



Republic of the Philippines  
**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS**  
**OFFICE OF THE REGIONAL DIRECTOR**  
2nd Street, Port Area, Manila

**Contract ID:** 20000104

**Contract Name:** Metropolitan Bikelane Networks: Proposed Bikelane from Radial Road 3 (R-3): Quirino Avenue (C-2) – EDSA (C-4) – Lawton Ave. – C.P. Garcia Ave. (C-5) – General Santos Ave. - SLEX

**Location of the Contract:** Cities of Valenzuela, Quezon City, Pasig, Makati, Taguig, Pasay, Parañaque, and Las Piñas

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**NOTICE TO PROCEED**

**Date:** DEC 23 2020

**JESUS T. CRUZ**

President

**PHILIPPINE CHEMSTEEL INDUSTRIES, INC.**

2309 Antel Global Corporate Center,  
Doña Julia Vargas Avenue, Ortigas Center,  
Pasig City

Dear Sir / Madame:

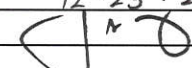
Since the attached Contract Agreement with you for the abovestated Contract has been approved, we hereby instruct you to proceed, effective upon the date of your receipt of this Notice, with the implementation of the provisions of the Contract, in accordance with the terms of the Contract Agreement, including the Conditions of Contract, Specifications, and Drawings.

Please acknowledge your receipt and acceptance of this Notice by signing both copies thereof in the space provided below. Keep one copy and return the other to us.

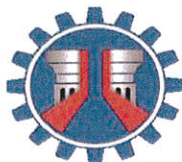
Very truly yours,

  
**ERIC A. AYAPANA, CESO IV**  
Regional Director

I acknowledge receipt of this Notice on:  
Name and Signature of Contractor's Representative:  
Position:

12-23-20  
  
\_\_\_\_\_

NCR/LRJ/pgm



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**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS**  
**OFFICE OF THE REGIONAL DIRECTOR**  
2<sup>nd</sup> Street, Port Area, Manila

**Contract ID:** 20000104

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**Location of the Contract:** Cities of Valenzuela, Quezon City, Pasig, Makati, Taguig, Pasay, Parañaque, and Las Piñas

**BAC RESOLUTION DECLARING PHILIPPINE CHEMSTEEL INDUSTRIES, INC. AS THE SINGLE CALCULATED RESPONSIVE BIDDER AND RECOMMENDING AWARD THERETO**

**RESOLUTION NO. 0098-2020**

WHEREAS, the *Department of Public Works and Highways- National Capital Region* advertised the Invitation to Bid at the websites of the DPWH and the PhilGEPS and at a conspicuous place at the premises of the *Department of Public Works and Highways – National Capital Region* continuously for seven calendar days starting on November 17, 2020;

WHEREAS, the Approved Budget for the Contract is **SEVENTY MILLION ONE HUNDRED SEVENTY THOUSAND NINE HUNDRED ELEVEN PESOS AND 30/100 (PHP 70,170,911.30) ONLY.**

WHEREAS, on December 7, 2020 at 10:00 A.M., the BAC conducted opened and undertook the Preliminary Examination of the Technical Components of the Bids, and found that the *two bidders* passed the Preliminary Examination, as follows:

Bidder	Passed/ Failed	If Failed, Reasons and Any Intent to Request for Reconsideration
<b>NEWBIG FOUR J CONSTRUCTION INC.</b>	Passed	
<b>PHILIPPINE CHEMSTEEL INDUSTRIES, INC.</b>	Passed	
<b>R.D. POLICARPIO &amp; CO., INC.</b>	Failed	No NFCC Computation, No SLCC

WHEREAS, immediately on the same day, the BAC conducted the Eligibility Check on the Bidder which passed the Preliminary Examination of the Technical Components of the Bids, and found that the two bidders are eligible to participate in the bidding for this Contract, as follows:

Bidder	Eligible/ Ineligible	If Ineligible, Reasons and Any Intent to Request for Reconsideration
<b>NEWBIG FOUR J CONSTRUCTION INC.</b>	Passed	
<b>PHILIPPINE CHEMSTEEL INDUSTRIES, INC.</b>	Passed	

WHEREAS, thereafter on the same day, the BAC opened and conducted the Preliminary Examination of the Financial Components of the Bid of the Lowest Bidder that passed the Eligibility Check, and found that the bidders passed the Preliminary Examination, as follows:

Bidder	Amount of Bid as Read	Passed /Failed	If Failed, Reasons and Any Intent to Request for Reconsideration
<b>PHILIPPINE CHEMSTEEL INDUSTRIES, INC.</b>	67,843,914.26	Passed	
<b>NEWBIG FOUR J CONSTRUCTION INC.</b>	69,466,157.61	Passed	

