

Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
Manila

297.13 DPWH
09-22-JHC

SEP 22 2006

DEPARTMENT ORDER)

SUBJECT: SUSPENSION/BLACK-
LISTING OF CONTRACTOR,
R.M. PINGOL CONSTRUCTION
& DEVELOPMENT CORP.

NO. 48)
SERIES OF 2006)

09-22-JHC

As and by way of administrative sanction to the Contractor, R.M. Pingol Construction & Development Corp. (RMPCDC) as prescribed in the rescission order of its contract dated 06 September 2006 for the Construction/Improvement of Jct. Maharlika Highway-Jaen-San Isidro Road, Contract Package IV-a, under the Rural Road Network Development Project (II), the said RMPCDC and its officers/stockholders are hereby suspended/ blacklisted from participating in any bidding or entering into any contract with the DPWH and its line agencies within the period of one year starting the date of this order.

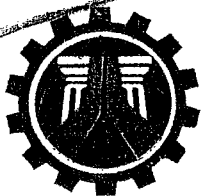
Additionally, inasmuch as RMPCDC is liable for liquidated damages, all concerned are hereby ordered not to release any sum of money due and owing to the said RMPCDC, its assignee, administrators or anybody acting for and in representation of RMPCDC without prior clearance from the Secretary.

For compliance.

[Signature]
HERMOGENES E. ERDANE, JR.
Acting Secretary



WIN6V02803



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
Manila

2351-09-06

SEP 06 2006

R.M. Pingol Construction & Development Corp.
Unit 3A, 3rd Floor, No. 107 The West Wing
West Avenue, Quezon City

Attention: **MR. ROGELIO M. PINGOL**
President

Subject : **RESCISSION ORDER**
Jct. Maharlika Highway-Jaen-San Isidro Road
Contract Package IV-a, Nueva Ecija Province
Rural Road Network Development Project, Phase II

Gentlemen:

We have carefully evaluated the merits of your explanation/justification per your letter dated 09 August 2006 in response to our Notice to Rescind Contract and have observed the following:

- (1) On and off maintenance of the road is not considered major obligation for continuous construction operation where your firm was to perform under the contract.
- (2) The explanation for this item is not responsive.
- (3) Likewise, explanation for item 3 is not responsive.
- (4) We don't find merits in explanation for item 4.

In view hereof, the RESCISSION ORDER to your contract is hereby issued in pursuant to sub clauses 63.1a, b & c, Conditions of Contract, Volume I, Part II and Department Order No. 102, series of 1988.

Upon receipt of this order, the engineer, the COA auditor and the contractor shall immediately conduct joint inventory of works accomplished by the contractor as well as its construction equipment and materials in the site intended for the completion of the project pursuant to clauses 63.2 and 63.3 of the same Conditions of Contract.

Should these result in a balance of account for the contractor in favour of DPWH, it will be recovered from any on-going contracts and other receivables of the contractor.

Finally, as a way of administrative penalty, R.M. Pingol Construction & Development Corporation shall be blacklisted from any contract award in the DPWH and its line agencies for a period of one (1) year pursuant to provisions of RA 9184.

Very truly yours,

HERMOGENES E. ERICANE, JR.
Acting Secretary



WIN6V02631