

REPUBLIC OF THE PHILIPPINES  
PROVINCE OF DAVAO DE ORO  
**OFFICE OF THE GOVERNOR**



# NOTICE TO PROCEED

April 01, 2024

TO : **DREAMBUILD CONSTRUCTION, INC.**  
**B4 L2 Dreambuild Subdivision,**  
**Visayan Village, Tagum City**

This notice to proceed is issued to you for the **INSTALLATION OF STREETLIGHTS, MAPAWA, MARAGUSAN [Installation of 65 Units Solar Streetlights]** under **Civil Works Purchase Request No. 23-2809** in the amount of **TWO MILLION SEVEN HUNDRED SIXTY ONE THOUSAND THREE HUNDRED SEVENTY SEVEN PESOS AND TWENTY NINE CENTS ONLY (PHP 2,761,377.29).**

You are hereby informed that construction should start within 7 days from receipt of Notice to Proceed pursuant to the terms, conditions, plans, specifications and in accordance with the implementation schedule.

Very truly yours,

**DOROTHY P. MONTEJO-GONZAGA**  
Governor

Received and Confirmed by:

**EMMANUEL G. PONCE**

Name in print/signature of the representative

04-05-2024

Date

**GOVERNMENT  
WORKS**

Bids and Awards Committee Secretariat, 3<sup>rd</sup> Floor, Executive Building, Provincial Capitol Complex, Cabidanan, Nabunturan, Davao de Oro

# CONTRACT AGREEMENT

THIS Contract is made by and between:

**The Provincial Government of Davao de Oro** duly created under existing laws, with official address at Cabidanan, Nabunturan, Davao de Oro Province represented herein by **Governor DOROTHY P. MONTEJO-GONZAGA** (hereinafter called the "Entity");

and

**DREAMBUILD CONSTRUCTION INC.** with business address at **PUROK 7 POBLACION, MAWAB, DAVAO DE ORO** and represented herein by **EMMANUEL G. PONCE, Authorized Managing Officer/Project Manager** (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute the **1 LOT - INSTALLATION OF STREETLIGHTS, MAPAWA, MARAGUSAN [Installation of 65 Units Solar Streetlights]** under PR No. **23-2809 NEGOTIATED PROCUREMENT-TWO FAILED BIDDINGS** and the Entity has accepted the Bid for **TWO MILLION SEVEN HUNDRED SIXTY ONE THOUSAND THREE HUNDRED SEVENTY SEVEN PESOS AND TWENTY NINE CENTAVOS ONLY (PHP 2,761,377.29)** by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

## TERMS AND CONDITIONS:

1. The Contractor shall undertake the Construction of the Project for the Government in accordance with the Plans and Specifications.
2. The work to be undertaken of this Contract shall include furnishing of labor, materials and equipment with Contractor's capability and performance to complete the construction of the Project all in strict compliance with the terms and conditions.
3. The Commencement of the project shall be within seven (7) days upon receipt of Notice to Proceed (NTP) together with a copy or copies of the Approved Contract from the Provincial Government. Duration to complete the projects is Sixty-One (61) days unless otherwise extended in accordance with the provisions of GPRA.
4. The Contractor shall take full responsibility and safety of all site operations as to Construction Methodology.
5. The Government shall not be liable for the loss of or damage to any of the Contractor's equipment, temporary works or materials stored at the jobsite.
6. The Government reserves the right to terminate or cancel the contract, should the Contractor fails to comply with any of the provisions of these terms and conditions.

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7. Progress billing shall be processed subject to the evaluation and approval of the Provincial Engineer's Office and the Inspectorate Team of the Province.

**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 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) Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes;
- (h) Eligibility requirements, documents and/or statements;
- (i) Performance Security;
- (j) Notice of Award of Contract and the Bidder's conforme thereto.
- (k) Other contract documents that may be required by existing laws and /or the procuring entity concerned in the Bidding Documents, such as the Construction Schedule and S-curve, Manpower Schedule, Construction Methods, Equipment Utilization Schedule, Construction Safety and Health program approved by the Department of Labor and Employment, and PERT/CPM for infrastructure projects.