WHEREAS, on **December 12, 2020**, the BAC-Technical Working Group, conducted the Detailed Evaluation of the Bids that passed the Preliminary Examination, and came up with the following results which showed that **PHILIPPINE CHEMSTEEL INDUSTRIES, INC.** is the Bidder with the Lowest Calculated Bid;

Bidder	Total Bid as Read (TBR)	Total Calculated Bid (TCB)	Reasons for Variance, TCB vs TBR	% Variance of TCB from ABC	Ranking of TCB
<b>PHILIPPINE CHEMSTEEL INDUSTRIES, INC.</b>	67,843,914.26	67,843,914.26	No arithmetical corrections	-3.32%	1st
<b>NEWBIG FOUR J CONSTRUCTION INC.</b>	69,466,157.61	69,122,157.61	with arithmetical corrections	-1.49%	2nd

WHEREAS, on **December 17, 2020**, upon post-qualification of the Bidder with the Lowest Calculated Bid, **PHILIPPINE CHEMSTEEL INDUSTRIES, INC.** the BAC found its bid responsive and, therefore, the bidder is post-qualified and its Bid should be declared as the Lowest Calculated Responsive Bids;

WHEREAS **PHILIPPINE CHEMSTEEL INDUSTRIES, INC.** passed all the criteria in the post qualification and 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 **PHILIPPINE CHEMSTEEL INDUSTRIES, INC.** as the Bidder with the Lowest Calculated Responsive Bid (LCRB) for the abovementioned Contract; and;
- b) To recommend to the *Regional Director*, for approval, the award of the said Contract to **PHILIPPINE CHEMSTEEL INDUSTRIES, INC.** at its total submitted bid or total Calculated Bid, whichever is lower, in the amount of **SIXTY-SEVEN MILLION EIGHT HUNDRED FORTY-THREE THOUSAND NINE HUNDRED FOURTEEN PESOS AND 26/100 (PHP 67,843,914.26) ONLY.**

RESOLVED, at DPWH-NCR, this \_\_\_\_ day of DEC 17 2020



**JUBY B. CORDON**  
Assistant Regional Director  
BAC Chairperson



**REYNALDO V. ROSARIO**  
Chief, Maintenance Division  
Member



**JORD ACHAES R. DAVID**  
Chief, Administrative Division  
Vice-Chairperson



**LYDIA G. CHUA**  
Chief, Planning & Design Division  
Member



**JOHN S. SISON**  
Chief, Quality Assurance &  
Hydrology Division  
Member



**MARIA ROCELLE M. MELLIZA**  
OIC, Legal Division  
Member



**EDWIN M. LUZON**  
Chief, Construction Division  
Representative from Office  
Concerned as End-User  
Member

Approved by:



**ERIC A. AYAPANA, CESO IV**  
Regional Director

Date approved: DEC 18 2020





Republic of the Philippines  
**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS**  
**OFFICE OF THE REGIONAL DIRECTOR**  
 NATIONAL CAPITAL REGION  
 2<sup>nd</sup> Street, Port Area, Manila

Title/Description
<b>MINUTES OF PRE-BID CONFERENCE ON NOVEMBER 24, 2020</b> <b>CONTRACT ID. NO. 20000104, Metropolitan Bikelane Networks: Proposed</b> <b>Bikelane from Radial Road 3 (R-3): Quirino Avenue (C-2) – EDSA (C-4) – Lawton</b> <b>Ave., - C.P. Garcia Ave. (C-5) – General Santos Ave. - SLEX</b> <b>BIDS AND AWARDS COMMITTEE (BAC) FOR CIVIL WORKS</b>

Date:	Started:	Adjourned:	Venue:
November 24, 2020	10:00 AM	10:40 A:M	DPWH-NCR Building/DPWH FOCUS Building, 2 <sup>nd</sup> Port Area Manila

Meeting Attended by:	
COMPANY NAME	REPRESENTATIVE/S
-	-

BAC Members, BAC Secretariat, TWG Member and Observers present:

Juby B. Cordon	-	BAC Chairperson
Jord Achaes R. David	-	BAC Vice-Chairperson
Reynaldo V. Rosario	-	BAC Member
John S. Sison	-	BAC Member
Maria Rocelle M. Melliza	-	BAC Member
Edwin M. Luzon	-	BAC Member-End User
Liberato L. Requioma, Jr.	-	Head BAC Secretariat
Elena G. Payumo	-	Member BAC Secretariat
Mary Roxanne E. Tarranza	-	Member BAC Secretariat
Allan Raul C. Raviz	-	Head TWG
Ma. Jocelyn R. Bacual	-	Member TWG
Alexander M. Padilla	-	Member TWG
Emy P. Abello	-	Member TWG
Jayson A. De Claro	-	Member TWG
Cesna Joyce D. Turiano	-	Member TWG

