

NOTICE OF AWARD

23 August 2018

MS. MERCEDES A. MARILAO

Authorized Managing Officer
PACIFIC SUMMIT CONSTRUCTION GROUP INC.
2101 One Global Place Bldg., 5th Ave. Cor. 25th St.,
BGC FB Taguig City

Dear Ms. Marilao:

You are advised that the Purchase Order for the **“SUPPLY OF LABOR, MATERIALS, TOOLS, EQUIPMENT AND TECHNICAL SUPERVISION FOR THE CONSTRUCTION OF WATCH TOWER, RETAINING WALL, GAZEBO AND GUARD OUTPOST LEADING TO PTRI-Negotiated”** of the Metals Industry Research and Development Center (MIRDC) has been awarded to your firm in the amount of **Four Million Seven Hundred Forty Four Thousand One Hundred Twenty Seven Pesos 30/100 (Php4,744,127.30)**, subject to the approval of the concerned authorities.

You are therefore requested to acknowledge receipt of this notice and post a performance security according to the following schedule within ten (10) calendar days from receipt hereof:

- a. Cash, Manager's check or Cashier's check – 10% of the total contract price;
- b. Bank Guarantee/ Draft/ Irrevocable Letter of Credit – 10% of the total contract price;
- c. Surety Bond, callable on demand, valid for one year, issued by the Office of the Insurance Commissioner, or any combination thereof – 30% of the total contract price.

Thank you.

Very truly yours,


ROBERTO O. DIZON
Executive Director

RECEIVED BY
WILFREDO D. DIZONMAMPO JR
28-AUGUST-2018

Molding the Future of Metal Industries

**BAC RESOLUTION DECLARING THE BEST AND FINAL OFFER AND
RECOMMENDING THE AWARD TO AC TECHNICAL SERVICES**

Resolution No. 2018-22

Project: "SUPPLY OF LABOR, MATERIALS, TOOLS, EQUIPMENT AND TECHNICAL SUPERVISION FOR THE CONSTRUCTION OF WATCH TOWER, GAZEBO, RETAINING WALL AND GUARD OUTPOST LEADING TO PTRI-NEGOTIATED"

Approved Budget Contract: Php4,802,318.52

WHEREAS, MIRDC declared a First and Second Failure of Biddings for the above-mentioned project under BAC Resolutions No. 2018-14 and 2018-17, respectively;

WHEREAS, due to two-failed biddings, the Bids and Awards Committee resorted to Negotiated Procurement under Two-Failed Biddings (Sec 53.1 of 2016 Revised IRR of RA 9184);

WHEREAS, the BAC invited contractors and posted the Invitation to Bid in the Philippine Government Electronic Procurement System (PhilGEPS), MIRDC Website, and conspicuous places at the premises of DOST on June 26, 2018;

WHEREAS, no bidder attended the first Negotiation on July 16, 2018, 9 A.M., Mercury Conference Room, 3F MIRDC Gold Building, Bicutan, Taguig City;

WHEREAS, another date for Negotiation was posted on July 31, 2018 to which Pacific Summit Construction Group Inc. responded and submitted their bid offer on August 7, 2018;

WHEREAS, Pacific Summit Construction Group Inc. passed the technical, financial requirements and the legal requirements;

WHEREAS, the BAC considered Pacific Summit Construction Group Inc. offer and decided to conduct post-qualification to verify and validate its submitted documents;

WHEREAS, after careful validation, verification and detailed evaluation of the bid of Pacific Summit Construction Group Inc. by the Technical Working Group, the team found Pacific Summit Construction Group Inc. to have passed the criteria for post-qualification and is responsive to the requirements and conditions for eligibility and the bidding of the contract as specified in the bidding documents;

WHEREAS, the BAC accepted Pacific Summit Construction Group Inc.'s bid proposal of Pesos **Four Million Seven Hundred Forty Four Thousand One Hundred Twenty Seven Pesos 30/100 (Php 4,744,127.30)** and considered it as the Best and Final Offer;

NOW, THEREFORE, We, the Members of the Bids and Awards Committee, hereby RESOLVE as it is hereby RESOLVED, to declare Pacific Summit Construction Group Inc. offer as the **Best and Final Offer** and to recommend the

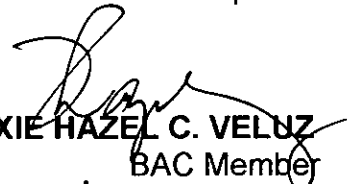
award of contract to Pacific Summit Construction Group Inc. for the Negotiated Procurement on "SUPPLY OF LABOR, MATERIALS, TOOLS, EQUIPMENT AND TECHNICAL SUPERVISION FOR THE CONSTRUCTION OF WATCH TOWER, GAZEBO, RETAINING WALL AND GUARD OUTPOST LEADING TO PTRI-NEGOTIATED" for approval by the Head of Agency.

