



Award Notice Abstract (Ref No.: 4625464)

Status: Updated

| <p>Reference Number: 10253608</p> <p>Control Number: LMS 2023- RIV-A- BATANGAS- 01</p> <p>Bid Notice Title: Negotiated Procurement (Two-Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro ES, Ting</p> <p>Approved Budget: Php17,463,397.50</p> <p>Procurement Mode: Negotiated Procurement - Two Failed Biddings (Sec. 53.1)</p> <p>Classification: Goods</p> <p>Category: Construction Projects</p> <p>Applicable Procurement Rules: Implementing Rules and Regulations</p> <p>Funding Source: Government of the Philippines (GOP)</p> <p>Funding Instrument: General Appropriations Act</p> <p>Area of Delivery: Batangas</p> <p>Delivery Period: 180 Day/s</p> <p>Contact Person:</p> | <p>DEPARTMENT OF EDUCATION - DIVISION OF BATANGAS Provincial Sports Complex Compound, Bolbok Batangas City Batangas, Region IV-A, Philippines</p> <p>LMS 2023- RIV-A- BATANGAS- 01 Negotiated Procurement</p> <p>Awardee : MARAKESH ENTERPRISES</p> <p>Address : #8 Magsaysay Ave., Bankers Village PH. 2, Brgy. Dela Paz Antipolo City Rizal, Region IV-A, Philippines</p> <p>Contact Person : Christopher Joseph P Misanes</p> <p>Designation : Proprietor</p> <table border="1"> <thead> <tr> <th colspan="3">Line Item</th> </tr> <tr> <th>#</th> <th>Product/Service/Project Name</th> <th>Budget</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>LMS 2023- RIV-A- BATANGAS- 01 Negotiated Procurement, LMS 2023- RIV-A- BATANGAS- 01 Negotiated Procurement - Two Failed Biddings (Sec. 53.1) Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro Elementary School, Tingl, 72000000, 1, Lot</td> <td>Php17,463,397.50</td> </tr> </tbody> </table> <p>Reason for Award : Lowest Calculated Responsive Bid</p> | Line Item | | | # | Product/Service/Project Name | Budget | 1 | LMS 2023- RIV-A- BATANGAS- 01 Negotiated Procurement, LMS 2023- RIV-A- BATANGAS- 01 Negotiated Procurement - Two Failed Biddings (Sec. 53.1) Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro Elementary School, Tingl, 72000000, 1, Lot | Php17,463,397.50 | <p>Award Type: Award Notice</p> <p>Contract Amount: Php17,402,609.51</p> <p>Award Date: 22-Dec-2023</p> <p>Publish Date: 17-Jan-2024</p> <p>Date Last Updated: 17-Jan-2024</p> <p>Contract Number: LMS 2023- RIV-A- BATANGAS- 01</p> <p>Proceed Date: 29-Dec-2023</p> <p>Contract Effectivity Date: 05-Jan-2024</p> <p>Contract End Date: 02-Jul-2024</p> <p>Created By: Rodrigo S. Castillo</p> <p>Date Created: 17-Jan-2024</p> <p>Approver: Rodrigo S. Castillo</p> <p>View Documents: 4</p> |
|--|--|------------------|--|--|---|------------------------------|--------|---|--|------------------|--|
| Line Item | | | | | | | | | | | |
| # | Product/Service/Project Name | Budget | | | | | | | | | |
| 1 | LMS 2023- RIV-A- BATANGAS- 01 Negotiated Procurement, LMS 2023- RIV-A- BATANGAS- 01 Negotiated Procurement - Two Failed Biddings (Sec. 53.1) Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro Elementary School, Tingl, 72000000, 1, Lot | Php17,463,397.50 | | | | | | | | | |

Rodrigo Castillo

Created By:

Rodrigo Castillo



Republic of the Philippines
Department of Education
REGION IV-A CALABARZON
SCHOOLS DIVISION OF BATANGAS

**BAC RESOLUTION DECLARING LCRB AND RECOMMENDING APPROVAL
RESOLUTION NO 42, s. 2023**

WHEREAS, on October 24, 2023, the DepEd Division of Batangas through the Bids and Awards Committee (BAC) Secretariat posted the Invitation to Bid for the **Negotiated Procurement (Two Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro Elementary School, Tingloy, Batangas under the Last Mile Schools Program CY 2023** with an Approved Budget for the Contract of Seventeen Million Four Hundred Sixty-Three Thousand Three Hundred Ninety-Seven pesos and 50/100 (P 17,463,397.50) only in the websites of PhilGEPS and Procuring Entity and on a conspicuous place at the premises of DepEd Division of Batangas continuously for 14 calendar days;

