



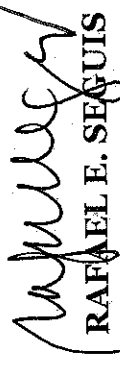
NOTICE TO PROCEED

10 March 2014

Madam:

Please be informed that pursuant to the Notice of Award dated 23 December 2014, issued by the Undersecretary for Administration and Head of the Procuring Entity, **HYATT ELEVATORS AND ESCALATORS CORPORATION**, is hereby given this Notice to Proceed and render its services to provide for the Repair and Rehabilitation of the Two (2) Elevator Units at the DFA South Wing Annex Building in accordance with the requirements for procurement.

Very truly yours,



RAFAEL E. SEGUIS

Undersecretary for Administration
and Head of the Procuring Entity

Conforme:

MS. JOSIE LAPE

Sales Manager
HYATT ELEVATORS AND ESCALATORS CORP.
Hyatt Center Bldg.
2/F Ortigas Avenue
Wack Wack, Mandaluyong City

NOTICE TO PROCEED

12 March 2014

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2/F Ortigas Avenue
Wack Wack, Mandaluyong City

Sr. Sp. Asst. N. Servigon	_____
BAC Chairperson E.D. Austria-Garcia	_____
BAC Vice-Chairman J.V.Chan-Gonzaga	_____
BAC Members: E.C.Yulo	_____
G.P. Abiog	_____
G.B. Musor	_____
B.T. L. Santos	_____
End-user Representative:	_____
Asst. Sec. M.S. Sta.Maria-Thomeczek	_____
BAC Secretariat:	_____
Head - A.O. Vallespin	_____
A. De Asis-Del Mundo	_____
S.P. Toledo	_____
G.C. Fernandez	_____

NOTE FROM ATTY. W
CITIZEN & ONZAGA

SA

NOTE FROM ATTY. W
CITIZEN & ONZAGA

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P. T. & Ground
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**AGREEMENT FOR THE REPAIR AND REHABILITATION OF THE TWO (2) ELEVATOR UNITS AT
THE DFA SOUTH WING ANNEX BUILDING**

KNOW ALL MEN BY THESE PRESENTS:

This Contract Agreement for the repair and rehabilitation of two (2) elevator units at the DFA South Wing Annex Building, (hereinafter, the AGREEMENT), entered into in Pasay City, Philippines, on _____, 2014 between the:

The **DEPARTMENT OF FOREIGN AFFAIRS**, (hereinafter, the **PROCURING ENTITY**), with principal office address at 2330 Roxas Blvd., Pasay City, Metro Manila, represented by its Undersecretary for Administration and Head of the Procuring Entity (HOPE) Honorable Rafael E. Seguis,

and

HYATT ELEVATORS & ESCALATORS CORPORATION (hereinafter, the **CONTRACTOR**), is a corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office address at 3rd Floor Hyatt Center, Ortigas Avenue, Mandaluyong City, represented by MS. JOSEFINA G. LAPE, who is duly authorized to enter into this Agreement pursuant to the Secretary's Certificate dated 24 July 2014, a copy of which is attached as ANNEX A and made an integral part of this Agreement.

WITNESSETH:

WHEREAS the **PROCURING ENTITY** invited bids for the Repair and Rehabilitation of Two (2) units of Elevators at the DFA South Wing Annex Building, and has accepted a bid by the **CONTRACTOR** for the supply of said goods and services in the sum of Nine Million Two Hundred Fifty Thousand Pesos (Php 9,250,000.00) (hereinafter called "the Contract Price"), inclusive of all taxes and other lawful charges.

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


1. The definitions found in the General Conditions of Contract (GCC) and Special Conditions of Contract contained in the Philippine Bidding Documents for Procurement of Goods issued by the Government Procurement Policy Board (GPPB) are deemed incorporated in this AGREEMENT.
2. The following documents are attached and made integral parts of this AGREEMENT:
 - 2.1 Bid Form and Price Schedule submitted by the Supplier (ANNEX B)
 - 2.2 Schedule of Requirements (ANNEX C)
 - 2.3 Technical Specifications (ANNEX D)
 - 2.4 General Conditions of Contract (ANNEX E)
 - 2.5 Special Conditions of Contract (ANNEX F)
 - 2.6 Notice of Award dated 23 December 2013 (ANNEX G)
 - 2.7 Performance Security (Annex H)
3. The **CONTRACTOR** shall deliver the goods and services within the period of One Hundred Eighty (180) calendar days upon receipt of the Notice to Proceed (NTP).
4. 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 of Sections 10 and 11 of the GCC, which is attached and made an integral part of this Agreement and in accordance with the provisions in Item 18 of the Technical Specifications.