TOPIC/DISCUSSION/ACTION ITEM	
<b>I. Call to Order</b>	<p>The Chairperson presided over the meeting, and upon determination of a quorum, called the BAC meeting to order at 10:00 A.M.</p> <p>Engineer Liberato L. Requioma Jr. called the attendance and informed the BAC that all observers were duly notified/invited but none attended the meeting. Section 13.3 of the 2016 Revised Implementing Rules and Regulations of Republic Act 9184 states, among others, that "Observers shall be invited at least five (5)</p>

	calendar days before the date of the procurement stage/activity. The absence of observers will not nullify the BAC proceedings: Provided, that they have been duly invited in writing."
<b>II. Presentation/Explanation by BAC:</b>	<p>The Chairperson informed that the pre-bid conference is being live-streamed through the Facebook account of DPWH NCR/BAC.</p> <p>After which, Engineer Mary Roxanne Tarranza presented the following:</p>
<b>A. CONTRACT DATA</b>	See Table 1 page 7.
<b>B. ELIGIBILITY REQUIREMENTS</b>	<p><b>CLASS "A" DOCUMENTS</b></p> <ul style="list-style-type: none"> <li>• <b>LEGAL DOCUMENTS</b></li> <li>• SEC, DTI or CDA (Cooperative Development Authority)</li> <li>• Mayor's Permit (Issued by the City/Municipality where the principal place of business of the prospective bidder is located)</li> <li>• Tax Clearance Certificate as finally reviewed and approved by BIR</li> <li>• <b>TECHNICAL DOCUMENTS</b></li> <li>• PCAB or Special PCAB License in case of Joint Venture (JV)</li> <li>• Records of completed contracts, both government and private</li> <li>• Records of all its ongoing government and private contracts, including awarded but not yet started.</li> <li>• Records of Single Largest Completed Contract (SLCC) similar to the contract: <ul style="list-style-type: none"> <li>○ Adjusted to current price using Philippine Statistics Authority (PSA) current price index.</li> <li>○ Should have a contract amount equivalent to at least fifty percent (50%) of the ABC.</li> <li>○ A contract shall be considered "similar" to the contract to be bid if it has the same major categories of work.</li> </ul> </li> <li>• Any of the following are the categories of work that can be considered</li> </ul>

	<b>License Category</b>	<b>B</b>
	<b>Kind of Project</b>	<b>TEMS-Traffic Engineering and Management System (including Road Safety Devices)</b>
	<b>Size Range</b>	<b>Medium A</b>
	<ul style="list-style-type: none"> <li>• <b>FINACIAL DOCUMENTS</b></li> <li>• Audited Financial Statement stamped "received" by the BIR or its duly accredited and authorized institutions for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission.</li> <li>• Tax Returns filed and taxes paid through the BIR electronic Filing and Payment System (eFPS)</li> <li>• Computation of NFCC of at least equal to ABC, computed using the prescribed formula:  <b>NFCC</b> = [(Current Assets - Current Liabilities) (15)] - value of unfinished projects including awarded projects not yet started coinciding with the contract to be bid</li> </ul> <p><b>CLASS "B" DOCUMENTS (for Joint Venture)</b></p> <ul style="list-style-type: none"> <li>• Valid Joint Venture Agreement (JVA) <ul style="list-style-type: none"> <li>○ Each partner of the Joint Venture shall submit their respective PhilGEPS Certificates of Registration in accordance with Section 8.5.2 of the IRR of RA 9184. The submission of technical and financial eligibility documents by any of the joint venture partners constitute compliance: Provided that the partner responsible to submit the NFCC shall likewise submit the Statement of all of its ongoing contracts and Audited Financial Statements.</li> </ul> </li> </ul>	
<b>C. SUBMISSION AND RECEIPT OF BIDS</b>	<b>CONTENT OF THE FIRST ENVELOPE (TECHNICAL PROPOSAL)</b> <ul style="list-style-type: none"> <li>○ PhilGEPS Certificate of Registration and Platinum/Blue/Red Membership</li> </ul>	

	<ul style="list-style-type: none"> <li>○ PCAB License and Registration/Special PCAB License (if JV)</li> <li>○ Statement of all Ongoing Government and Private Contracts</li> <li>○ Statement of SLCC</li> <li>○ NFCC Computation</li> <li>○ JVA, if applicable</li> <li>○ Bid Security in the prescribed form, amount and validity period</li> <li>○ Project Requirements <ul style="list-style-type: none"> <li>• Organizational Chart for the contract to be bid</li> <li>• List of Contractor's Personnel</li> <li>• List of Contractor's Major Construction and Laboratory Equipment.</li> </ul> </li> <li>○ Omnibus Sworn Statements</li> <li>○ ISO 9000 Certification per D.O. 1, Series of 2011, in case of JV, the ISO 9000 Certification from the lead firm will suffice</li> </ul> <p><b>Bid Security</b></p> <ul style="list-style-type: none"> <li>○ Bid validity period: 120 cd. from the date of submission and opening of bids</li> <li>○ Bid Security validity period: 120 cd. from the date of submission and opening of bids</li> </ul> <p><b>CONTENT OF THE 2<sup>ND</sup> ENVELOP (FINCIAL PROPOSAL)</b></p> <ul style="list-style-type: none"> <li>• Bid Form - must be in accordance with the form prescribed in Section XI – Bidding Forms of Bidding Documents</li> <li>• Bid Prices in the Bill of Quantities (BOQ)</li> <li>• Detailed Estimates</li> <li>• Cash flow by the quarter and payments schedule</li> </ul>
<b>D. BID EVALUATION</b>	<p>The financial component of the bids of each "passed" bidder shall be evaluated using non-discretionary criteria-including arithmetical corrections for computational errors, and thus determine the correct total calculated bid prices. The BAC shall automatically disqualify any total calculated bid price which exceeds the ABC. The following factors are to be considered in the evaluation of the bid prices:</p> <ul style="list-style-type: none"> <li>➤ Completeness</li> </ul>