WHEREAS, on October 26, 2023, the Bids and Awards Committee conducted a Pre-Negotiation Conference for the project Negotiated Procurement (Two Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System, and Water System in San Pedro Elementary School, Tingloy, Batangas under the Last Mile Schools Program CY 2023;

WHEREAS, invitations to observers for the pre-bid conference and opening of bids were sent to the Commission on Audit (COA) DepEd Batangas, Philippine Institute of Civil Engineers (Batangas Chapter) and Girl Scouts of the Philippines (Batangas Council);

WHEREAS, in response to the said advertisements, there were seven (7) interested bidders who logged in to the Documents Request List of PhilGEPS, however, three bidders submitted the bidding documents before 2:00 p.m. of November 6, 2023 at SDO Conference Room, Music and Arts Building, Provincial Sports Complex, Bolbok, Batangas City;

WHEREAS, on November 6, 2023 at 2:00 p.m., the opening of bids for manual submission was conducted at SDO Conference Room, Music and Arts Building, Provincial Sports Complex, Bolbok, Batangas City;

WHEREAS, during bid opening, representatives from Marakesh Enterprises, MCB Construction & Supply, and PPG Construction Corporation attended the opening of bids at SDO Conference Room, Music and Arts Building, Provincial Sports Complex, Bolbok, Batangas City;

WHEREAS, during the opening of the technical documents of PPG Construction Corporation, it was found out that there's no Statement of Bidder's Single Largest



Address: Provincial Sports Complex, Bolbok, 4200 Batangas City
☎ (043)722-1840 / 722-1796 / 722-1437 / 722-2675 / 722-1662
✉ deped.batangas@deped.gov.ph
🌐 www.depedbatangas.com



Republic of the Philippines
Department of Education
REGION IV-A CALABARZON
SCHOOLS DIVISION OF BATANGAS

Completed Contract (SLCC) attached to their bid. Hence, the BAC declared the bidder non-compliant. The BAC Head Secretariat noted in their bidding documents disqualified and returned the said documents to the bidder;

WHEREAS, the BAC opened the financial component envelope of the bidder and found the following details below:

| Name of Bidder | Bid Amount (As Read) | % Variance from ABC |
|---------------------------|-------------------------|------------------------|
| MARAKESH ENTERPRISES | P17,402,609.51 | .35% |
| MCB CONSTRUCTION & SUPPLY | P 15,362,465.01 | 13.04% |

WHEREAS, the conducted post-qualification of the first lowest bidder MCB Construction & Supply, was post-disqualified due to non-compliance with the technical documents submitted as stated in the BAC Resolution No 32 s. 2023 November 21, 2023;

WHEREAS, on November 29, 2023, the BAC declared to Deny the Motion for Reconsideration MCB Construction & Supply for the project Negotiated Procurement (Two Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro Elementary School, Tingloy, Batangas under the Last Mile Schools Program CY 2023 under BAC Resolution No 32-A s. 2023;

WHEREAS, on December 15, 2023, the BAC issued notice to conduct post-qualification to Marakesh Enterprises and was acknowledged on December 18, 2023;

WHEREAS on December 19, 2023, the BAC conducted an onsite post qualification of the 2nd lowest bidder and declared complying with the Technical and Financial components of the bid;

WHEREAS, on the same date, upon careful examination, validation, and verification of the eligibility, technical, and financial requirements of Marakesh Enterprises, was found compliant as specified in the Bidding Documents;

WHEREAS, the Bids and Awards Committee declared Marakesh Enterprises as the Lowest Calculated Responsive Bid;



Republic of the Philippines
Department of Education
REGION IV-A CALABARZON
SCHOOLS DIVISION OF BATANGAS

NOW, THEREFORE, We, the Members of the Bids and Awards Committee, hereby RESOLVE as it is hereby RESOLVED to award the project **Negotiated Procurement (Two Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro Elementary School, Tingloy, Batangas under the Last Mile Schools Program CY 2023;**

to:

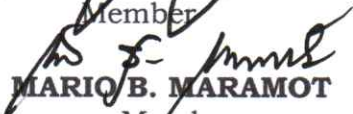
MARAKESH ENTERPRISES

**BAC RESOLUTION REQUESTING FOR ISSUANCE OF NOTICE TO AWARD
RESOLUTION NO. 42, s. 2023**


December 20, 2023


ATTY. KAREN M. SALIMO
Member


LOU C. PANALIGAN
Member



MARIO B. MARAMOT
Member


DAVID M. NUAY
Member


NADINE C. CELINDRO
Vice-Chairperson


NICOLAS M. BURGOS
Chairperson

APPROVED:


MARITES A. IBANEZ, CESO V
Head of Procuring Entity



Republic of the Philippines
Department of Education
 REGION IV-A CALABARZON
SCHOOLS DIVISION OF BATANGAS

NOTICE OF AWARD

(Negotiated Procurement - Two-Failed Biddings Infrastructure)

December 21, 2023

MR. CHRISTOPHER JOSEPH P. MISANES

Owner
 Marakesh Enterprises
 No. 8 Magsaysay Ave., Bankers' Village 2
 Dela Paz (Pob.) Antipolo City, Rizal
 Region 4-A (CALABARZON)

Name of Project: **Negotiated Procurement (Two-Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro ES, Tingloy, Batangas under the Last Mile Schools Program CY 2023**

Contract Ref. No.: **LMS 2023- RIV-A-BATANGAS 02**

Dear **Mr. Misanes:**

We are pleased to notify you that your bid for the Project is hereby accepted in the amount of **Seventeen Million Four Hundred Two Thousand Six Hundred Pesos and 51/100 (P 17,402,609.51)** only with the following details:

| Description of Works | Location | Contract Amount in Php |
|--|--|------------------------|
| Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System, and Water System under the Last Mile Schools Program CY 2023 | San Pedro Elementary School Tingloy, Batangas | P 17,402,609.51 |

Kindly affix your signature on the space provided below to indicate your acceptance of this notice and the bid price after having been evaluated in accordance with the issued Bidding Documents. You are hereby required to enter into a formal contract with us and submit a Performance Security in any of the following forms within ten (10) days from receipt of this notice:



Address: Provincial Sports Complex, Bolbok, 4200 Batangas City
 ☎(043)722-1840 / 722-1796 / 722-1437 / 722-2675 / 722-1662
 ✉deped.batangas@deped.gov.ph
 🌐www.depedbatangas.com



Republic of the Philippines
Department of Education
REGION IV-A CALABARZON
SCHOOLS DIVISION OF BATANGAS


Ten percent (10%) of the total contract price in the form of cash; cashier's check, or manager's check issued by a universal or commercial bank; bank draft, bank guarantee or irrevocable letter of credit issued by a universal or commercial bank, provided, that it shall be confirmed or authenticated by a universal or commercial bank if issued by a foreign bank; and/or

Thirty percent (30%) of the total contract price in the form of Surety Bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.

Failure to enter into a contract with us or submit the Performance Security shall constitute sufficient grounds for cancellation of this notice, forfeiture of your bid security, and imposition of appropriate sanctions.

Please return the original copy of this Notice to the DepEd Division Office of Batangas through the BAC Secretariat within two (2) days from the date of your receipt hereof pursuant to ITB 30.2 of the Bidding Documents.

Very truly yours,


MARITES A. IBAÑEZ, CESO V
Head of Procuring Entity ↑

Conforme:


CRISPIN P. DIZON JR.
Signature over Printed Name

SEV. MANAGER
Designation

Date: DECEMBER 22, 2023

**Contract Agreement Form for the
Procurement of Infrastructure Projects**

CONTRACT AGREEMENT

THIS AGREEMENT, made this 27th day of December 2023 between **Department of Education**, Division of Batangas, located at Provincial Sports Complex, Bolbok, Batangas City represented herein by its Schools Division Superintendent, **DR. MARITES A. IBANEZ** (hereinafter called the "Entity") and Marakesh Enterprises represented herein by its owner **CHRISTOPHER JOSEPH P. MISANES** with his address at No. 8 Magsaysay Ave., Bankers' Village 2 Dela Paz (Pob.) Antipolo City, Rizal Region 4-A (CALABARZON) (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute **Negotiated Procurement (Two-Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro ES, Tingloy, Batangas under the Last Mile Schools Program CY 2023** (hereinafter called "the Works") and the Entity has accepted the Bid for **Seventeen Million Four Hundred Two Thousand Six Hundred Pesos and 51/100 (P 17,402,609.51)** only by the Contractor for the execution and completion of such Works within One Hundred Eighty (180) calendar days 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


Contractor's Witness


CHRISTOPHER JOSEPH P. MISANES
Marakesh Enterprises


NICOLAS M. BURGOS
BAC Chairperson


MARITES A. IBANEZ, CESO V
Schools Division Superintendent

- 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 **Seventeen Million Four Hundred Two Thousand Six Hundred Pesos and 51/100 (P 17,402,609.51)** only or such other sums as may be ascertained, **Marakesh Enterprises** agrees to execute and complete the project **Negotiated Procurement (Two-Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro ES, Tingloy, Batangas under the Last Mile Schools Program CY 2023** in accordance with its Bid.
4. The Department of Education, Division of Batangas, agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

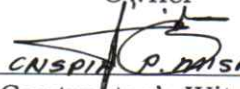
IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.