IN WITNESS WHEREOF, the PARTIES through their authorized representatives hereto have SIGNED this AGREEMENT on 12/22/13 in Pasay City, Metro Manila.

For the Procuring Entity:

DEPARTMENT OF FOREIGN AFFAIRS
By Authority of the Secretary of Foreign Affairs:

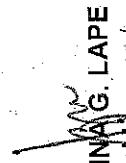

HON. RAFAEL E. SEGUIS
Undersecretary for Administration
and the Head of the Procuring Entity

Ejm


Atty. Alvar E. Rosales
Acting Chief Accountant

For the Contractor

HYATT ELEVATORS & ESCALATORS
CORPORATION


JOSEFINA G. LAPE
Sales Manager /
Authorized Representative

WITNESSES


Eng. John Kenneth Carroz
Hyatt Elevators & Escalators
Corporation

ACKNOWLEDGMENT

Republic of the Philippines)
MANILA Pasay City) s.s.

BEFORE ME, a NOTARY PUBLIC for and in the **MANILA** City of Pasay, Philippines, on personally appeared **HONORABLE RAFAEL E. SEGUIS**, Undersecretary for Administration of the Department of Foreign Affairs and **MS. JOSEFINA G. LAPE**, Authorized Representative of **HYATT ELEVATORS & ESCALATORS CORPORATION**, known to me to be the same persons who executed the foregoing Agreement for the Repair and Rehabilitation of Two (2) Elevator Units at the DFA South Wing Annex Building, which instrument consists of _____ pages including the page on which this acknowledgement 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 Passport / Philippine Government-Issued ID of the Parties were exhibited to me, the same bearing:

NAME	ID No.	PLACE OF ISSUE	DATE OF ISSUE
RAFAEL E. SEGUIS	Passport No.#000065751	Manila	5/11/2010
JOSEINA G. LAPE	Driver's License ND4-92-25 ISS3	<i>D.C.</i>	<i>10/21/2013</i>

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

ATTY. CESAR G. VIOLA
NOTARY PUBLIC
UNTIL DEC. 31, 2014
PTR NO. 2532586/01-02-2014
IBP NO. 905607, 11-09-12
ROLL NO. 15654
MCLE COMPLIANCE NO. IV
0004741-03-05-12

Doc. No. *352*
Page No. *301*
Book No. *301*
Series of 2014

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NOTICE OF AWARD

23 December 2013

Madam:

Please be informed that, upon the recommendation of the Bids and Awards Committee (BAC) of the Department as contained in its Resolution No. 207-13, the Department of Foreign Affairs is awarding the procurement for the Repair and Rehabilitation of the Two Elevator Units at the DFA South Wing Annex Building, to your firm, **Hyatt Elevators and Escalators Corporation**, in the amount of Nine Million Two Hundred Fifty Thousand Pesos Only (Php9,250,000.00), inclusive of all taxes and other lawful charges, subject to the successful negotiation and signing of Contract and posting of the required performance security, in the prescribed amount, within ten (10) calendar days from receipt of this Notice.

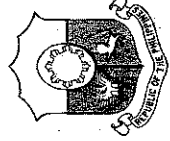
Very truly yours,

RAFAEL E. SEGGUIS

Undersecretary for Administration
and Head of Procuring Entity

MS. JOSIE LAPE

Sales Manager
Hyatt Center Bldg.
2/F Ortigas Avenue,
Wack Wack, Madaluyong City,



BIDS AND AWARDS COMMITTEE

BAC Resolution No. 207-13

RESOLUTION BY REFERENDUM, RECOMMENDING THE AWARD OF CONTRACT FOR THE REPAIR AND REHABILITATION OF TWO (2) ELEVATOR UNITS AT THE DFA SOUTH WING-ANNEX BUILDING

WHEREAS, on 06 September 2013 the Bids and Awards Committee (BAC) of the Department of Foreign Affairs (DFA) issued BAC Resolution No. 188-13 declaring a Second Failure of bidding for the Repair and Rehabilitation of the Two Elevator Units at the DFA South Wing Annex Building and recommending the conduct of a third bidding for the said project, which recommendation were approved by the Head of Procuring Entity (HOPE);

