

Resolution Declaring LCRB and Recommending Approval

WHEREAS, the City Government of Naga advertised the Invitation to Bid for the **Expansion of Ricemill Warehouse at City Nursery, Bgy. Carolina, Naga City, Contract Reference Number: 008549-2022-09**, in the City Government of Naga's website (www.naga.gov.ph), the PhilGEPS and at conspicuous places at the premises of the City Hall continuously for 7 days from December 1 to 8, 2022;

WHEREAS, in response to the said advertisement, ten (10) interested bidders purchased bid documents;

WHEREAS, ten (10) bids were submitted on December 21, 2022 and eight (8) passed the preliminary examination of bids, as follows;

| Name of Bidder | Bid Amount (As Read) | % Variance from ABC |
|--|-------------------------|------------------------|
| J-MARBELA CONSTRUCTION & SUPPLY (Lowest Responsive Bid) | 3,269,155.04 | 9.11 |
| MRBAY CONSTRUCTION | 3,586,723.07 | 0.28 |
| RENBEE CONSTRUCTION | 3,590,850.00 | 0.17 |
| MRP MERCHANDISING | 3,590,950.00 | 0.16 |
| S & RV CONSTRUCTION | 3,591,577.55 | 0.15 |
| NVF CONSTRUCTION | 3,591,769.32 | 0.14 |
| ST. BERNARDINE CONSTRUCTION & ENTERPRISES | 3,592,135.00 | 0.13 |
| AJFT CONSTRUCTION | 3,593,856.00 | 0.08 |

WHEREAS, the detailed evaluation of bids conducted on February 23, 2023 resulted in the following:

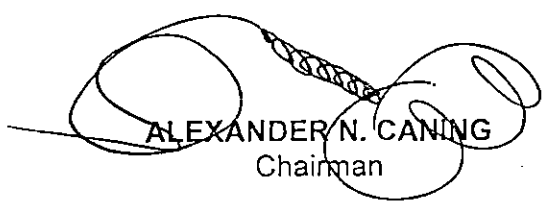
| Name of Bidder | Bid Amount (As Calculated) | % Variance from ABC |
|--|-------------------------------|------------------------|
| MRBAY CONSTRUCTION (2nd Lowest Calculated & Responsive Bid) | 3,586,723.07 | 0.28 |
| J-MARBELA CONSTRUCTION & SUPPLY (Post-Disqualified/Non-Complying) | 3,269,155.04 | 9.11 |
| RENBEE CONSTRUCTION | 3,590,850.00 | 0.17 |
| MRP MERCHANDISING | 3,590,950.00 | 0.16 |
| S & RV CONSTRUCTION | 3,591,577.55 | 0.15 |
| NVF CONSTRUCTION | 3,591,769.32 | 0.14 |
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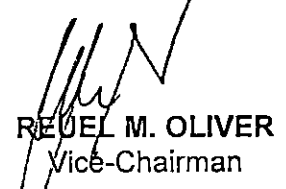
WHEREAS, upon careful examination, validation and verification of all the eligibility, technical and financial requirements submitted by the Bidder with the 2nd Lowest Calculated Bid, its bid has been found to be responsive;

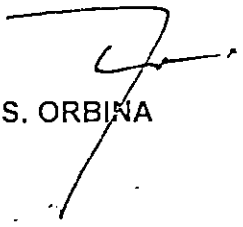
NOW, THEREFORE, We, the Members of the Bids and Awards Committee, hereby **RESOLVE** as it is hereby **RESOLVED**:

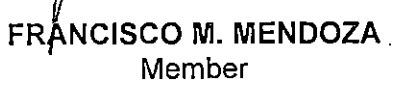
- a) To declare MRBAY CONSTRUCTION as the Bidder with the 2nd Lowest Calculated and Responsive Bid for the Expansion of Ricemill Warehouse at City Nursery, Bgy. Carolina, Naga City, Contract Reference Number: 008549-2022-09;
- b) To recommend for approval by the City Mayor of the City Government of Naga the foregoing findings.

RESOLVED, this 23rd day of February, 2023.

