



VISAYAS
STATE UNIVERSITY

OFFICE OF THE BOARD SECRETARY

Visayas State University
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Republic of the Philippines
VISAYAS STATE UNIVERSITY
Visca, Baybay, Leyte

BOR RESOLUTION NO. 234, s. 2018

**A RESOLUTION APPROVING THE REQUEST OF LIMAR CONSTRUCTION FOR
TIME EXTENSION IN THE CEBU OFFICE CONSTRUCTION**

WHEREAS, the Leyte State University was created by virtue of Republic Act 9158 which converted the then Visayas State College of Agriculture (ViSCA) into a state university last 11 August 2001 which was later renamed Visayas State University (VSU) by virtue of R.A. 9437;

WHEREAS, Section 7 of R.A. 9158 specifically empowers the Board of Regents of the University to "*exercise all the powers granted to the Board of Directors of a corporation under Section 36 of Batas Pambansa Blg. 68, otherwise known as the Corporate Code of the Philippines*";

WHEREAS, Section 7, Paragraph (f) of R.A. 9158 empowers the Board of Regents of the University "*To authorize the construction or repair of its buildings, machineries and equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment...*";

WHEREAS, in accordance with R.A. 9184, otherwise known as the Government Procurement Act, the Board of Regents is the Head of Procuring Entity (HOPE);

WHEREAS, the Bids and Awards Committee (BAC-1) advertised for the project: *Renovation of the VSU Cebu Office* and conducted a public bidding last 19 October 2017;

WHEREAS, LIMAR Construction was awarded the project on account of having submitted the Lowest Calculated Responsive Bid (LCRB) bid;

WHEREAS, the original contract duration for the project was until 3 October 2018 but was extended to 01 December 2018;

WHEREAS, on 28 November 2018, LIMAR Construction requested for a 120 calendar-day time extension;

WHEREAS, the BAC-1 only approved a 50 calendar-day time extension to LIMAR Construction or until 21 January 2019 so that the total time extension will not exceed the original contract duration;

WHEREAS, BAC Resolution No. 72, s. 2018 recommending a 50 calendar-day extension to LIMAR Construction for the completion of the Cebu Office construction was discussed by the Board of Regents during its 4th Quarter 2018 BOR Meeting held in the Function Room of the Granda Manor Hotel, Tacloban City last 7 December 2018;

WHEREAS, after due deliberation on other possible courses of action, the BAC-1 has realized that termination of the contract with LIMAR Construction is not an option because the funds may have to be reverted to the National Treasury;

WHEREAS, the BAC-1 was able to contact the Project Engineer of LIMAR Construction who indicated that LIMAR Construction is able and willing to complete the Cebu Office project not later than 31 March 2019;

WHEREAS, the Project Engineer informed the BAC-1 that the LIMAR Construction will hire more skilled workers who will work on different scopes of work at the same time;

WHEREAS, the University can still utilize the "*savings from the contract*" to specifically address those findings made by the Office of the Building Official (OBO) and/or the Bureau of Fire Protection (BFP);

WHEREAS, the "savings" will have to be reverted to the National Treasury if this is not obligated within the month of December 2018;

WHEREAS, all unfinished work undertaken after the 50 calendar-day extension period will automatically be under the Liquidated Damages penalty clause; and

WHEREAS, the Board of Regents can still impose additional penalties for work undertaken beyond the 50 calendar-day extension period and can even Terminate the Contract if the amount of Liquidated Damages exceeds the computed Limit.

THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED to GRANT the 50 calendar-day extension to LIMAR Construction for the Cebu Office Construction as recommended by the BAC-1 ***Provided that*** all unfinished work undertaken after the 50 calendar-day extension period will automatically be under the Liquidated Damages penalty clause and ***Further Provided That*** the Board of Regents can still impose additional penalties for work undertaken beyond the 50 calendar-day extension period and can even Terminate the Contract if the amount of Liquidated Damages exceeds the computed Limit.

IN WITNESS of our approval thereof, we hereby affix our signatures this 18th day of December 2018 at VSU Main Campus, City of Baybay, Leyte.

VSU BOARD OF REGENTS



HON. J. PROSPERO E. DE VERA III
CHED Commissioner and Chairperson
VSU-Board of Regents

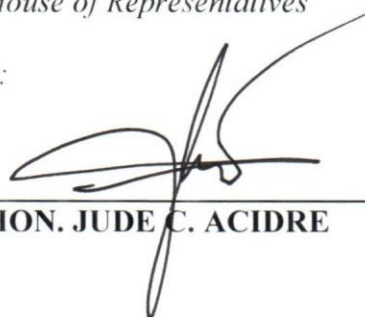


HON. EDGARDO E. TULIN
Vice Chairman and President, VSU

HON. FRANCIS JOSEPH G. ESCUDERO
Chair, Committee on Education, Arts & Culture
Senate of the Philippines

HON. PAULO EVERARDO S. JAVIER
Chair, Committee on Higher & Tech. Educ.
House of Representatives