	<ul style="list-style-type: none"> <li>❖ No price in required item, non-complying</li> <li>❖ Indicating a zero "0" or a dash (-), free to the GOP</li> <li>❖ All prices are deemed to include all taxes</li> <li>❖ Bids not addressing or providing all of the required items in the Bidding Documents including, where applicable BOQ, shall be considered non-responsive</li> <li>❖ Arithmetical corrections</li> <li>❖ Bid prices in figures vs words (words prevail)</li> <li>❖ Total price vs unit price per item (unit price per item prevails)</li> <li>❖ Total price vs actual sum of component items (actual sum prevails)</li> <li>❖ Unit cost in detailed estimate vs unit cost in BOQ (BOQ prevails)</li> </ul> <p>If above ABC, non-complying</p>
<b>E. POST-QUALIFICATION</b>	<p><b>Verification of:</b></p> <ul style="list-style-type: none"> <li>• <b>Legal Requirements</b> - licenses, certificates, permits, non-inclusion in "blacklist"</li> <li>• <b>Technical Requirements</b> <ul style="list-style-type: none"> <li>❖ Key Personnel (Minimum work experience requirements should be satisfied)</li> <li>❖ Availability and commitment of Major Construction Equipment - (Failure of the prospective bidder to state a complete technical description of the pledged equipment and the specific location, whether owned, leased or under purchased agreement shall result in the bidder's automatic post- disqualification for award of contract and forfeiture of its bid security per D.O. #58, S. 2012)</li> <li>❖ Performance in ongoing government and private contracts: <ul style="list-style-type: none"> <li>- Negative slippage of at least 15% in any one project or negative slippage of at least 10% in each of two (2) or more contracts</li> <li>- Failure of the contractor to commence repair work and complete on-going contracts in the prescribed date after receipt of the Notice of Defects and Deficiencies</li> </ul> </li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- Failure of the contractor to commence repair works on contracts with pending certificates of acceptance in the prescribed date after the receipt of the Notice of Defects and Failures</li> <li>- Substandard quality of works or unsatisfactory performance per contract term and conditions at the time of inspection</li> <li>- D.O. 127, Series 2018, Strict Application of R.A. 9184 in the conduct of the Post-Qualification of Bidders with Delayed On-Going Contracts with the DPWH.</li> </ul> <p>❖ Authenticity of Bid Security</p> <ul style="list-style-type: none"> <li>• <b>Financial Requirements</b></li> <li>• Bid Price Proposal</li> <li>• NFCC</li> </ul> <p><b>NOTES ON THE PERSONNEL AND EQUIPMENT REQUIREMENTS OF THE PROJECT:</b></p> <p>As per D.O. No. 09, Series of 2012 – Technical Requirements for Civil Works Projects for Public Bidding</p> <ul style="list-style-type: none"> <li>➤ If a proposed key Technical Personnel is an employee of the bidder and working on another project at the same time of the bidding, the bidder shall submit a certification that (1) the personnel will be pulled out from the on-going project once the bidder is awarded the contract, and (2) he/she will be replaced with another person with equal or better qualifications, as certified by the head of the implementing office.</li> <li>➤ The bidder may propose a Key Technical Personnel who is not its employee provided that the said personnel is required to submit a certification that he/she will work for the bidder if it is awarded the contract under bidding</li> <li>➤ These certifications shall be included in the first envelope of the sealed bid</li> <li>➤ Also, to be verified during post-qualification is the set of equipment pledged by the bidder. The bidder should specify in the submitted bid the location of the equipment where they can be inspected. If any equipment is not in the</li> </ul>
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	specified location, then the bidder shall be post-disqualified
<b>F. CONTRACT AWARD</b>	<ul style="list-style-type: none"> <li>• The Contract shall be awarded to the Bidder whose Bid has been determined to be the Lowest Calculated and Responsive Bid (LCRB) as a result of the detailed evaluation and post-qualification conducted.</li> <li>• The Successful Bidder shall be notified through the issuance of Notice of Award within the bid validity period and must be confirmed by the Successful Bidder in writing within two (2) days upon receipt thereof.</li> </ul> <p>Note on Subcontracting is allowed:</p> <ul style="list-style-type: none"> <li>• Maximum of 50% of the contract cost may be allowed for subcontracting per D.O. 38 series of 2015. However, subcontracting of any portion shall not relieve the Bidder from any liability or obligation that may arise from the contract for this project.</li> </ul> <p>Common reasons for rejection of bids, ineligibility and post-qualification of Bidders:</p> <ul style="list-style-type: none"> <li>• Failure to submit the original copy of the surety bond certified by the Insurance Commission indicating the name of projects, the procuring entity and name of contractor</li> <li>• Shorter bid validity and bid security validity period</li> <li>• Overlapping of pledged equipment and committed key technical personnel</li> <li>• Failure to indicate the validity of bid in the Bid Form</li> <li>• Late Submission of bid</li> <li>• Failure to submit supporting documents, e.g. certification of availability of equipment from the equipment lessor/vendor for the duration of the project, if equipment pledged is to be leased/purchased</li> <li>• Negative slippage of at least 15% in any one (1) project or negative slippage of at</li> </ul>

