



DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS

BIDS AND AWARDS COMMITTEE

BAC Resolution No. CPM-PB-40-2022

**RESOLUTION RECOMMENDING, BY REFERENDUM, THE AWARD OF CONTRACT
OF PROCUREMENT OF DFA MAIN BUILDING AIR-CONDITIONING SYSTEM
REHABILITATION PROJECT**

WHEREAS, the Department of Foreign Affairs, through the authorized appropriations under the FY 2021 Continuing Appropriations – CO Buildings, intends to apply the sum of One Hundred Forty-Six Million Pesos (Php 146,000,000.00) only – the Approved Budget for the Contract (ABC) for the Procurement of DFA Main Building Air-Conditioning System Rehabilitation Project (“Procurement”);

WHEREAS, said Procurement is chargeable against OAMSS’ FY 2021 Continuing Appropriations for CO-Buildings;

WHEREAS, on 28 October 2022, the Bids and Awards Committee (BAC), pursuant to Section 20 of the Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, conducted a Pre-Procurement Conference to discuss the technical specifications, the availability of appropriations, and ensure that the Procurement is in accordance with the Project Procurement Management Plan and Annual Procurement Plan of the Department;

WHEREAS, on 15 November 2022, the BAC Secretariat posted for seven (7) consecutive calendar days the **Invitation to Bid** for the Procurement on the PhilGEPS website, the DFA website, and conspicuous places within the premises of the Department, in accordance with Section 21.2 of the IRR of RA No. 9184;

WHEREAS, on 24 November 2022, the BAC held a **Pre-Bid Conference** to discuss the eligibility requirements and the technical and financial components of the contract to be bid, which was attended by Jodans Engineering, TrueTemp, Coffel Aire Industries, Inc. and MCCD Engineering Services & Trading;

WHEREAS, on 06 December 2022, the deadline for the submission and receipt of bids as well as the date of opening thereof, only MCCD Engineering Services & Trading, and Coffel Aire Industries, Inc. submitted a bid which the BAC determined to be as follows:

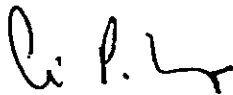
<i>Name of Bidder</i>	<i>Eligibility and Technical Component</i>	<i>Financial Component</i>
MCCD Engineering Services & Trading	Compliant	PhP 128,625,561.95
Coffel Aire Industries, Inc.	Compliant	PhP 138,900,000.00

WHEREAS, the BAC declared ***MCCD Engineering Services & Trading*** as having the Lowest Calculated Bid, and subjected it to Post-Qualification on 09 December 2022, pursuant to Section 34.2 of the IRR of RA 9184, to determine whether it complied with and was responsive to all the requirements and conditions specified in the Bidding Documents;

WHEREAS, during the post-qualification of bids and after careful consideration, the BAC determined that the bid of ***MCCD Engineering Services & Trading*** was compliant with and responsive to all the requirements and conditions specified in the Bidding Documents;

NOW, THEREFORE, we, the members of the Bids and Awards Committee, unanimously RESOLVE to RECOMMEND the award the Contract on DFA Main Building Air-Conditioning System Rehabilitation Project to ***MCCD Engineering Services & Trading*** for having submitted the Lowest Calculated and Responsive Bid in the amount of One Hundred Twenty Eight Million Six Hundred Twenty Five Thousand Five Hundred Sixty One Pesos Only and 95/100 (PhP 128,625,561.95), pursuant to Section 37 of the revised IRR of RA 9184.

ADOPTED this 14th day of December 2022, Pasay City.



