

BAC RESOLUTION NO. 2021-035

**BAC RESOLUTION RECOMMENDING AWARD FOR THE PROJECT:
PROCUREMENT FOR THE RENTAL OF HEAVY EQUIPMENT – MINI BACK HOE AND MINI DUMP TRUCK
Reference No. WR# CMD-2021-01-001**

WHEREAS, the Construction and Maintenance Division had submitted a Work Request requesting for rental of the following equipment:

1. Mini Back Hoe
2. Mini Dump Truck

WHEREAS, the project is included in the 2021 Annual Procurement Plan with an approved budget of Four Hundred Eighty Nine Thousand Seven Hundred Seventeen Pesos and Fifty Centavos (PhP489,717.50) for the complete duration of the project;

WHEREAS, Mini Back Hoe will be used for breaking of concrete pavements while Mini Dump Truck will be used for hauling of excess backfill materials from project sites to designated dumping area;

WHEREAS, rental of heavy equipment covers the following various extension projects of the SMWD for calendar year 2021:

1. Brgy. Parada Sidestreet Ext. Project (Caybanban St.-Sto. Niño Parish Church to Basketball Court).
2. Brgy. Parada Sidestreet Ext. Project (Sapa, J. de Jesus Street)
3. Brgy. Tumana Sidestreet Ext. Project (Papaya Street)
4. Brgy. Tumana Sidestreet Ext. Project (Pakwan Street)
5. Brgy. Sto. Tomas Road Mainline Ext. Proj. (Casa de Bambini School to Chexers)
6. Brgy. Poblacion Sidestreet Ext. Project (Laguerta)
7. Brgy. Guyong Sidestreet Ext. Project (Celestino Street)
8. Brgy. Pulong Buhangin Sidestreet Ext. Proj. (Maningas Street)

WHEREAS, Request for Quotation (RFQ) has been prepared and published in Philgeps website for three (3) consecutive times. The first one on March 1-4, 2021, second posting on March 9-12, 2021 and the third one on March 17-22, 2021. The same RFQ was also posted in the website of the SMWD;

WHEREAS, three (3) lessors of heavy equipment submitted quotations, namely: Grupo Torre Construction, Third King Enterprises, and EDN Builders Supply. However, EDN Builders Supply was found that it has no PhilGeps Registration No. which is one of the documentary requirements as listed in the Request for Quotation. For this reason, EDN Builders Supply, was declared ineligible, and was delisted in the Abstract of Quotation;

WHEREAS, the two (2) other lessors were both declared eligible and their quotations were as follows;

	GRUPO CONSTRUCTION	TORRE	THIRD KING ENTERPRISES
Mini Back Hoe	Not available		1,300.00/hr. inclusive of operator and diesel.
Mini Dump Truck	3,500.00 for an 8-hour service. Additional 500.00/hr. in excess of 8-hour service. Includes driver and fuel consumption		Not Available

WHEREAS, upon validation of the quotations submitted by the eligible lessors, the offers were accepted for being responsive and economically advantageous to the district. The lessors were also verified

and confirmed to have the capacity legally, technically and financially to deliver the services required by the district which is the rental of equipment.

WHEREAS, the project has been posted as line items and the Procuring Entity may award the project separately based on the equipment that they have and offered;

NOW THEREFORE, in the light of the foregoing consideration, WE, the Members of the Bids and Awards Committee resolves as it is hereby RESOLVED:

- a) To declare **GRUPO TORRE CORP.**, with office address at No. 101 J.P Rizal St., Poblacion, Santa Maria, Bulacan, whose offer is the single calculated and responsive quotation for the rental of **Mini Dump Truck for Three Thousand Five Hundred Pesos (P3,500.00) rental fee per day.**
- b) To declare **THIRD KING ENTERPRISES**, with office address at 311 Brgy. Balasing, Santa Maria, Bulacan, whose offer is the single calculated and responsive quotation for the rental of Mini Back Hoe with Breaker for One Thousand Three Hundred Pesos (PhP1,300.00) per hour.
- c) To recommend for approval by the General Manager of the Santa Maria Water District the foregoing findings.


RESOLVED, at the Santa Maria Water District Office, Santa Maria, Bulacan, this 4th day of May 2021.