	<p>least 10% in each of two (2) or more contracts</p> <ul style="list-style-type: none"> <li>Unsatisfactory CPES rating</li> </ul> <p>Common Errors in the submission of bids:</p> <ul style="list-style-type: none"> <li>Incomplete pages of bids (Technical &amp; Financial)</li> <li>Authority of the signatory to sign on behalf of the bidder:</li> <li>Single Proprietor: signatory should be the owner/proprietor only</li> <li>Corporation/Cooperative: Board Secretary's Certificate and Board Resolution</li> <li>Joint venture: Joint Venture Resolution or Agreement</li> <li>Partnership: as indicated in the articles of partnership</li> </ul>
<b>III. ADJOURNMENT</b>	The BAC Chairperson advised the prospective bidders to submit their queries, if any until November 27, 2020

**Table 1. Contract Data**

<b>Contract ID</b>	20000104
<b>Project</b>	Metropolitan Bikelane Networks: Proposed Bikelane from Radial Road 3 (R-3): Quirino Avenue (C-2) – EDSA (C-4) – Lawton Ave., - C.P. Garcia Ave. (C-5) – General Santos Ave. - SLEX
<b>Location</b>	Cities of Valenzuela, Quezon City, Pasig, Makati, Taguig, Pasay, Parañaque and Las Piñas
<b>Implementing Office</b>	DPWH NCR
<b>Funding Source</b>	GAA 2020
<b>Approved Budget for the Contract (ABC)</b>	Php 70,170,911.30
<b>Scope of Works</b>	Traffic Engineering and Management System (including Road Safety Devices)
<b>Contract Duration</b>	210 CD

**Table 2. Major/Similar Category of Works**



<b>Major Category of Works</b>
<b>TEMS – Traffic Engineering and Management System (including Road Safety Devices)</b>
<b>For Similar Categories of Works</b>
<b>Please refer to D.O. No. 117 Series of 2017: Revised Guidelines for the Determinations of Major and Similar Categories of Work</b>

**Table 3. Bid Security**

- Bid validity period :120 c.d. from the date of submission of bids
- Bid Security validity period :120 c.d. from the date of submission of bids

The bidder shall submit a <b>Bid Securing Declaration</b> , or any form of Bid Security enumerated below:	<b>Amount of Bid Security (Not Less than % of the ABC)</b>
(a) Cash or cashier's/managers check issued by a Universal or Commercial bank	
(b) Bank Draft/Guarantee or Irrevocable LC issued by a Universal or Commercial Bank	Two Percent (2%)
© Surety Bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security	Five Percent (5%)

**Table 4. List of Key Personnel**

<b>Position</b>	<b>No. of Personnel</b>	<b>Minimum Year of Total Work Experience</b>	<b>Minimum Years of Experience in Similar Works</b>
Project Manager	1	5	3
Project Engineer	1	5	3
Project Inspector	1	5	3
Materials Engineer I	1	DPWH Accredited Materials Engineer I	
Safety Officer	1	40 hrs seminar on Health and Safety	
Foreman	1	3	2

**Table 5. List of Key Equipment**

<b>No.</b>	<b>Equipment Description</b>	<b>Capacity</b>	<b>Number of Unit</b>
1	Service/Cargo Truck	10.00 T, 270Hp	2
2	Kneading Machine	-	2
3	Applicator Machine	-	2

- Bidders are also required to submit its list of material Testing Equipment in accordance with D.O. 11, Series of 2017.