CHARLIE P. MANANGAN
BAC Chairperson



PAUL VINCENT L. UY
BAC Vice-Chairperson



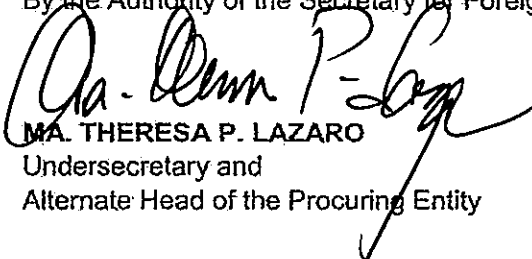
KERWIN ORVILLE C. TATE
Provisional BAC Member



MEDARDO G. MACARAIG
End-User Representative

Approved:

By the Authority of the Secretary for Foreign Affairs:



MA. THERESA P. LAZARO
Undersecretary and
Alternate Head of the Procuring Entity



DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS

NOTICE OF AWARD


14 December 2022

Sir:

Please be informed that, upon the recommendation of the Bids and Awards Committee (BAC) of the DFA as contained in its Resolution No. CPM-PB-40-2022 dated 14 December 2022, the Department is awarding the Contract on DFA Main Building Air-Conditioning System Rehabilitation Project to MCCD Engineering and Trade Services in the total amount of **One Hundred Twenty-Eight Million Six Hundred Twenty Five Thousand Five Hundred Sixty One Pesos Only and 95/100 (PhP 128,625,561.95)** , including taxes and other lawful charges.

You are hereby required to provide, within ten (10) calendar days from receipt of this Notice of Award, a **Performance Security** in the acceptable form and amount stated in the Bidding Documents of said procurement, as well as sign the Contract within the same period, pursuant to Section 37 of the revised IRR of RA 9184. Failure to provide the Performance Security or to sign the contract within the prescribed period shall constitute sufficient grounds for the cancellation of the award and forfeiture of the bid security, or bid securing declaration, as the case may be.

Very truly yours,


MA. THERESA P. LAZARO
Undersecretary and
Alternate Head of the Procuring Entity

Ms. GILDA S. YANO

Project Manager
MCCD Engineering Services & Trading
RVK Bldg., Kumintang Ibaba,
Batangas City



DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS

NOTICE TO PROCEED

22 DEC 2022

Sir:

Please be informed that, pursuant to the Notice of Award, dated 14 December 2022, signed by the Undersecretary and Head of the Procuring Entity, **MCCD Engineering Services & Trading** is hereby given Notice to Proceed with the implementation of the Contract on DFA Main Building Air-Conditioning System Rehabilitation Project in the total amount of **One Hundred Twenty-Eight Million Six Hundred Twenty Five Thousand Five Hundred Sixty One Pesos Only and 95/100 (PhP 128,625,561.95)**, inclusive of all taxes and other lawful charges.

This Notice is being issued in accordance with the requirements of Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act of 2003" and shall take effect upon receipt hereof.

Very truly yours,

MA. THERESA P. LAZARO
Undersecretary and
Alternate Head of the Procuring Entity

Ms. GILDA S. YANO
Project Manager
MCCD Engineering Services & Trading
RVK Bldg., Kumintang Ibaba,
Batangas City

**AGREEMENT FOR THE DFA MAIN BUILDING AIR-CONDITIONING SYSTEM
REHABILITATION PROJECT**

KNOW ALL MEN BY THESE PRESENTS:

This Agreement for the procurement of DFA MAIN BUILDING AIR-CONDITIONING SYSTEM REHABILITATION PROJECT (hereinafter, the AGREEMENT), entered into in Pasay City, Philippines, on 22 DEC 2022, between the:

DEPARTMENT OF FOREIGN AFFAIRS, (hereafter, the PROCURING ENTITY), with principal office address at 2330 Roxas Blvd., Pasay City, 1300 Metro Manila, represented by its Undersecretary for Administration and Head of the Procuring Entity (HOPE) **ANTONIO A. MORALES**,

and

MCCD ENGINEERING SERVICES AND TRADING (hereinafter, the CONTRACTOR), a company duly organized and existing under and by virtue of the laws of the Philippines, as evidenced by the submitted **DTI CERTIFICATE** dated **21 May 2020** as ANNEX "A", with business address at **RVK BLDG. NO. 2 KUMINTANG, IBABA BATANGAS CITY** represented by **MR. MARIO N. CHAN**, who is duly authorized to enter into this Agreement pursuant to the Omnibus Sworn Statement dated **29 November 2022**, copy of which is attached as ANNEX "B" and made an integral part of this AGREEMENT.

