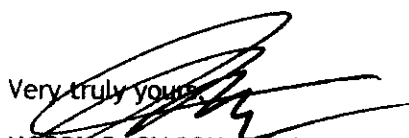
We are happy to notify you that the **REPAIR AND MAINTENANCE OF COLLEGE GYM** is hereby awarded to you as the Bidder with the Lowest Calculated Responsive Bid at the Contract Price equivalent to Six Hundred Fifty One Thousand Pesos (Php651,000.00) only.

You are therefore required to provide the following within ten (10) days from the receipt of this Notice of Award, to wit;

1. This Notice with your signed "Conforme" thereon
2. The required Performance Security
3. Manpower schedule
4. Projects Organizational Chart
5. Construction Methods
6. Equipment Utilization Schedule
7. Construction safety and health program approved by the Department of Labor and Employment
8. PERT/CPM or other acceptable tools for project scheduling
9. Authority of the signing official
10. Bid Prices in the Bill Quantities
11. Detailed Estimate
12. Cash Flow and Payment Schedule
13. Certificate of the Site Inspection (Optional)
14. Supplementary PQ Statement per D.O. 88 of 1991

Failure to comply the above stated requirements shall constitute a sufficient ground for cancellation of this award and forfeiture of your Bid Security.

Very truly yours,

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

Conforme:

  
NANCY C. PENIT  
5S CONSTRUCTION AND SUPPLY

Date: February 8, 2023



REPUBLIC OF THE PHILIPPINES  
ILOILO STATE COLLEGE OF FISHERIES  
**Office of Bids and Awards Committee**

Tiwi, Barotac Nuevo, Iloilo  
5007 Philippines  
Contact No. 09176246100

Website: [www.iscof.edu.ph](http://www.iscof.edu.ph) / Email: [Iscofmainbac@gmail.com](mailto:Iscofmainbac@gmail.com)



Registration No. 78Q13035

Iloilo State College of Fisheries

Reference Number: 9447784  
**Repair & Maintenance of College Gym**  
ISCOF-Main Tiwi Campus  
Tiwi, Barotac Nuevo, Iloilo

Standard Form Number: SF-GOOD-48  
Revised on: May 24, 2004

**BAC Resolution Declaring LCRB and Recommending Approval**  
**RESOLUTION NO. 02-003 s. 2023**

**WHEREAS**, the ILOILO STATE COLLEGE OF FISHERIES - MAIN TIWI CAMPUS advertised the Invitation to Apply for Eligibility and to Bid for the project titled "REPAIR & MAINTENANCE OF COLLEGE GYM" with the Approved Budget of the Contract in the amount of Seven Hundred Seventy Nine Thousand Six Hundred Ninety & 82/100 Pesos (Php779,690.82) the same in the Philippine Government Electronic Procurement System (PHILGEPS) continuously for 3 days;

**WHEREAS**, in response to the said sending of RFQs, advertisement, and posting, five (5) prospective bidders submitted the Request for Quotation for "REPAIR & MAINTENANCE OF COLLEGE GYM", during the opening of bids on February 6, 2023 at 10:00 o'clock in the morning.

**WHEREAS**, the bidder found substantially complying be declared as the Lowest Calculated Responsive Bidder based on the findings on the documents submitted and found complying after the post-qualification;

**WHEREAS**, the result of the bid proposals found to be substantially complying are the following supplier:

Name of Supplier	Bid Amount as Read	Bid Amount as Calculated	% Variance from ABC	Remarks
5'S CONSTRUCTION & SUPPLY	P651,000.00	P651,000.00	16.51%	1 <sup>ST</sup> , LCRB
C SQUARE ENGINEERING CONSTRUCTION & SUPPLY	P653,250.00	P653,250.00	16.22%	2 <sup>ND</sup>
QUADTECH BUILDERS AND CONSTRUCTION SUPPLY	P708,777.40	P708,777.40	9.10%	3 <sup>RD</sup>
QUATRO AMIGOS BUILDERS & SUPPLY	P756,459.82	P756,459.82	2.98%	4 <sup>TH</sup>
A.MAQUILING CONSTRUCTION & SUPPLY	P764,864.18	P764,864.18	1.90%	5 <sup>TH</sup>