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 to 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 hereunto affixed their signatures this \_\_\_\_\_ day of APR 01 2024, 2024 at Nabunturan, Davao de Oro.



Signed, sealed, delivered by **DOROTHY P. MONTEJO-GONZAGA** the **Governor** (for the Entity)

Signed, sealed, delivered by the **Authorized Managing Officer/Project Manager** (for the Contractor)


Binding Signature of the PROCURING ENTITY

  
**DOROTHY P. MONTEJO-GONZAGA**  
Governor

Binding Signature of the Contractor

  
**EMMANUEL G. PONCE**  
**DREAMBUILD CONSTRUCTION, INC.**  
Authorized Managing Officer/Project Manager

  
**RODERICK M. DIGAMON, CE**  
PG Department Head-Provincial Engineer's Office  
(Requisitioning Office)

  
**ELOISA JANE B. LAURENTE**  
Authorized Representative  
**DREAMBUILD CONSTRUCTION, INC.**

# ACKNOWLEDGEMENT

Republic of the Philippines...)  
Province of Davao de Oro...) S.S.S  
Municipality of Compostela  
X-----/

BEFORE ME, a Notary Public personally appeared the following:

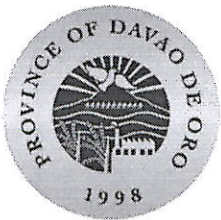
**GOVERNOR DOROTHY P. MONTEJO-GONZAGA** with TIN ID No. 916-115-693-000 issued at TAGUM CITY representing the Province of Davao de Oro; and **EMMANUEL G. PONCE**, Authorized Managing Officer/Project Manager with TIN ID NO. 009-870-150-000 at Tagum City representing **DREAMBUILD CONSTRUCTION, INC.** both known to me and known to be the same persons who executed the foregoing document and acknowledge to me the same in their own free and voluntary act and deed and duly authorized for the entities they represent.

WITNESS MY HAND AND SEAL this APR 01 2024 day of \_\_\_\_\_ 2024 at COMPOSTELA, DAVAO DE ORO, Philippines.

DOC. NO. 419 :  
PAGE NO. 104 :  
BOOK NO. Cuxx1 :  
SERIES OF 2024

**RUBEN D. ALTAMERA**  
Notary Public  
Until December 31, 2025  
PTR No. 1781097 / 01-03-2024  
TIN - 158-070-559  
IBP No. 000128 / 12-02-2023  
ROLL NO. 24,665  
MCLE NO. V-0024426/11-21-16

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REPUBLIC OF THE PHILIPPINES  
 PROVINCE OF DAVAO DE ORO  
 OFFICE OF THE GOVERNOR



**BIDS AND AWARDS COMMITTEE**

**NOTICE OF AWARD**

Resolution No: CW-NP-2024-03.22.04  
 Series of 2024

DATE AWARDED:  
 March 22, 2024

**Proprietor: EMMANUEL G. PONCE**  
 DREAMBUILD CONSTRUCTION, INC.  
 B4 L2 Dreambuild Subdivision,  
 Visayan Village, Tagum City

Dear Mr. Ponce;

We would like to notify you that **Installation of Streetlights, Mapawa, Maragusan** under Civil Works Purchase Request No. 23-2809 after evaluation and post-qualification is hereby awarded to you being the Lowest Responsive Price Quotation with the contract price of **Two Million Seven Hundred Sixty One Thousand Three Hundred Seventy Seven Pesos and Twenty Nine Cents Only (Php2,761,377.29).**

Pursuant to **Section 37.2; Subsection 40.1** of the revised **IRR of RA 9184** "The winning bidder shall post the required Performance Security Ten (10) Calendar Days from the receipt by the winning bidder of this Notice.