**Table 6. Schedule**

Deadline for Submission of Clarification	<b>November 27, 2020</b> Juby B. Cordon Assistant Regional Director, DPWH-NCR Chairperson, Bids and Awards Committee (BAC)
Deadline for Submission of bids	<b>December 07, 2020 at 10:00 A.M.</b>
No. of Copies of bid proposal	One (1) original copy and two (2) copies of the first (Technical) and second (Financial) envelop of its bid
Place of submission of bids	DPWH National Capital Region 2 <sup>nd</sup> Port Area Manila

**Table 7. Photo**

Contract ID No.	20000099	20000102	20000104	20000094
<b>Project Name</b>	Metropolitan Bikelane Network: Proposed Bikelane from Radial Road 1 (Roxas Boulevard) to Radial Road 7 (Commonwealth Avenue)	Metropolitan Bikelane Network: Proposed Bikelane from Radial Road 5 (R-5): from V. Mapa St. to Ortigas Avenue Ext. (C. Reynaldo)	Metropolitan Bikelane Network: Proposed Bikelane from Radial Road 3 (R-3): Quirino Avenue (C-2) – EDSA (C-4) – Lawton Ave. – C.F. Garcia Ave. (C-5) General Santos Ave. – SLEX	Upgrading/Rehabilitation Of North Navotas Pumping Station And Repair Of Navotas Navigational Gate (Phase 1), Navotas City
<b>Location</b>	Cities of Pasay, Manila and Quezon City	Cities of Manila, Mandaluyong and Pasig	Cities of Valenzuela, Quezon City, Pasig, Makati, Taguig, Pasay, Parañaque and Las Piñas	Navotas City, Metro Manila
<b>IO</b>	DPWH-NCR			UPMO
<b>Funding Source</b>	GAA 2020			

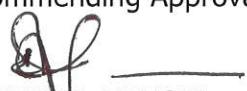
**Prepared by:**

  
**ELENA G. PAYUMO**  
ENGINEER III  
Member, BAC Secretariat

**Reviewed and Checked by:**


  
**LIBERATO L. REQUIOMA JR.**  
ENGINEER IV  
Head, BAC Secretariat

**Recommending Approval:**

  
**EDWIN M. LUZON**  
Chief, Construction Division  
Representative from Office  
Concerned, End-User  
Member

  
**MARIA ROCELLE M. MELLIZA**  
OIC, Legal Division  
Member

  
**JOHN S. SISON**  
Chief, Quality Assurance and  
Hydrology Division  
Member

  
**LYDIA G. CHUA**  
Chief, Planning and Design Division  
Member

  
**REYNALDO V. ROSARIO**  
Chief, Maintenance Division  
Member

  
**JORD ACHAS R. DAVID**  
Chief, Administrative Officer  
Vice-Chairperson

**Approved:**

  
**JUBY B. CORDON**  
Assistant Regional Director  
Chairperson

**NCR/LRJ/EGP/MRT/jcb**





Republic of the Philippines  
**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS**  
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**Location of the Contract:** Cities of Valenzuela, Quezon City, Pasig, Makati, Taguig, Pasay, Parañaque, and Las Piñas

EDWIN M. LUZON  
Chief, Construction Division

**CONTRACT AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

This **CONTRACT AGREEMENT**, made this \_\_\_\_ day of DEC 21 2020 by and between:

The **GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES** through the **Department of Public Works and Highways (DPWH)** represented herein by **ERIC A. AYAPANA, CESO IV, Regional Director**, duly authorized for this purpose, with main office address at **2<sup>nd</sup> Street, Port Area, Manila**, hereinafter referred to as the **"PROCURING ENTITY"**;

-and-

**PHILIPPINE CHEMSTEEL INDUSTRIES, INC.** existing under and by virtue of laws of the Republic of the Philippines, with main office address at **2309 Antel Global Corporate Center, Doña Julia Vargas Avenue, Ortigas Center, Pasig City** herein by **JESUS T. CRUZ, President**, duly authorized for this purpose, hereinafter referred to as the **"CONTRACTOR"**;

WITNESSETH:

**WHEREAS**, the **PROCURING ENTITY** is desirous that the **CONTRACTOR** executes the Works under **METROPOLITAN BIKELANE NETWORKS: PROPOSED BIKELANE FROM RADIAL ROAD 3 (R-3): QUIRINO AVENUE (C-2) – EDSA (C-4) – LAWTON AVE. – C.P. GARCIA AVE. (C-5) – GENERAL SANTOS AVE. - SLEX (CONTRACT ID NO. 20000104)** hereinafter called the **"Works,"** and the **PROCURING ENTITY** has accepted the Calculated Bid of the **CONTRACTOR** for the execution and completion of the **Works** at the calculated unit bid prices shown in the attached Bill of Quantities (Scope of Works listed hereunder), or a total Contract price of **SIXTY-SEVEN MILLION EIGHT HUNDRED FORTY-THREE THOUSAND NINE HUNDRED FOURTEEN PESOS AND 26/100 (PHP 67,843,914.26) ONLY..**

The whole work comprised in the contract shall be completed within **ONE HUNDRED SIXTY (180) CALENDAR DAYS** in accordance with the provision of bid documents and you are required to work/render services twenty-four hours a day, seven days a week (24/7) to meet deadlines.