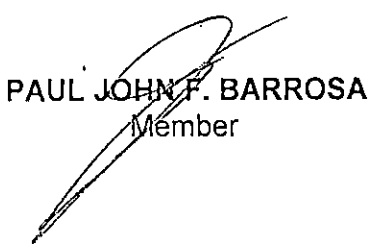

ALEXANDER N. CANING
Chairman

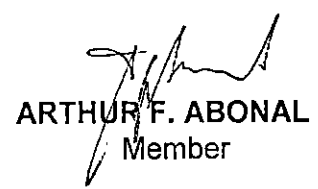

REUEL M. OLIVER
Vice-Chairman


MCGYVER GERARD S. ORBINA
Member


FRANCISCO M. MENDOZA
Member

FLORENCIO T. MONGOSO, JR.
Member


PAUL JOHN F. BARROSA
Member


ARTHUR F. ABONAL
Member

APPROVED:


NELSON S. LEGACION
City Mayor
Date: February 23, 2023.



Republic of the Philippines

CITY OF NAGA
BIDS AND AWARDS COMMITTEE
E-mail: bac@naga.gov.ph; Website: www.naga.gov.ph



NOTICE OF POST-QUALIFICATION

February 23, 2023

MRBAY CONSTRUCTION

Ms. Maricel R. Baylon

Northbound Terminal, Queborac Drive
Bgy. Bagumbayan Sur, Naga City

Dear Madam:

Upon careful examination, validation and verification of the eligibility, technical and financial requirements that you have submitted for the bidding of **Expansion of Ricemill Warehouse at City Nursery, Bgy. Carolina, Naga City, Contract Reference Number: 008549-2022-09**, which was conducted last December 21, 2022, we are happy to inform you that you have successfully passed post-qualification and have submitted the 2nd Lowest Calculated Bid for the said project.

Within a non-extendible period of five (5) calendar days from receipt of this notice, please submit the following:

- (a) Business/Mayor's Permit 2023 – Naga City
- (b) Construction Schedule and S-Curve
- (c) Equipment Utilization Schedule
- (d) Manpower Utilization Schedule
- (e) Construction Safety and Health Program approved by DOLE
- (f) Construction Method, in narrative form
- (g) Affidavit of Site Inspection
- (h) PERT-CPM

Failure to submit such documents and findings against the veracity of such shall be ground for forfeiture of the bid security and will disqualify you for award.

Very truly yours,

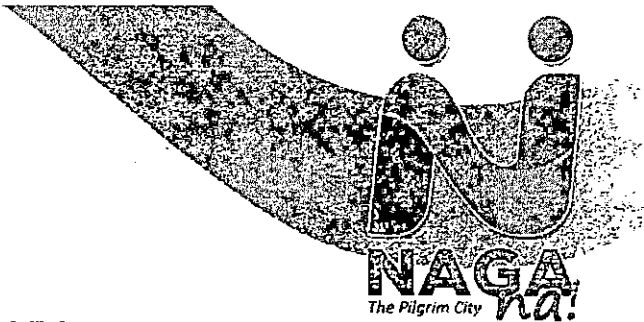

ALEXANDER N. CANING
BAC Chairperson

Received by the Bidder:


Date: 3/2/23



Republic of the Philippines
Bids and Awards Committee
 City of Naga, 4400



NOTICE OF AWARD

March 6, 2023

MRBAY CONSTRUCTION
 Ms. Maricel R. Baylon
 Northbound Termina, Queborac Drive
 Bgy. Bagumbayan Sur, Naga City

Dear Madam:

We are happy to inform you that the **Expansion of Ricemill Warehouse at City Nursery, Bgy. Carolina, Naga City, Contract Reference Number: 008549-2022-09**, is hereby awarded to you as the bidder with the 2nd Lowest Calculated Responsive Bid at a contract price equivalent to **THREE MILLION FIVE HUNDRED EIGHTY SIX THOUSAND SEVEN HUNDRED TWENTY THREE & 07/100 (P 3,586,723.07) PESOS.**

You are therefore required, within ten (10) days from the receipt of this Notice of Award, to formally enter into contract with us, to submit the attached 1) Construction Safety and Health Program approved by DOLE, 2) Notice of Labor Requirements in compliance with Section 4 of the **WORKERS HIRING FOR INFRASTRUCTURE PROJECTS (WHIP) ACT of 1988 (RA No. 6685)**, Section 6(f) of the **PUBLIC EMPLOYMENT SERVICE OFFICE (PESO) ACT of 1999 (RA 8759)** and **DILG Memorandum Circular No. 167**, and to submit the Performance Security in the form and 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,

NELSON S. LEGACION
 City Mayor & Head of Procuring Entity

Conforme:

MARICEL R. BAYLON

Name & Signature of Bidder's Representative

MRBAY CONSTRUCTION

Name of Bidder

Date: 3/8/23

Naga City Hall Compound
 J. Miranda Avenue, Concepcion Pequeña, City of Naga
 www.naga.gov.ph

CONTRACT AGREEMENT

THIS AGREEMENT, made this 10th day of March, 2022 between City Government of Naga, Naga City, Philippines (hereinafter called the "Entity") and MRBAY Construction of Northbound Terminal, Queborac Drive, Bgy. Bagumbayan Sur, Naga City, (hereinafter called the "Contractor").

