



CONTRACT

Upgrading of Electrical System and Sub Metering of the Main Building of the Department of Environment and Natural Resources-Central Office (DENR-CO)

KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT entered into on this 18 DEC 2020 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 Secretary, **ROY A. CIMATU** hereinafter referred to as "**DENR**"

-and -

INDUSTRIAL CONTROLS CORPORATION, a private corporation organized and existing under the laws of the Republic of the Philippines, with business address at 928 9/F Cityland ADB Avenue, Ortigas Center, San Antonio, Pasig City, represented herein by its General Manager, **GAMALIEL F. ITAO**, hereinafter referred to as "**ICC**"

WITNESSETH: That

WHEREAS, the DENR conducted a competitive bidding for the *Upgrading of Electrical System and Sub Metering of the Main Building of the Department of Environment and Natural Resources-Central Office (DENR-CO)* with an Approved Budget for the Contract (ABC) of ₱ 30,000,000.00 per Bid Ref. No. DENR-CO-2020-031 (2ND Rebid) 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 **ICC** was declared as the Lowest Calculated and Responsive Bid (LCRB) by the Bids and Awards Committee (BAC), and was approved by the Head of Procuring Entity;

WHEREAS, the **DENR** issued a Notice of Award (NOA) in favor of **ICC**;

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 are respectively assigned to them in the Conditions of Contracts hereinafter referred to.
2. The following documents as required by the 2016 Revised Implementing Rules and Regulations of Republic Act No.9184 shall be declared to form and be read and constructed as part of this Contract, viz.:
 - A. Philippine Bidding Documents (PBD);
 - i. Specifications
 - ii. Drawings
 - iii. Bill of Quantities
 - iv. General and Special Conditions of the Contract; and
 - v. Supplemental/Bid Bulletin

- B. Bid submission of **ICC**
 - i. Technical Documents
 - ii. Financial Documents
 - C. NOA received by **ICC** on 15 December 2020
 - D. Performance Security in the form of Performance Bond issued by Country Bankers Insurance Corporation amounting to ₱ 6,776,640.00 dated 18 December 2020.
 - E. Other Contract documents that may be required by existing laws and/or the DENR in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.
3. Completion of works is within **ninety (90) calendar days** from receipt of Notice to Proceed.
 4. The **DENR** shall pay **ICC** the amount of **Twenty Two Million Five Hundred Eighty Eight Thousand Eight Hundred PESOS ONLY (P22,588,800.00)** for *Upgrading of Electrical System and Sub Metering of the Main Building of the Department of Environment and Natural Resources-Central Office (DENR-CO)*, in accordance with the terms of payment as prescribed in the Philippine Bidding Documents (PBD) for Goods and subject to the usual accounting and auditing rules and regulations.

Mode of payment will be through progress billing as follows:

Description	Deliverables	Percentage of Contracted Amount
Progress Billing No. 1	SOWA detailing that 20% of the Works are accomplished and S-Curve	30%
Progress Billing No. 2	SOWA detailing that 50% of the Works are accomplished and S-Curve	25%
Progress Billing No. 3	SOWA detailing that 70% of the Works are accomplished and S-Curve	25%
Final Billing	SOWA detailing that 100% of the Works are accomplished and S-Curve; Final Report, Approval of the Director for Administrative Service and Certificate of Completion and Acceptance	20%

5. The **DENR** and **ICC** shall comply with the terms and conditions under RA No. 9184 and its IRR, and other applicable laws.
6. 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.

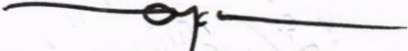
IN WITNESS WHEREOF, the Parties have hereunto affixed their signatures on the date and at the place first above written.


**DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES**

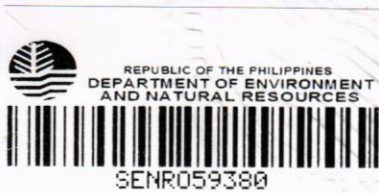
**INDUSTRIAL CONTROLS
CORPORATION**

By:

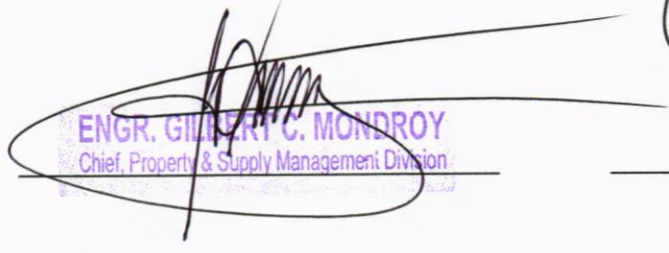
By:



ROY A. CIMATU
Secretary


GAMALIEL F. TIAO
General Manager




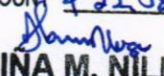
SIGNED IN THE PRESENCE OF:


ENGR. GILBERT C. MONDROY
Chief, Property & Supply Management Division


ROLANDO R. CASTRO
Director, Administrative Service

FUNDS AVAILABLE


DIÑA M. NILLOSAN
Chief, Accounting Division

Certificate of Availability of Funds
OBR NO 2020-12-07781 *Att. 17 Dec. 20*
AMOUNT ₱ 22,584,800.00

DINA M. NILLOSAN
Department Chief Accountant

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)S.S.
QUEZON CITY, Metro Manila)

BEFORE ME, a Notary Public for and in QUEZON CITY, Metro Manila, Philippines, this
day of DEC 22 2020, personally appeared:

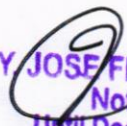
NAME	GOVERNMENT ISSUED IDENTIFICATION CARD OR PASSPORT & NO.	DATE/PLACE ISSUED
ROY A. CIMATU	_____	_____
GAMALIEL F. ITAO	_____	_____

Known to me and to me known to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free and voluntary act and deed and that of the entities they respectively represent.

This instrument, consisting of four (4) pages, has been signed by the parties and their respective witness on the spaces provided therein,

IN WITNESS WHEREOF, I have hereunto set my hand and seal this DEC 22 2020 day of _____.

Doc. No. 425
Page No. 85
Book No. XI/B
Series of 2020


ATTY. JOSE FLORO P. CRISOLOGO
Notary Public
Until December 31, 2021
Adm. Matter No. NP-023
PTR No. 9270054-C/01-02-2020 Q.C.
IBP Lifetime No. LRN-03688
Roll No. 49462
MCLE VI-0017262 Valid Until 4-14-2022