SIGNED IN THE PRESENCE OF:

PHILIPPINE CHEMSTEEL INDUSTRIES, INC.

PARTY OF THE SECOND PART:

By:

Per LOI #968 dtd. 12/17/79

HELEN P. BUCAD  
Chief Accountant

ERIC A. AYAPANA, CESO IV  
Regional Director

DEPT. OF PUBLIC WORKS & HIGHWAYS – NCR  
PARTY OF THE FIRST PART:

By:



By:

Per LOI #968 dtd. 12/17/79

*Helen P. Bucad*  
**HELEN P. BUCAD**  
Chief Accountant

*Eric A. Ayapana, Cesol V*  
**ERIC A. AYAPANA, CESOL V**  
Regional Director

*Edwin M. Tuzon*  
**EDWIN M. TUZON**  
Chief, Construction Division

ITEM NO.	DESCRIPTION	CONTRACTOR'S BID PRICE			
		UNIT	QTY.	UNIT COST	TOTAL
PART A	FACILITIES FOR THE ENGINEER				
A.1.1(8)	Provision of Field Office for the Engineer (Rental Basis)	mos.	6.00	34,587.00	207,522.00
A.1.4(1)	Provision of Progress Photographs	mos.	6.00	1,814.40	10,886.40
	TOTAL OF PART A				
PART B	OTHER GENERAL REQUIREMENTS				
B.5	Project Billboard/Signboard	ea.	3.00	5,606.48	16,819.44
B.7(1)	Construction Safety and Health	mos.	6.00	413,229.60	2,479,377.60
B.8(1)	Traffic Management	mos.	6.00	444,074.40	2,664,446.40
B.9	Mobilization/Demobilization	l.s.	1.00	639,861.60	639,861.60
	TOTAL OF PART B				
PART H	MISCELLANEOUS STRUCTURES				
605(1)am1	Warning Signs (Aluminum Reflective Bike Lane Signage, AHEAD/ENDS, 200x600mm)	ea.	15.00	13,334.74	200,021.10
605(1)am2	Warning Signs (Aluminum Reflective Bike Lane Signage, 600x400mm)	ea.	195.00	14,864.90	2,898,655.50
605(2)ak2	Regulatory Signs (R6-10B, Bike Lane Signs, 600mm Diameter)	ea.	227.00	17,051.74	3,870,744.98
606(1)b1	Pavement Markings, Reflectorized Thermoplastic, White	sq.m.	75.00	855.94	64,195.50
612(1)	Reflectorized Thermoplastic Pavement Markings, White	sq.m.	5,999.00	1,784.39	10,704,555.61
612(2)	Reflectorized Thermoplastic Pavement Markings, Yellow	sq.m.	21,351.00	1,801.51	38,464,040.01
628(3)	Epoxy Injection on Cracks (Epoxy Sealant)	l.m.	11,350.00	320.90	3,642,215.00
1107(10)	Fabricated Rack (Bike Rack)	set	172.00	11,514.96	1,980,573.12
	TOTAL OF PART H				
	GRAND TOTAL - - - - - P - - - P			P	67,843,914.26

**NOW, THEREFORE**, for and consideration of the foregoing premises, the parties hereto agree as follows:

1. 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. The following documents shall be attached, deemed to form, and be read and construed as part of this **CONTRACT AGREEMENT**, and shall be interpreted in the following order of priority:
  - a. This Contract Agreement
  - b. Documents forming part of the Contract Agreement:
    - (1) Notice of Award (NOA) with the Contractor's signed "conforme"
    - (2) **CONTRACTOR'S** Bid in the Form of Bid, including its Technical and Financial Components, as calculated by the Procuring Entity and conformed to by the **CONTRACTOR** through the NOA.

- (3) Instructions to Bidders (ITB) and Bid Data Sheet (BDS)
  - (4) Supplemental/Bid Bulletins for Bidding Documents
  - (5) Special Conditions of Contract (SCC)
  - (6) General Conditions of Contract (GCC)
  - (7) Specifications
  - (8) Drawings
  - (9) Performance Security
  - (10) Other Documents:
    - (a) Construction Methods
    - (b) Construction Schedule in the form of PERT/CPM Diagram or Precedence Diagram and Bar Chart with S-Curve, or other approved tools of project scheduling, and Cash Flow.
    - (c) Manpower Schedule
    - (d) Equipment Utilization Schedule
    - (e) Construction Safety and Health Program initially approved by the Head of the Procuring Entity
    - (f) **CONTRACTOR's All Risk Insurance (CARI)**
3. In consideration of the payments to be made by the **PROCURING ENTITY** to the **CONTRACTOR** as hereinafter mentioned, the **CONTRACTOR** hereby covenants with the **PROCURING ENTITY** to execute and complete the **Works** and remedy any defects therein in conformity with the provisions of this **CONTRACT AGREEMENT** in all respects.
4. In consideration of the execution and completion of the **Works** by the **CONTRACTOR**, the **PROCURING ENTITY** hereby covenants to pay the **CONTRACTOR** the unit prices in the **CONTRACTOR's** Calculated Bid, as applied to the actual quantities accomplished as certified by the **PROCURING ENTITY** under the provisions of this **CONTRACT AGREEMENT**, at the times and in the manner prescribed by this **CONTRACT AGREEMENT**