Hence, the winning bidder is required to submit all the required documents prior to the signing of contract:

- 1.) Construction Schedule and S-curve
- 2.) Manpower Schedule
- 3.) Construction Methods
- 4.) Equipment Utilization Schedule
- 5.) PERT/CPM
- 6.) Construction Safety and Health Program approved by the Department of Labor and Employment
- 7.) Contractor's All Risk Insurance (CARI)
- 8.) Five (5) Sets of Quality Control Program (QCP) approved by the Provincial Engineer
- 9.) Performance Bond
- 10.) Other acceptable tools of project scheduling

Failure to comply any of the above conditions; the Bid Security shall be forfeited and appropriate sanctions and existing laws shall be imposed.

Finally, **Section 40.2** in the case of the failure, refusal or inability of the bidder with LCRB or HRRB to submit the documents required under Section 37.1 of this IRR or to enter into contract and post the required Performance Security, as provided in this Section, the BAC shall disqualify the said bidder, and shall initiate and complete the post-qualification process on the bidder with the second Lowest Calculated Bid/Highest Rated Bid: this procedure shall be repeated until the LCRB or HRRB is determined for award. However, if no bidder passes post-qualification, the BAC shall declare the bidding a failure and conduct a re-bidding with re-advertisement. Should there occur another failure of bidding after the conduct of the contract's re-bidding, the Procuring Entity concerned may enter into a negotiated procurement.

Approved:

**DOROTHY P. MONTEJO GONZAGA**  
 Governor

Received by: **EMMANUEL G. PONCE**  
 Name /Signature

Contact No. : \_\_\_\_\_  
 Date: 03-27-2024



Bids and Awards Committee Secretariat, 3<sup>rd</sup> Floor, Executive Building, Provincial Capitol Complex, Cabidanan, Nabunturan, Davao de Oro

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REPUBLIC OF THE PHILIPPINES  
PROVINCE OF DAVAO DE ORO  
OFFICE OF THE GOVERNOR  
**BIDS AND AWARDS COMMITTEE**



**BAGONG PILIPINAS**

EXCERPT FROM THE MINUTES OF THE SPECIAL MEETING OF THE BIDS AND AWARDS COMMITTEE (BAC) AND PUBLIC BIDDING HELD ON MARCH 22, 2024 AT THE BAC CONFERENCE, 3RD FLOOR, EXECUTIVE BUILDING, PROVINCIAL CAPITOL COMPLEX, CABIDIANAN, NABUNTURAN, DAVAO DE ORO.

**Present:**

- |  |                        |
|--|------------------------|
| 1. Dr. Rolando S. Simene, DVM, MRDM        | BAC Chairperson        |
| 2. Engr. Roderick M. Digamon, CE           | BAC Vice – Chairperson |
| 3. Atty. Mary Justice P. Aurelio-Yap, CPA  | BAC Member             |
| 4. Mr. Lewis Jake G. Caiman, CPA           | BAC Member             |
| 5. Ms. Lara Zaphire Kristy N. Bermejo, MPA | BAC Member             |

**Others present:**

- |  |                      |
|--|----------------------|
| 1. Mr. Jenes B. Miñoza, MPA            | BAC Secretariat Head |
| 2. Ms. Maila Mae Grace B. Carillo, CPA | TWG Team Leader      |
| 3. Ms. Cristie M. Plaza, CPA           | TWG Member           |
| 4. Mr. Joseph Randy M. Loy, RN         | TWG Member           |
| 5. Mr. Ronald C. Sibayan, MExEd        | TWG Member           |
| 6. Mr. Alvin Ross J. Gisma             | TWG Member           |
| 7. Engr. Joy C. Manabat, CE, MPA, MRDN | TWG Member           |
| 8. Engr. EAV Julian M. Mahinay         | TWG Member           |

**On Leave:**

- |                                    |            |
|------------------------------------|------------|
| 1. Dr. Ma. Grace C. Lim, MD, FPSMS | TWG Member |
|------------------------------------|------------|

**Present Bidders:**

- |                          |              |
|--------------------------|--------------|
| 1. Mr. Vito R. Labrador  | Labsons Ent. |
| 2. Mr. Mario I. Labrador | Labsons Ent. |

