

2013 =86.

Contract No. _____

CONTRACT AGREEMENT FORM

THIS AGREEMENT made on the 12-17-2013 between the **PHILIPPINE CARABAO CENTER**, an agency of the Government of the Philippines with address at Science City of Muñoz, Nueva Ecija, represented by its Executive Director, **DR. LIBERTADO C. CRUZ** hereinafter called the **PROCURING ENTITY** of the one part and **APPLIED SYSTEMS MANUFACTURING CORPORATION** a business entity duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with office Address at Rm. 304 ITC Building, 337 Sen. Gil Puyat Avenue Makati City, Metro Manila represented by **MR. MICHAEL T. REOPEREZ** hereinafter called as the **SUPPLIER**.

WHEREAS the Entity invited Bids for the **SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF ONE (1) UNIT BRAND NEW DIESEL AC POWER GENERATING SET (75KVA) WITH ONE (1) UNIT AUTOMATIC TRANSFER SWITCH (REBID)** and has accepted the Bid by the Supplier in the amount of PESOS: **Six Hundred Seventy Five Thousand Pesos (P 675,000.00)** called as the "Contract Price".

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement, viz.:
 - (a) Bid Form and the Price Schedule submitted by the Bidder;
 - (b) Schedule of Requirements;
 - (c) Technical Specifications;
 - (d) General Conditions of Contract;
 - (e) Special Conditions of Contract; and
 - (f) Entity's Notification of Award
3. In consideration of the payments to be made by the **PROCURING ENTITY** to the **SUPPLIER** as hereinafter mentioned, the Supplier hereby covenants with the Entity to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract.
4. The **PROCURING ENTITY** hereby covenants to pay the **SUPPLIER** in consideration of the provision of the goods and services and the remedying of defects therein, the **Contract Price** or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

Signed, sealed, delivered by DR. LIBERTADO C. CRUZ, Executive Director of PHILIPPINE CARABAO CENTER.

Signed, sealed, delivered by MR. MICHAEL T. REOPEREZ, representative of APPLIED SYSTEMS MANUFACTURING CORPORATION

For and in behalf of the
PHILIPPINE CARABAO CENTER

For and in behalf of the
APPLIED SYSTEMS MANUFACTURING CORPORATION

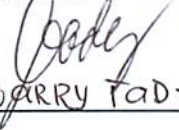

LIBERTADO C. CRUZ
Executive Director


MICHAEL T. REOPEREZ
Representative

WITNESS:

WITNESS:


EDUARDO P. DALUSONG
End-user/Representative


BARRY TADY

Certified Funds Available:

02-2013-12-374 RF

ACKNOWLEDGMENT

Republic of the Philippines)
Science City of Muñoz, N.E.)

BEFORE ME, a Notary Public for and in the above jurisdiction, personally appeared the following:

Name	Com Tax Cert. No.	Date/Place Issued
LIBERTADO C. CRUZ	_____	ISSUED: FEB. 27, 2013 / sub. CAC.
MICHAEL T. REOPEREZ	<u>LTO Lic # N04-90-163206</u>	<u>EXPIRY: MARCH 2, 2016</u>

Known to me to be the same persons who executed the foregoing instrument and acknowledgement that the same is their own voluntary act and deed.

This instrument of three (3) pages including this page wherein this Acknowledgment is written and signed by the parties and their instrument witness on each and every page hereof.

WITNESS MY HAND AND SEAL, this January day of 13th 2013 at Science City of Muñoz, Nueva Ecija, Philippines.

Doc. No. 5
Page No. 1
Book No. 29
Series of 2013

AVEGAILE B. ESCUDERO-GARCIA
 Notary Public
 MAHARLIKA RD. SAN JOSE CITY,
 NUEVA ECIIJA
 COMMISSION EXPIRES ON DECEMBER 31, 2015
 ROLL OF ATTORNEYS NO. 54696
 PTR NO. 1264243; 01/02/2014 SAN JOSE CITY
 IBP LIFETIME NO. 785665 01/08/10 N.E. CHAPTER

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Department of Agriculture
PHILIPPINE CARABAO CENTER
 CERTIFIED ISO 9001 | ISO 14001 | OHSAS 18001

PCC COR-1



NOTICE OF AWARD

December 6, 2013

MR. MICHAEL T. REOPEREZ
 Applied Systems Manufacturing Corporation
 Rm. 304 ITC Building, 337 Sen. Gil Puyat Avenue
 Makati City, Metro Manila

Dear Mr. Reoperez:

Please be informed that based on the result of our public bidding and after the evaluation of your offer to undertake the SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF ONE (1) UNIT BRAND NEW DIESEL AC POWER GENERATING SET (75KVA) WITH ONE (1) UNIT AUTOMATIC TRANSFER SWITCH (REBID) for the Total Contract Price of equivalent to Six Hundred Seventy Five Thousand Pesos (P 675,000.00) with the delivery schedules indicated in your bid proposals, we are happy to notify you that your offer are acceptable to us and hereby awarded you the project.

In view thereof, kindly signify your conforme by affixing your signature on the space provided below.

Furthermore, you are advised to post performance bond in either of the following forms, within ten (10) days upon receipt of this notice.

- a) Cash or cashier's/manager's check issued by a Universal or Commercial Bank, Irrevocable Letter of Credit, Bank Draft/Guarantee equivalent to 5% of the Contract Price;
- b) Surety Bond, equivalent to 30% of the Contract Price

Failure to provide the performance security shall constitute sufficient ground for cancellation of the award and forfeiture of the bid security.

Very truly yours,

LIBERTADO C. CRUZ
 Executive Director *REVISED*

Conforme: BONIFACIO REOPEREZ
 (Bidder/Authorized Representative)
 Date Received: 12-13-2013



NOTICE TO PROCEED

December 17, 2013

MR. MICHAEL T. REOPEREZ

Applied Systems Manufacturing Corporation
 Rm. 304 ITC Building, 337 Sen. Gil Puyat Avenue
 Makati City, Metro Manila

Dear Mr. Reoperez:

The attached Contract Agreement having been approved, notice is hereby given to **APPLIED SYSTEMS MANUFACTURING CORPORATION** that work may commence for the **SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF ONE (1) UNIT BRAND NEW DIESEL AC POWER GENERATING SET (75KVA) WITH ONE (1) UNIT AUTOMATIC TRANSFER SWITCH**, effective upon acknowledgment of this notice but in no case beyond seven (7) days from receipt thereof.

Upon receipt of this notice, you are responsible for performing the services under the terms and conditions of the Agreement and in accordance with the Implementation Schedule.

Please acknowledge receipt and acceptance of this notice by signing both copies in the space provided below, keep one copy and return the other to the Philippine Carabao Center.

Very truly yours,

LIBERTADO C. CRUZ
 Executive Director *HEMME*

Conforme:

Date : 1-2-14