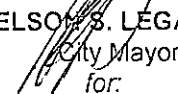
WHEREAS, the Entity is desirous that the Contractor execute **Expansion of Ricemill Warehouse at City Nursery, Bgy. Carolina, Naga City, Contract Reference Number: 008549-2022-09** (hereinafter called "the Works") and the Entity has accepted the Bid for Three Million Five Hundred Eighty Six Thousand Seven Hundred Twenty Three & 07/100 (P 3,586,723.07) Pesos 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 as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as part of this Agreement, viz.:
 - a. Philippine Bidding Documents (PBDs);
 - i. Drawings/Plans;
 - ii. Specifications;
 - iii. Bill of Quantities;
 - iv. General and Special Conditions of Contract;
 - v. Supplemental or Bid Bulletins, if any;
 - b. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

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;
 - c. Performance Security;
 - d. Notice of Award of Contract and the Bidder's conforme thereto; and
 - e. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.
3. In consideration for the sum of Three Million Five Hundred Eighty Six Thousand Seven Hundred Twenty Three & 07/100 (P 3,586,723.07) Pesos or such other sums as may be ascertained, MRBAY Construction agrees to Construct the **Expansion of Ricemill Warehouse at City Nursery, Bgy. Carolina, Naga City**, in accordance with his/her/its Bid.
4. The City Government of Naga agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

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


NELSON S. LEGACION
City Mayor
for:
City Government of Naga


MARICEL R. BAYLON
Contractor
for:
MRBAY Construction

Acknowledgment

SUBSCRIBED AND SWORN to before me this 10th day of March, 2022 at _____ [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her _____ [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ and his/her Community Tax Certificate No. _____ issued on _____ at _____.

Witness my hand and seal this 10th day of March 2022 **ATTY. ROMEO S. TAYO**
Notary Public

PANGANIBAN DRIVE, NAGA CITY, CAM. SUR, PHILIPPINES
ROLL NO. 27621; TIN 124-352-434;
IBP T.R. NO. 1264.11/03/22; PTR NO. 7671799, 01/05/23
MCLE No. V180034,
COMM. SERIAL NO. 2206, UNTIL DECEMBER 31, 2024



Republic of the Philippines
CITY OF NAGA
BIDS AND AWARDS COMMITTEE
Telefax No. 472-3235
E-mail: bac@naga.gov.ph; Website: www.naga.gov.ph



NOTICE TO PROCEED

March 13, 2023

MRBAY CONSTRUCTION

Ms. Maricel R. Baylon
Northbound Terminal, Queborac Drive
Bgy. Bagumbayan Sur, Naga City

Dear Madam:

The attached Contract Agreement having been approved, notice is hereby given to you that work may proceed on the **Expansion of Ricemill Warehouse at City Nursery, Bgy. Carolina, Naga City, Contract Reference Number: 008549-2022-09**, effective one (1) day 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 and to submit the attached Certificate of Compliance on Labor Requirements in pursuance of Section 5 of the **WORKERS HIRING FOR INFRASTRUCTURE PROJECTS (WHIP) ACT of 1988 (RA No. 6685)**, Section 5(a) of the **PUBLIC EMPLOYMENT SERVICE OFFICE (PESO) ACT of 1999 (RA 8759)** and **DILG Memorandum Circular No. 167** duly sworn to for every progress billing.

Please acknowledge receipt and acceptance of this notice by signing both copies in the space provided below. Keep one (1) copy and return the other to the City Government of Naga through the BAC Secretariat at the City Planning and Development Office.

Very truly yours,

NELSON S. LEGACION
City Mayor & Head of Procuring Entity

I acknowledge receipt of this Notice on 03-16-2023

Name of Representative of the Bidder: AULIE MARCELO

Authorized Signature: [Signature]