REPUBLIC OF THE PHILIPPINES  
ILOILO STATE COLLEGE OF FISHERIES  
**Office of Bids and Awards Committee**

Tiwi, Barotac Nuevo, Iloilo  
5007 Philippines  
Contact No. 09176246100

Website: [www.iscof.edu.ph](http://www.iscof.edu.ph) / Email: [iscofmainbac@gmail.com](mailto:iscofmainbac@gmail.com)




**BAC Resolution Declaring LCRB and Recommending Approval**  
**RESOLUTION NO. 02-003 s. 2023**

WHEREAS, upon careful examination, validation and verification of all eligibility, technical and financial requirements submitted by the Bidder as the Lowest Calculated Responsive Bidder, **5'S CONSTRUCTION & SUPPLY** 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 **5'S CONSTRUCTION & SUPPLY** as the Lowest Calculated Responsive Bidder for the "**REPAIR & MAINTENANCE OF COLLEGE GYM**";
- b) To recommend for approval by the SUC President II, DR. NORDY D. SIASON, JR. of the Iloilo State of Fisheries System the foregoing findings;
- c) To recommend issuance of Notice of Award and Notice to Proceed to **5'S CONSTRUCTION & SUPPLY** as the Lowest Calculated Responsive Bidder for the "**REPAIR & MAINTENANCE OF COLLEGE GYM**".

RESOLVED, at the BAC Office of the Iloilo State College of Fisheries-Main Tiwi Campus, Tiwi, Barotac Nuevo, Iloilo this 7<sup>th</sup> day of February, 2023.

  
**ROLINDO B. DEMOS, JR., MFT**  
Member

  
**PATRICK LANCE L. NACION**  
Member

  
**HANNAH B. DATIVAS**  
Member

  
**SOL B. DENAMARCA, MILE**  
BAC Vice Chairman

  
**LILIBETH B. PETRESCU, MBM**  
BAC Chairman

Approved: 

**NORDY D. SIASON, JR., EdD., CESO VI**  
SUC President II

Date of Approval: \_\_\_\_\_



REPUBLIC OF THE PHILIPPINES  
ILOILO STATE COLLEGE OF FISHERIES  
Office of the Bids and Awards Committee



Tiwi, Barotac Nuevo, Iloilo  
5007 Philippines  
Contact No. (+63) 917-624-6100

Website: [www.iscof.com.ph](http://www.iscof.com.ph) / Email: [iscofpresident2016@gmail.com](mailto:iscofpresident2016@gmail.com)  
or [iscofmainbac@gmail.com](mailto:iscofmainbac@gmail.com)

Iloilo State College of Fisheries

Reference Number: 9447784  
Repair & Maintenance of College  
Gym  
ISCOF-Main Tiwi Campus  
Tiwi, Barotac Nuevo, Iloilo

Standard Form Number: SF-INFR-72  
Revised on: August 11, 2004

**NOTICE TO PROCEED**

February 10, 2023

**5'S CONSTRUCTION AND SUPPLY**  
Ticud, Lapaz, Iloilo City *HL*

Dear Sir/Madame:

The attached Contract Agreement having been approved, notice is hereby given to 5'S CONSTRUCTION AND SUPPLY that work may proceed on the project: "REPAIR & MAINTENANCE OF COLLEGE GYM" seven (7) days after receipt of this notice.

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 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 the Iloilo State College of Fisheries.

Very truly yours,

*[Signature]*  
NORDY D. SIASON, JR, EdD, CESO VI  
SUC President II *[Signature]*

I acknowledge receipt of this Notice on February 13, 2023

Name of the Representative of the Bidder: NANCY C. FEAT

Authorized Signature: *[Signature]*