**RESOLUTION NO. CW-NP-2024-03.22.04**

**“A RESOLUTION RECOMMENDING TO THE HEAD OF THE PROCURING ENTITY (HOPE) TO AWARD PURCHASE REQUEST NO. 23-2809 WITH PROJECT DESCRIPTION INSTALLATION OF STREETLIGHTS, MAPAWA, MARAGUSAN TO DREAMBUILD CONSTRUCTION, INC. AS A LOWEST RESPONSIVE PRICE QUOTATION THROUGH NEGOTIATED PROCUREMENT – TWO-FAILED BIDDING PURSUANT TO SECTION 53.1 OF THE 2016 REVISED IMPLEMENTING RULES AND REGULATIONS OF R.A. 9184.”**

**WHEREAS**, the aforementioned purchase request has undergone two failed biddings under CW23-055;

**WHEREAS**, the Bids and Awards Committee (BAC) conducted a mandatory review of the terms and conditions, specifications, and cost estimates of the purchase request as prescribed in Section 35 of the 2016 Revised IRR;

**WHEREAS**, after evaluation of the purchase requests, the BAC agreed and recommended that the procurement of civil works covered by the aforementioned purchase request be done by the way of Negotiated Procurement – Two Failed Biddings pursuant to Section 53.1 of the 2016 Revised IRR;

**WHEREAS**, the Provincial Government of Davao de Oro advertised the Notice for the Procurement of Civil Works **Installation of Streetlights, Mapawa, Maragusan [Installation of 65 Units Solar Streetlights]** recommended for Negotiated Procurement – Two-Failed Bidding in PhilGEPS, the agency website, and three conspicuous places;

**GOVERNMENT  
WORKS**

Bids and Awards Committee Secretariat, 3<sup>rd</sup> Floor, Executive Building, Provincial Capitol Complex, Cabidanan, Nabunturan, Davao de Oro

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Resolution CW-NP-2024-03.22.04  
Page 1 of 2

**WHEREAS**, the BAC invited technical, legal, and financially capable suppliers/contractors to contract the civil works covered by the purchase for negotiation and discuss the technical and financial requirements;

**WHEREAS**, the canvass of quotations obtained from the suppliers/contractors were opened, evaluated, and verified by the Committee;

**WHEREAS**, upon careful evaluation and verification, DREAMBUILD CONSTRUCTION, INC. quoted within the approved budget for the contract;

**WHEREAS**, upon the evaluation of the Technical Working Group on the eligibility of requirements of the above-mentioned supplier/contractor, it was found that DREAMBUILD CONSTRUCTION, INC. was eligible and responsive;

**WHEREFORE**, on motion of on motion of Engr. Roderick M. Digamon and duly seconded by Atty. Mary Justice P. Aurelio-Yap; it was,

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

- a) To recommend to the Head of the Procuring Entity (HoPE) to award Civil Works Purchase Request No. **23-2809** to **DREAMBUILD CONSTRUCTION, INC.** as a Lowest Responsive Price Quotation for the procurement of **Installation of Streetlights, Mapawa, Maragusan [Installation of 65 Units Solar Streetlights]**.

**RESOLVED, FINALLY**, that copies of these resolutions be forwarded to offices concerned for information, guidance and appropriate action.

Certified true and Correct:

Conformed by:

  
**JENES B. MIÑOZA, MPA**  
Head BAC Secretariat

  
**ROLANDO S. SIMENE, DVM, MRDM**  
BAC-Chairperson

  
**ENGR. RODERICK M. DIGAMON, CE**  
BAC -Vice Chairperson

  
**LARA ZAPHIRE KRISTY N. BERMEJO, MPA**  
BAC Member

  
**LEWIS JAKE G. CAIMAN, CPA**  
BAC Member

  
**ATTY. MARY JUSTICE P. AURELIO-YAP, CPA**  
BAC Member

Action Taken  Approved  Disapproved

  
**DOROTHY P. MONTELIJO-GONZAGA**  
Governor  
Head of the Procuring Entity  
Approved on \_\_\_\_\_