WITNESSETH:

WHEREAS, the PROCURING ENTITY invited bids for the procurement of the Department's DFA MAIN BUILDING AIR-CONDITIONING SYSTEM REHABILITATION PROJECT to be accomplished within twelve (12) months from the issuance of the Notice to Proceed (NTP), and has accepted a bid by the CONTRACTOR to provide the said services in the amount of **One Hundred Twenty Eight Million Six Hundred Twenty-Five Thousand Five Hundred Sixty One and Ninety-Five Centavos (PHP 128,625,561.95)** only, (hereinafter, the Contract Price) inclusive of all applicable taxes and other lawful charges.

WHEREAS, this Agreement, undertaken pursuant to DFA Bids and Awards Committee BAC Resolution No. CPM-PB-40-2022 dated 14 December 2022 (ANNEX "C"), and Notice of Award (ANNEX "D"), complies with the applicable provisions of the Republic Act No. 9184 and its Implementing Rules and Regulations;

NOW, THEREFORE, for and in consideration of the foregoing premises, the PARTIES agree as follows:

1. The relevant definitions and provisions in the Philippine Bidding Documents which are not otherwise provided herein or in any of the annexes to this Agreement shall form part of the contract;
2. The CONTRACTOR'S Bid, including the Technical and Financial Proposals, and all other documents/statements submitted, including corrections to the bid resulting

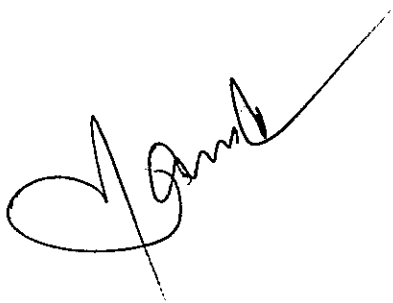


from the PROCURING ENTITY'S bid evaluation shall be deemed to form and be read and construed as part of this Agreement;

3. The following documents are also attached and made integral parts of this Agreement:
 - 2.1. Annex "E" - Bid Form
 - 2.2. Annex "F" - Certificate of Availability of Funds
 - 2.3. Annex "G" - Technical Specifications / Terms of Reference
 - 2.4. Annex "H" - General Conditions of the Contract
 - 2.5. Annex "I" - Special Conditions of the Contract
 - 2.6. Annex "J" - Supplemental Bid Bulletin No. 1 & 2
 - 2.7. Annex "K" - Performance Security Certificate

In case of conflict or inconsistencies between or among the provisions of this Agreement and any of the documents annexed to this Agreement, the provisions of the Technical Specifications / Terms of Reference (ANNEX "G") and Supplemental Bid Bulletin No. 1 and 2 (ANNEX "J") shall be controlling.

4. The CONTRACTOR shall deliver the goods and services to the PROCURING ENTITY within the period prescribed in the Technical Specifications / Terms of Reference under Annex J: Supplemental Bid Bulletin No.2.
5. The CONTRACTOR shall ensure that each of its personnel/employees assigned to enter and perform work in the premises of the Procuring Entity and to partake in the execution and implementation of this Agreement shall execute and sign a Non-Disclosure Agreement to be submitted to the Procuring Entity prior to the commencement of their service. Both Parties hereby agree to keep confidential all information obtained in connection with this Agreement, including any technical drawings and plans, and will implement and maintain safeguards to further ensure and protect the confidentiality of such information. Such confidential information shall not, without the prior written consent of the Procuring Entity, be disclosed or used for purposes other than those necessary for implementing the objectives of this Agreement. This duty of confidentiality shall survive the duration of this Agreement.
6. For and in consideration of the performance of services, the PROCURING ENTITY shall pay the CONTRACTOR the above-mentioned Contract Price. The terms of payment shall be in accordance with the provisions stated in item "XVII" of the Technical Specifications, which is attached to and made an integral part of this Agreement.
7. This Agreement shall be effective upon compliance with the issued Notice to Proceed or upon the signing of this Agreement for a period of twelve (12) months, or until compliance by both Parties of their respective undertakings including the expiration of the Warranties hereunder, whichever occurs last, unless earlier terminated.
8. **Dispute Resolution.** – The Parties shall exert their best effort/s to amicably resolve and settle in good faith any dispute arising out of or in relation to this Agreement, through negotiation/s. In the event that an amicable settlement cannot

A handwritten signature in black ink, appearing to be a stylized name, located at the bottom of the page.