Represented by:




HON. JUDE C. ACIDRE


HON. BONIFACIO G. UY
Regional Executive Director
National Economic & Dev. Authority-RO8
Gov't. Center, Palo, Leyte

HON. ANDREW RODOLFO T. ORAIS
Regional Executive Director
Department of Agriculture-RO8
Tacloban City


HON. JOHN ALLAN A. GULLES
Student Regent – VSU System
VSU, Visca, City of Baybay, Leyte


HON. DEOGRACIAS E. PERNITEZ
President, VSU Federated Alumni Assn.
VSU, Visca, City of Baybay, Leyte


HON. DENNY J. CATINDOY
Faculty Regent – VSU Faculty Association
VSU, Visca, City of Baybay, Leyte

Private Sector Representatives:


HON. ROY BERNARD C. FIEL
Ormoc City


HON. JOEL R. CAMINADE
Tacloban City



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STATE UNIVERSITY

**Office of the Vice President for
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17 December 2018

**Honorable Members of the Board of Regents,
Visayas State University**

Sir/Madam:

This pertains to the BAC Resolution No. 72, recommending BOR approval of the request of Limar Construction for a 50-day time extension of the Renovation of the VSU Cebu Office.

The BAC met late this afternoon after having talked with the project engineer, who assured the BAC that the project can be finished within March 2019 as earlier promised, when he was called by the President. He told the BAC that he will hire more workers who will work on different scopes of work at the same time.

The BAC further deliberated on possible courses of action but eventually realized that termination of the contract is not an option because this would require awarding the project to a new contractor within December 2018 (which is already impossible considering the length of the bidding process). The project will never be finished because the remaining money will be reverted.

The best option is to grant the extension. The BOR can still impose the penalties beyond the approved extension and even recommend termination of the contract if the liquidated damages exceed its limit.

I hope that the BOR will make its decision on BAC Resolution No. 72 considering what is best for VSU.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Remberto A. Patindol'.

REMBERTO A. PATINDOL
BAC1 Chairman



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18 December 2018

**Honorable Members of the Board of Regents,
Visayas State University**

Sir/Madam:

This is still related to my earlier comments on BAC Resolution No. 72.

I mentioned in my letter dated December 17 that the best option is to grant the extension. Another reason for this is that if such extension is granted, we can still incorporate as additional work within the extension period, all those required by the Building Official and/or the Bureau of Fire Protection, using the savings from the contract (for which BAC is also requesting authority to utilize). The savings will be reverted to the National Treasury if this will not be utilized within this month. Consequently, we might be forced to reduce the original scope of work (for lack of funds) in order to accommodate those required by the two regulating agencies.

I hope that the BOR will grant the requested extension and allow utilization of the savings from the contract with Limar Construction.

Thank you very much

Very truly yours,

A handwritten signature in black ink, appearing to read "Remberto A. Patindol".

REMBERTO A. PATINDOL
BAC1 Chairman



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Bids and Awards Committee 1

**BAC RESOLUTION Recommending Approval of the Request for Time Extension of
LIMAR CONSTRUCTION for the Renovation of VSU Cebu Office**

**BAC RESOLUTION NO. 72
Series of 2018**

WHEREAS, the **VISAYAS STATE UNIVERSITY** advertised for the project 'Renovation of VSL Cebu Office' and conducted Public Bidding on October 19, 2017;

WHEREAS, the contract of the aforementioned project was awarded to Limar Construction, herein referred to as the Contractor, its bid being the Lowest Calculated and Responsive Bid (LCRB);

WHEREAS, the contract the project duration is until October 3, 2018 originally but was approved to be extended until December 1, 2018;

WHEREAS, on November 28, 2018, the BAC received a request to extend the project for 120 calendar days or until March 31, 2019 due to accessibility problems (see attached letter request);

WHEREAS, on November 29, 2018, the BAC reviewed and deliberated the said request for time extension and decided to grant the request for 50 calendar days only or until January 21, 2019 so that total time extension will not be more than the original contract duration;

WHEREAS, after said extension, the BAC will be imposing the appropriate liquidated damages against the Contractor in every day of delay until project has been completely accomplished;

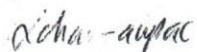
NOW, THEREFORE, based on the above premises, we the Members of the Bids and Awards Committee, hereby RESOLVE as it is RESOLVED:


- a) To recommend for approval of the Request for Time Extension of fifty (50) calendar days by Limar Construction for the Renovation of VSU Cebu Office; and
- b) To recommend for approval by the Board of Regents of the Visayas State University the foregoing findings.


RESOLVED, at the Conference Room of the Office of the Vice President for
Administration and Finance, this 29th day of November 2018.