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

**DPWH-NCR**

**PHILIPPINE CHEMSTEEL INDUSTRIES, INC.**

**Represented by:**


**Represented by:**

  
\_\_\_\_\_  
**ERIC A. AYAPANA, CESO IV**  
**Regional Director**

  
\_\_\_\_\_  
**JESUS T. CRUZ**  
**President**

**Witnessed by:**

  
\_\_\_\_\_  
**HELEN P. BUCAD**  
**Chief Accountant**

  
\_\_\_\_\_  
**EDWIN M. LUZON**  
**Construction Division**







Republic of the Philippines  
**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS**  
**OFFICE OF THE REGIONAL DIRECTOR**  
2<sup>nd</sup> Street, Port Area, Manila

**Contract ID:** 20000104

**Contract Name:** Metropolitan Bikelane Networks: Proposed Bikelane from Radial Road 3 (R-3): Quirino Avenue (C-2) – EDSA (C-4) – Lawton Ave. – C.P. Garcia Ave. (C-5) – General Santos Ave. - SLEX

**Location of the Contract:** Cities of Valenzuela, Quezon City, Pasig, Makati, Taguig, Pasay, Parañaque, and Las Piñas

Date: DEC 18 2020

**NOTICE OF AWARD**

**JESUS T. CRUZ**

President

**PHILIPPINE CHEMSTEEL INDUSTRIES, INC.**

2309 Antel Global Corporate Center,  
Doña Julia Vargas Avenue, Ortigas Center,  
Pasig City

Dear Sir/Madame:

We hereby accept your bid for the abovestated Contract and, therefore, award the Contract to you, as the Bidder with the Lowest Calculated Responsive Bid, at a total Contract price equivalent to **SIXTY-SEVEN MILLION EIGHT HUNDRED FORTY-THREE THOUSAND NINE HUNDRED FOURTEEN PESOS AND 26/100 (PHP 67,843,914.26) ONLY.**

You are, therefore, required, within ten (10) calendar days from your receipt of this Notice of Award, to submit to us the following documents as conditions for the signing of the Contract:

- a. Notice of Award (NOA) with the bidder's signed "conforme"
- b. Authority of Signing Official/Board Resolution/Secretary's Certificate
- c. For a joint venture (JV), Contractor's PCAB Special JV License and JV Agreement.
- d. Performance Security in any of the forms specified in the Instructions to Bidders (Use Form DPWH-INFR-43 or DPWH-INFR-44, as applicable).
- e. Construction Methods (Use Form DPWH-INFR-45)
- f. Construction Schedule in the form of PERT/CPM Diagram or Precedence Diagram and Bar Chart with S-Curve and Cash Flow (Use Form DPWH-INFR-46).
- g. Professional Regulatory Commission (PRC) License No. and Tax Identification Number (TIN) of Each Key Personnel
- h. Manpower Schedule (Use Form DPWH-INFR-47).
- i. Equipment Utilization Schedule (Use Form DPWH-INFR-48).
- j. Construction Safety and Health Program (Use Form DPWH-INFR-49).
- k. Contractor's All Risk Insurance (CARI)



- l. Latest Income Tax and Business Returns duly stamped and received by BIR and duly validated with the tax payments made. Tax Clearance from the BIR to prove full and timely payment of taxes
- m. For a local contractor, Certification under oath stating that the Contractor is free and clean of all tax liabilities
- n. For a foreign bidder, valid PCAB License and Registration for the type and cost of the contract to be bid, when the Treaty or International or Executive Agreement expressly allows submission of the PCAB License and Registration for the type and cost of the contract at hand as a pre-condition to the NOA.

You are also required, within the said ten (10) calendar days, to formally sign the Contract Agreement.

Your failure to comply with these requirements shall constitute a sufficient ground for the cancellation of this award and the forfeiture of your Bid Security.

Very truly yours,



**ERIC A. AYAPANA, CESO IV**  
Regional Director

Conforme:



**JESUS T. CRUZ**  
President  
**PHILIPPINE CHEMSTEEL INDUSTRIES, INC.**  
Date: 12-18-20