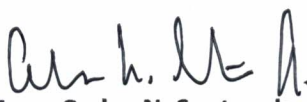

MARIA LEONORA S. ROMARATE
BAC Chairman

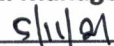

Engr. Gerson L. Francisco
BAC Member


Mary Diana S. dela Cruz, CPA
BAC Member


Engr. Edgardo E. dela Torre Jr.
BAC Member


Engr. Edbert J. Malapitan
BAC Member-End User

Approved by: 
Engr. Carlos N. Santos, Jr.
General Manager

Date approved:  5/11/21

CONTRACT AGREEMENT
CA-2021-05-023

**PROJECT: RENTAL OF HEAVY EQUIPMENT , MINI BACK HOE, FOR VARIOUS SIDESTREET EXTENSION
PROJECTS OF SMWD FOR CY 2021**

This heavy equipment rental agreement is made and effective by and between:

SANTA MARIA WATER DISTRICT, with office address at #3 M. de Leon St., Poblacion, Santa Maria, Bulacan 3022, represented by its General Manager, **ENGR. CARLOS N. SANTOS, JR.** and herein referred to as the LESSEE.

and

THIRD KING ENTERPRISES, with office address at No. 311 Brgy. Balasing, Santa Maria, Bulacan represented by its President, **MR. RAUL GRAVADOR** and herein referred to as the LESSOR.

The LESSOR hereby leases to LESSEE, and LESSEE hereby leases from the LESSOR, the following described equipment (the "Equipment").

Mini Back Hoe inclusive of driver and fuel	P 1,300.00/hour
nothing follows	

1. The term of this agreement shall be one (1) year commencing from May 12, 2021 to May 11, 2022 and shall cover the projects of the Santa Maria Water District namely:
 1. Brgy. Parada Sidestreet Ext. Project (Caybanban St.-Sto. Niño Parish Church to Basketball Court).
 2. Brgy. Parada Sidestreet Ext. Project (Sapa, J. de Jesus Street)
 3. Brgy. Tumana Sidestreet Ext. Project (Papaya Street)
 4. Brgy. Tumana Sidestreet Ext. Project (Pakwan Street)
 5. Brgy. Sto. Tomas Road Mainline Ext. Proj. (Casa de Bambini School to Chexers)
 6. Brgy. Poblacion Sidestreet Ext. Project (Laguerta)
 7. Brgy. Guyong Sidestreet Ext. Project (Celestino Street)
 8. Brgy. Pulong Buhangin Sidestreet Ext. Proj. (Maningas Street)
2. The Mini Back Hoe shall be used for breaking of concrete pavements during the implementation of various sidestreet extension projects.
3. The rental fee for the Equipment shall be paid on a weekly basis base on progress payment.
 - P1,300.00 per hour of service
 - Inclusive of operator & diesel
 - The start of works will be from 8:00 A.M to 5:00 P.M
4. The cost of mobilizing the equipment to the job site shall be at the account of the contractor/lessor.
5. The driver's wage shall be at the account of the LESSOR.
6. All consumables including fuel, oils and others are at the expense of the LESSOR.

7. The Equipment shall be under the full control and supervision of the LESSOR.
8. The LESSOR shall be responsible for the breaking of concrete pavements during the implementation of the extension projects
9. The LESSEE shall not assign this Agreement or its interest in the Equipment without the prior written consent of the LESSOR.
10. The invalidity or unenforceability of any provision in this Agreement shall not cause any other provision to be invalid or unenforceable.
11. This Agreement shall be construed and enforced according to the existing laws of the Republic of the Philippines. This instrument constitutes the entire agreement between the parties on the subject matter hereof and it shall not be amended, altered or changed except by a further writing signed by the parties hereto.
12. The Terms of Reference, Notice of Award and Notice to Proceed shall be deemed an integral part of this contract.