LOURDES B. CANO
BAC Member (Vice Chairman)


MARIO LILIO P. VALENZONA
BAC Member


LOUELLA C. AMPAC
BAC Member


RYSAN C. GUINOCOR
BAC Member


REMBERTO A. PATINDOL
BAC Chairman



LIMAR CONSTRUCTION

GENERAL CONTRACTOR

ADDRESS: BRG . 50B YOUNGFIELD
TAGLUBAN CITY, LEYTE

MOBILE NO.: 09209012283

November 28, 2018

DR. EDGARDO E. TULIN
President
OVPAF, VSU Viña
Baybay, City




Sir,

In connection with our contract for the "Renovation of VSU Cebu Office VSU-Cebu Office, 497-E Molave Street, Lungsod Cebu City. I would like to request from your good office for Time Extension up to March 31, 2019, due to the following weather condition, accessibility for delivery of construction materials and national holidays.

Hoping for your utmost consideration and favorable approval regarding this request, I remain.

Thank you.

Respectfully yours,


ANGELITO C. CANETE
Proprietor

SPECIAL POWER OF ATTORNEY

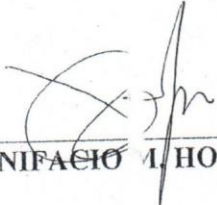
KNOW ALL MEN BY THIS PRESENTS:


I, **ANGELITO C. CAÑETE**, Proprietor of **LIMAR CONSTRUCTION**, Filipino, of legal age, resident and with post office address at Brgy. 50-B, Youngfield, Tacloban City, Leyte do hereby name, constitute and appoint **BONIFACIO M. HOO JR.** of legal age, Filipino, resident of Brgy. 89, Baybay San Jose Tacloban City, to be my true and lawful Attorney-in-Fact, for me and in my name, place and stead to do and perform the following acts and things, to wit;

1. To represent for me, and in my name, place and stead enter in to bidding for Government, NGO's and Private projects.
2. To sign for me and in my name, withdrawal and deposit slips or any and all papers and other documents which may necessitate or require my signature;
3. To represent for me and in my name, place and stead enter into business with LAIDBANK, Tacloban City, Leyte, Philippines;
4. To follow up and signed release of checks payments due to our company.
5. This instrument of authority is valid for the year 2018.

HEREBY GIVING AND GRANTING unto my said Attorney-in-Fact full power and authority to do and perform all and every act requisite or necessary to carry into effect the foregoing authority as fully to all intents and purposes as I might do for personally present, with full power of substitution and revocation and confirming all that my attorney or his substitute shall lawfully do or cause to be done by virtue hereof.

IN WITNESS WHEREOF I have unto affixed my signature this 25th day of October, 2018, Tacloban City, Philippines.


BONIFACIO M. HOO JR.


ANGELITO C. CAÑETE
Principal


ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF LEYTE)
CITY OF TACLOBAN) S.S.

BEFORE ME, this 25th day of October, 2018 in the City of Tacloban, Philippines, personally appeared **ANGELITO C. CAÑETE** with Residence Certificate No. 06605657 issued at Babatngon Leyte on January 9, 2018, known to me to be the same person who executed the foregoing Special Power of Attorney in favor of **BONIFACIO M. HOO JR.** and he acknowledged to me that the same is his free voluntary act and deed.

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

Doc. No. 30
Page No. 01
Book No. 201
Series of 2018


NOTARY PUBLIC
NOTARY PUBLIC
WITH EXPIRATION DATE
2018 DEC 31

REVISED PERT – CPM

FOR VSU – CEBU OFFICE BUILDING PROJECT Remaining Scope of Works:

Note:

Scope of works are based on the existing actual on-site accomplishment to date:

TARGET	DESCRIPTION OF WORK
DECEMBER 2018	
A	STEEL TRUSSES FABRICATION / INSTALLATION
B	CONTINUE CHB LAYING ON GROUND & SECOND FLOORS WALLS
C	CONCRETE PLASTERING WORKS ON INTERIOR & EXTERIOR WALLS
D	CEILING WORKS ON GROUND FLOOR
E	ELECTRICAL WIRING / FIXTURES INSTALLATION ON GROUND FLOOR
JANUARY 2019	
G	ROOFING PANELS INSTALLATION
H	ELECTRICAL WIRING / FIXTURE INSTALLATION ON SECOND FLOOR
I	TILE WORKS ON GROUND FLOOR
J	CEILING WORKS ON GROUND / SECOND FLOOR
K	CONCRETE WORKS ON PERIMETER FIRE WALL
FEBRUARY 2019	
L	CONTINUE ROOFING BENDED / GUTTER INSTALLATION
M	RAIN WATER CATCHMENT INSTALLATION
N	TILE WORKS ON SECOND FLOOR
O	INSTALLATION OF DOORS & WINDOWS
P	PAINTING WORKS INTERIOR
MARCH 2019	
Q	PLUMBING FIXTURE INSTALLATION ON GROUND FLOOR
R	PLUMBING FIXTURE INSTALLATION ON SECOND FLOOR
S	PAINTING WORKS EXTERIOR
MARCH 29	ISSUANCE OF OCCUPANCY PERMIT AND TURN – OVER OF PROJECT