WHEREAS, on 13 November 2013 in compliance with Section 21.2 of the Revised Implementing Rules and Regulations (RIRR) of the Government Procurement Reform Act (R.A. 9184), the Department of Foreign Affairs (DFA) advertised on 14 November 2013 issue of The Manila Times and posted for seven (7) consecutive days on the PhilGEPS, DFA website, and in conspicuous areas in the Department an Invitation to Bid for the Repair and Rehabilitation of the Two Elevator Units at the DFA South Wing Annex Building;

WHEREAS, in response to the said advertisements, only two (2) companies namely, **Hyatt Elevators & Escalators Corporation (Hyatt Elevators)** and **Accubuilders Vertical Equipments Corporation and Acculift Elevators Inc. (AVECO)**, purchased the Bid Documents;

WHEREAS, on 18 November 2013, in compliance with Section 22 of the RIRR of R.A. 9184, the DFA-Bids and Awards Committee (DFA-BAC), in the presence of the representatives from OPAS, held a Pre-Bid Conference with the prospective bidders to discuss the eligibility requirements and the technical and financial components of the contract to be bid and to allow the bidder to raise or submit written queries or clarifications;

WHEREAS, on 05 December 2013 during the opening of Bids, consistent with Section 23 of the RIRR of R.A. 9184, the two bidders, submitted their sealed Eligibility and Technical Requirements, and Financial Proposal envelopes, **Hyatt Elevators** was declared **"ELIGIBLE TO BID"**, as well as **"TECHNICALLY COMPLYING"**, while **AVECO** was found **"INELIGIBLE TO BID"** due to non compliance with Section 15-1 and 15-2 of the bidding documents;

WHEREAS, on 11 December 2013, in compliance with Section 34 of the RIRR of R.A. 9184, Hyatt Elevators & Escalators, after being declared as the company with the Lowest Calculated Bid underwent Post Qualification conducted by the DFA-BAC-Technical Working Group (TWG), in the presence of the representative from OPAS, and was determined to have passed all the criteria for Post-Qualification;

WHEREFORE, premises considered, the Committee unanimously resolves to recommend to the Head of the Procuring Entity of the Department of Foreign Affairs;

- 1.) to award the contract of Repair and Rehabilitation of the Two Elevator Units at the DFA South Wing Annex Building for having submitted the Lowest Calculated Responsive Bid in the amount of Nine Million Two Hundred Fifty Thousand Pesos only (Php 9,250,000.00); and

- 2.) to commence Contract Signing with Hyatt Elevators and Escalators Corporation, upon the issuance of the Notice of Award and its deposit of the appropriate performance security.

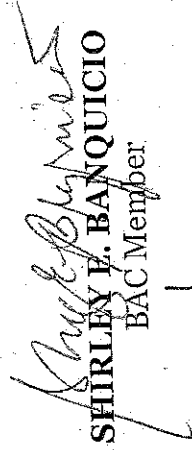
ADOPTED this 23th day of December 2013, Pasay City.



EVELYN D. AUSTRIA-GARCIA
BAC Chairman



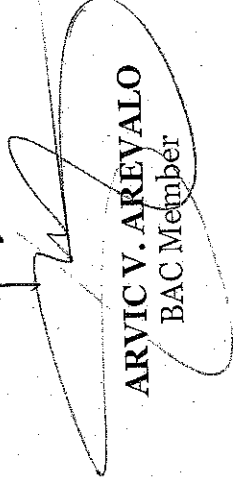
JOSE VICTOR CHAN-GONZAGA
BAC Vice-Chairman



SHIRLEY H. BANQUICIO
BAC Member




BERTRAND THEODOR SANTOS
BAC Member



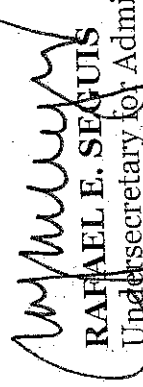
ARVIC V. AREVALO
BAC Member

GERARDO ABIOG
BAC Member



MELITA S. STA. MARIA-THOMECEK
BAC Provisional Member
Representative of the End-User

Approved:
By the Authority of the Secretary of Foreign Affairs:



RAFAEL E. SEGUIS
Undersecretary for Administration
and Head of the Procuring Entity