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

PROCURING ENTITY

SANTA MARIA WATER DISTRICT
By:

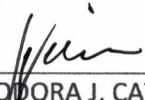

ENGR. CARLOS N. SANTOS, JR.
General Manager


CONTRACTOR

THIRD KING ENTERPRISES
By:


MR. RAUL GRAVADOR
General Manager

SIGNED IN THE PRESENCE OF:


Ms. TEODORA J. CATIIS
Chairperson, BOD


Ms. MARIA LEONORA S. ROMARATE
Chairperson, Bids and Awards Committee



Santa Maria

WATER DISTRICT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF BULACAN) S.S.
MUNICIPALITY OF STA. MARIA)

MAY 27 2021

BEFORE ME, this _____ day of May, 2021 personally appeared:

Name	TIN No.
MR. RAUL GRAVADOR	248-255-490-000
ENGR. CARLOS N. SANTOS JR.	163-672-791-000

Who made known to me that they are the same persons who executed the foregoing instrument and acknowledged to me that the same is their own free and voluntary act and deed as well as that of the entities they respectively represent.

This instrument refers to CONTRACT AGREEMENT for equipment rental, consisting of three (3) pages including this page, each of which is duly signed by the parties to the instrument and those of the witnesses and sealed with the notarial seal.

WITNESS MY HAND AND SEAL on the day, year and place first above written.

Doc. No. 286
Page No. 59
Book No. 6
Series of 2021

ATTY. REYNALDO G. TANTE
NOTARY PUBLIC
UNTIL DECEMBER 31, 2021
I.P.R. NO. 0919759/1 4-21
SANTA MARIA, BULACAN
ROLL NO. 41600
IBP NO. 132045/11-06-20
MCLE COMPLIANCE NO. VII-0002614/2-29-21
PNC-53-MB-2019



NOTICE OF AWARD

NOA-2021-05-033

May 5, 2021

Mr. Raul Gravador
President
THIRD KING ENTERPRISES
No. 311 Brgy. Balasing
Santa Maria, Bulacan

Re: Rental of Heavy Equipment, Mini Back Hoe for Various Sidestreet Extension Projects of SMWD for CY 2021

Dear Mr. Gravador:

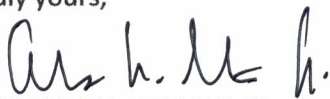
Please be informed that the project stated above, with reference, Abstract of Quotation No. A2021-066, has been awarded to **THIRD KING ENTERPRISES** as the Single Calculated and Responsive Quotation for the rental of heavy equipment, **Mini Back Hoe** with Breaker inclusive of operator & diesel, for One Thousand Three Hundred Pesos (PhP1.300.00) rental fee per hour of service.

The service contract shall be for a period of one (1) year commencing on May 12, 2021 and will end on May 11, 2022. For scope of work, obligation of the contractor, project duration, payment terms and other concern, the Terms of Reference (TOR) shall govern.


Accordingly, you are requested or your duly authorized representative (covered with such authority) to sign the Contract upon advise from the Santa Maria Water District.

We appreciate your interest in this opportunity and we look forward to your satisfactory performance of your obligations as stipulated in the Contract Agreement.

Very truly yours,


ENGR. CARLOS N. SANTOS, JR.
General Manager

Received By:

Printed Name: RAUL GRAVADOR
Signature: 
Date: MAY 12, 2021



NOTICE TO PROCEED
NTP-2021-05-033

May 10, 2021

Mr. Raul Gravador
General Manager
THIRD KING ENTERPRISES
No. 311 Brgy. Balasing
Santa Maria, Bulacan


Dear Mr. Gravador:

The attached Contract Agreement having been approved, notice is hereby given to **GRUPO TORRE CORPORATION.**, that the work may commence on the project, **"RENTAL OF HEAVY EQUIPMENT, MINI BACK HOE FOR VARIOUS SIDESTREET EXTENSION PROJECTS OF SMWD FOR CY 2021"** effective upon the receipt of this Notice.

Moreover, you are responsible for performing the services under the terms and conditions of the Contract Agreement and in accordance with the implementing schedule.

Please acknowledge receipt and acceptance of this notice by signing both copies and in the space provided below. Keep one copy and return the other to the SMWD BAC.


Very truly yours,


ENGR. CARLOS N. SANTOS, JR.
General Manager

I acknowledge receipt of this Notice on:

Name of the Representative of the Lessor:

Authorized Signature:

may 21, 2021
RAUL GRAVADOR


> of the Contact

in space provided