

# CONTRACT

## KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT entered into on this 06 AUG 2019 in Quezon City, Philippines, by and between:

**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**, a government agency created by virtue of Executive Order (EO) No. 192 dated 10 June 1987, with office address in Visayas Avenue, Diliman, Quezon City, represented herein by its OIC-Director for Administrative Service, **RABINDRANATH P. QUILALA, CESE**, hereinafter referred to as "**DENR**",

-and -

**DACO SALES CORPORATION**, a private corporation organized and existing under the laws of the Republic of the Philippines, with business address at No. 5 Felix Manalo St., Brgy. Pinagkaisahan Cubao, Quezon City, represented herein by its President, **JOANNA T. YONG LOOK**, hereinafter referred to as "**DACO**";

WITNESSETH: That

**WHEREAS**, the DENR conducted a competitive bidding for *Supply and Delivery of Purified Drinking Water with Provision of Hot and Cold Water Dispenser for the Department of Environment and Natural Resources (DENR)* per Invitation to Bid (IB) No. DENR-CO-2019-002 with an Approved Budget for the Contract (ABC) of ₱1,890,000.00 pursuant to Republic Act (RA) No. 9184 otherwise known as the Government Procurement Reform Act (GPRA) and its 2016 Revised Implementing Rules and Regulations (IRR);

**WHEREAS**, the bid of **DACO** was declared as the Single Calculated and Responsive Bid (SCRB) by the Bids and Awards Committee (BAC), and was approved by the Head of Procuring Entity, through his duly authorized representative;

**NOW, THEREFORE**, for and in consideration of the foregoing premises, the parties have agreed on the following terms and conditions:

1. The words and expressions in this Contract shall have the same meaning as stated in the Conditions of the Contracts as provided under Section IV & V of the Philippine Bidding Documents (PBD) for the procurement of Goods;
2. The following documents attached hereto shall be deemed to form an integral part of this Contract:

A. Bidding Documents

- i. Invitation to Bid (IB) under Section I
- ii. Instructions to Bidders (ITB) under Section II
- iii. Bid Data Sheet (BDS) under Section III
- iv. General Conditions of the Contract (GCC) under Section IV
- v. Special Conditions of the Contract (SCC) under Section V
- vi. Schedule of Requirements under Section VI
- vii. Technical Specifications under Section VII
- viii. Bidding Forms
- ix. Checklist of Requirements





- B. Bid submission by the **DACO**
    - i. Eligibility Documents
    - ii. Technical Documents
    - iii. Financial Documents
  - C. Notice of Award (NOA) received on 11 July 2019
  - D. Performance Security in a form of Surety Bond issued by Prudential Guarantee and Assurance Inc. amounting to ₱567,000.00 dated 19 July 2019
  - E. Other documents that may be required by existing laws and/or the DENR such as but not limited to Minutes of the Pre-Bid and Bid Opening Conferences and the conditions stipulated in the NOA
3. Duly conformed Schedule of Requirements and Technical Specifications attached as Annex "A".
  4. Duly signed Financial Bid Form attached as Annex "B".
  5. The delivery and deployment of hot and cold water dispenser at the designated office/location shall be made within fifteen (15) calendar days upon receipt of Notice to Proceed (NTP).
  6. The supply and delivery contract is for a period of twelve (12) months shall commence from receipt of Notice to Proceed (NTP).
  7. The **DENR** shall pay **DACO** the amount of **ONE MILLION EIGHT HUNDRED NINETY THOUSAND PESOS ONLY (₱1,890,000.00)** for the project entitled, *Supply and Delivery of Purified Drinking Water with Provision of Hot and Cold Water Dispenser for the Department of Environment and Natural Resources (DENR)* in accordance with the terms of payment as prescribed in the PBD for Goods and conformed Terms of Reference (TOR) and subject to the usual accounting and auditing rules and regulations.

For monthly billing of the DENR water consumption, the document requirement shall include the following:

- a) Distribution List duly signed/acknowledged by authorized DENR personnel (with printed name and signature) upon delivery of purified drinking water to each respective Office/Station
  - b) Copy of the monthly Microbial Water Test Laboratory Certificate issued by a water-testing laboratory duly accredited by the Department of Health (DOH) or the Food and Drug Administration (FDA)
  - c) Copy of the latest result of Chemical and Physical Water Test Laboratory Certificate issued by a water-testing laboratory duly accredited by the Department of Health (DOH) or the Food and Drug Administration (FDA);
  - d) Proof of conduct of cleaning/washing and disinfecting of water dispensers on a monthly basis duly signed/acknowledged by DENR authorized personnel;
  - e) Statement of Account (SA) and other supporting documents every first week of the ensuing month.
  - f) Certificate of Acceptance
8. The **DENR** and the **DACO** shall comply with the terms and conditions under RA No. 9184 and its 2016 Revised IRR, and other applicable laws rules and regulations.
  9. All other terms and conditions subsequently agreed upon by the parties after signing of this Contract shall constitute an addendum thereto and form an integral part thereof for all intents and purposes.