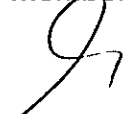
RESOLVED, at Taguig City this 20th August 2018.



AUREA T. MOTAS
BAC Chairman


MERCEDITA G. ABUTAL
BAC Vice Chairperson



GINA A. CATALAN
BAC Member


TRIXIE HAZEL C. VELUZ
BAC Member


ISIDRO D. MILLO
BAC Member


ERIC C. CALANNO
End-User


NESTOR Q. COLIBAO JR.
TWG Member


REYNALDO O. BAYOT
TWG Member

Approved (✓) / Disapproved ()


ROBERT O. DIZON
Executive Director

Approved on 23 August 2018

Form of Contract Agreement

THIS AGREEMENT, made this **23rd** day of **August 2018** between **Metals Industry Research and Development Center** (hereinafter called the "Entity") and **Pacific Summit Construction Group Inc.** (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute "**SUPPLY OF LABOR, MATERIALS, TOOLS, EQUIPMENT AND TECHNICAL SUPERVISION FOR THE CONSTRUCTION OF WATCH TOWER, RETAINING WALL, GAZEBO AND GUARD OUTPOST LEADING TO PTRI-Negotiated**" (hereinafter called "the Works") and the Entity has accepted the Bid for **Four Million Seven Hundred Forty Four Thousand One Hundred Twenty Seven Pesos 30/100 (PhP4,744,127.30)** by the Contractor for the execution and completion of such Works and the remedying of any defects therein.


NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:


1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as integral part of this Agreement, to wit:
 - (a) General and Special Conditions of Contract;
 - (b) Drawings/Plans;
 - (c) Specifications;
 - (d) Invitation to Bid;
 - (e) Instructions to Bidders;
 - (f) Bid Data Sheet;
 - (g) Addenda and/or Supplemental/Bid Bulletins, if any;
 - (h) 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;
 - (i) Eligibility requirements, documents and/or statements;
 - (j) Performance Security;
 - (k) Notice of Award of Contract and the Bidder's conforme thereto;

- (l) Other contract documents that may be required by existing laws and/or the Entity.
3. In consideration of the payments to be made by the Entity to the **Contractor as hereinafter mentioned**, the Contractor hereby covenants with the Entity to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all respects.
4. The Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects wherein, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.


Binding Signature of Procuring Entity


ROBERT O. DIZON
Executive Director


NESTOR Q. COLIBAO JR.
Project Leader

Binding Signature of Contractor


MERCEDES A. MARILAO
Authorized Managing Officer


LOIDA F. ESTILLORE
Witness

CERTIFIED FUNDS AVAILABLE:


JOHNNY G. QUINGCO
Accountant IV

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)

CITY OF Parañaque City) S.S.

Before me, a Notary Public for and in the Parañaque City this 31 AUG 2018 2018, personally appeared:

NAME	I.D. NO.	DATE/PLACE ISSUED
ROBERT O. DIZON	2016002	MIRDC, Taguig January 8, 2018
MERCEDES A. MARILAO		

all known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free act and deed as well as of the principal they represent.

This instrument refers to CONTRACT AGREEMENT consisting of three (3) pages, including this page in which the Acknowledgment is written, signed by the parties and their witnesses on each and every page and sealed with my notarial seal.

WITNESS MY HAND AND SEAL on the date and place above written.

ATTY. HOMOBONO S. DE GUZMAN

Notary Public-Parañaque
Until December 31, 2019
64 Doña Soledad Ave., BLS Pque. City
PTR No. 1239026 1-5-18
IBP No. 0060 1/31/2018
MCLE No. V-0026517 2-12-18
Rol# No. 24192
Tel. No. 799-59-38

Doc No. 19;

Page No. 5;

Page No. IX;

Series of 2018.

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[Handwritten signature of Atty. Homobono S. de Guzman]