ACKNOWLEDGEMENT

Republic of the Philippines)
QUEZON CITY) s.s.


BEFORE ME, a NOTARY PUBLIC for and in the City of Pasay, Philippines, on DEC 22 2022, personally appeared HONORABLE ANTONIO A. MORALES, Undersecretary for Administration of the Department of Foreign Affairs and MR. MARIO N. CHAN, Authorized Representative of MCCD ENGINEERING SERVICES AND TRADING, known to me to be the same persons who executed the foregoing AGREEMENT FOR DFA MAIN BUILDING AIR-CONDITIONING SYSTEM REHABILITATION PROJECT which instrument consists of _____ pages including the page on which this acknowledgment is written and the Annexes attached thereto, all pages of which have been signed by said PARTIES and their witnesses, and who acknowledged to me that the same is their free and voluntary act and deed and of the entities they represent.

The Philippine Government-Issued ID of the Parties were exhibited to me, the same bearing:

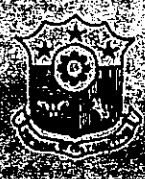
NAME	ID No.	PLACE OF ISSUE	DATE OF ISSUE
ANTONIO A. MORALES			
MARIO N. CHAN	000 2356	PRC MANILA	10/02/1989

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day, year and in the place above written.

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Book No. LV
Series of 2022


ATTY. ROGELIO J. BOLIVAR
 NOTARY PUBLIC IN QUEZON CITY
 Commission No. Adm. Matter No. NP 204 (2021-2022)
 IEP O.R. No. 132134 MD 2021 & IBP O.R. No. 133076 MD 2022
 PTR O.R. No. 2463255D 1/03/2022 Roll No. 33832 / TIN# 129-871-009
 MCLE EXTENSION APRIL 15, 2022 UP TO APRIL 14, 2023 AS PER S.C EN BANC B.M NO. 850
 Address: 31-F Harvard St., Cubao, Q.C.





Official Receipt
of the
Republic of the Philippines

0853128
No. 0853128 A

Date: **01/10/2022**

Agency: **City of Calapan** Fund:

Payor: **CHAN, MARIO NATIVIDAD**


Nature of Collection	Account Code	Amount
Professional Fee ELECTRICAL ENGINEER 2022 PRC 012356	TAX-0010	300.00
TOTAL		300.00

Amount in Words
THREE HUNDRED PESOS

<input type="checkbox"/> Cash	Drawee Bank	Number	Date
<input type="checkbox"/> Check			
<input type="checkbox"/> Money Order			

Received the amount stated above: **MANUEL M. LUGAN, JR.**
Collecting Officer

NOTE: Write the number and date of this receipt on the back of check or money order received.



LAST NAME ▶ **CHAN**

FIRST NAME ▶ **MARIO**


MIDDLE NAME ▶ **NATIVIDAD**

REGISTRATION NO. ▶ **0002386**

REGISTRATION DATE ▶ **10/02/1989**

VALID UNTIL ▶ **02/29/2025**

PROFESSIONAL ELECTRICAL ENGINEER



C20

CERTIFICATION

This is to certify that the person whose name, photograph, and signature appear herein is a duly registered professional, legally authorized to practice his/her profession with all the rights and privileges accorded hereto.

This is to certify further that hereto is a professional in good standing and that his/her certificate of registration/professional license has not been suspended, revoked or withdrawn.

20-4212440

[Signature]
Signature of Professional

[Signature]
TEOFILO S. PILANDO, JR.
Chairman

[Large Handwritten Signature]