MARITES A. IBANEZ, CESO V
 Schools Division Superintendent


NICOLAS M. BURGOS
 BAC Chairperson

for:
 DepEd Division of Batangas


CHRISTOPHER JOSEPH P. MISANES

Owner

CNSP P. MISANES JR.
 Contractor's Witness

for:
 Marakesh Enterprises

Certificate of Availability of Funds:

Amount: ₱17,402,609.51

Sub-ARO No: DSTE-11-23-1832


EDUARDA U. ALON
 Accountant III

REPUBLIC OF THE PHILIPPINES)
City/Municipality of ANTIPOLO CITY S.S.

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in ANTIPOLO CITY, Philippines, this ____ day of DEC 27 2023 - 2023, personally appeared:

GOVERNMENT ISSUED IDENTIFICATIONS
(Passport, Driver's License, SSS, GSIS, PhilHealth...IDs)
NAME NUMBER ISSUED ON ISSUED AT

- 1. **MARITES A. IBAÑEZ, CESO V** 0188341 PRC Manila
Head of Procuring Entity
- 2. **CHRISTOPHER JOSEPH P. MISANES** 011-1199-9598-2 CAMARINES SUR
Contractor

Known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is the free and voluntary act and deed of the entities which they respectively represent.

The foregoing instrument is a CONTRACT consisting of three (3) pages (exclusive of attachments), including this page on which this acknowledgment is written and signed by the parties and their instrument witnesses on the left hand margin of each and every page hereof.

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

MARCELINO U. ARELLANO
Notary Public
Until ANTIPOLO, TAYTAY & CAINTA
UNTIL DEC. 31, 2024, ATTY'S ROLL NO. 34595
APPOINTMENT NO. 23-04, RTC OF ANTIPOLO CITY
PTR NO. 8673605/1-3-2023
IBP NO. 00828 (LIFE TIME) - RIZAL/ISSUED ON 7-5-1996
MCLE COMPLIANCE NO. VII-0008482/REISSUED ON 10-12-2022
UNIT 1 2ND FLOOR, STA. RITA BLDG., MEDLINE NO. 3 P BURGOS ST.,
BRGY. SAN JOSE, ANTIPOLO CITY, TEL. NO. 02-8630-3969

Doc. No. 114
Page No. 24
Book No. XCV
Series of 2023

CRISTINA P. PHISANES JR
Contractor's Witness

CHRISTOPHER JOSEPH P. MISANES
Marakesh Enterprises

NICOLAS M. BURGOS
BAC Chairperson

MARITES A. IBAÑEZ, CESO V
Schools Division Superintendent



Republic of the Philippines
Department of Education
REGION IV-A CALABARZON
SCHOOLS DIVISION OF BATANGAS

NOTICE TO PROCEED

(Negotiated Procurement - Two-Failed Biddings Infrastructure)

December 29, 2023

MR. CHRISTOPHER JOSEPH P. MISANES

Owner
Marakesh Enterprises
No. 8 Magsaysay Ave., Bankers' Village 2
Dela Paz (Pob.) Antipolo City, Rizal
Region 4-A (CALABARZON)

Name of Project: **Negotiated Procurement (Two-Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro ES, Tingloy, Batangas under the Last Mile Schools Program CY 2023**

Contract Ref. No.: **LMS 2023- RIV-A-BATANGAS 02**

Dear **Mr. Misanes:**

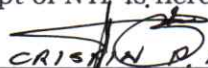
We wish to inform you that the Contract Agreement for Negotiated Procurement (Two-Failed Biddings) for the Construction of 2 Classrooms with Provision of Rainwater Collector, School Furniture, Solar PV Energy System and Water System in San Pedro ES, Tingloy, Batangas under the Last Mile Schools Program CY 2023 has been approved.

You are now hereby notified to commence execution of Works and shall fully complete all of the Works within One Hundred Eighty (180) calendar days. The Contract Effectivity shall be seven (7) calendar days from receipt of this notice.

Very truly yours,


MARITES A. IBAÑEZ, CESO V
Head of Procuring Entity

Receipt of NTP is hereby acknowledged:


CRISPIN P. MISANES JR.
(Signature over printed name)

GEN. MANAGER
(Designation)

MARAKESH ENTERPRISES
(Name of Company)

Date: DECEMBER 29, 2023