



## CONTRACT

Procurement of Multi-Platform Video Conferencing Hardware for  
the Department of Environment and Natural Resources-Central Office (DENR-CO)

### KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT entered into on this 16 NOV 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 OIC Assistant Secretary for Administration and Human Resources, **RUTH M. TAWANTAWAN**, *CESO II* hereinafter referred to as "**DENR**"

-and -

**THE BRAIN COMPUTER CORPORATION**, a private corporation organized and existing under the laws of the Republic of the Philippines, with business address at 150 F. Blumentrit St., San Juan City, represented herein by its Senior Account Manager, **ELIZABETH DAVID** hereinafter referred to as "**THE BRAIN**"

WITNESSETH: That

**WHEREAS**, the DENR conducted a competitive bidding for the *Procurement of Multi-Platform Video Conferencing Hardware for the Department of Environment and Natural Resources-Central Office (DENR-CO)* with an Approved Budget for the Contract (ABC) of ₱2,350,000.00 per Bid Ref. No. DENR-CO-2020-014 pursuant to Republic Act (RA) No. 9184 otherwise known as the Government Procurement Reform Act (GPRA) and its Revised Implementing Rules and Regulations (IRR);

**WHEREAS**, the bid of **THE BRAIN** 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;

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

**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 under Section VIII
- ix. Checklist of Requirements under Section IX

B. Bid submission by **THE BRAIN**

- i. Eligibility Documents
- ii. Technical Documents
- iii. Financial Documents

C. Notice of Award (NOA) received on 06 November 2020

D. Performance Security in the form of Cashier's Check issued by Metrobank with No. 3440018630 and with DENR Official Receipt No. 0012687, amounting to ₱99,750.00 dated 09 November 2020.

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 Conference 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 supply, delivery, installation, configuration and training shall be completed by **THE BRAIN** within **(60) calendar days from receipt of Notice to Proceed (NTP)** and in accordance with the Schedule of Requirements (Terms of Reference as of 28 August 2020).
6. Total contract amount is **ONE MILLION NINE HUNDRED NINETY FIVE THOUSAND PESOS ONLY (₱1,995,000.00)** for the *Procurement of Multi-Platform Video Conferencing Hardware for the Department of Environment and Natural Resources-Central Office (DENR-CO) under Bid Ref. No. DENR-CO-2020-014.*
7. The **DENR** and **THE BRAIN** shall comply with the terms and conditions under RA No. 9184 and its IRR, and other applicable laws.
8. 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**

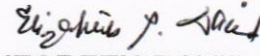
**THE BRAIN COMPUTER  
CORPORATION**

By:



**ROLANDO R. CASTRO**  
Director for Administrative Service

By:

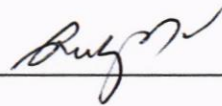


**ELIZABETH DAVID**  
Senior Account Manager

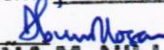
SIGNED IN THE PRESENCE OF:



**DIANNE G. IBIAS**  
OIC-CHIEF PROCUREMENT MANAGEMENT  
SECTION, PSMD



FUNDS AVAILABLE

**Certificate of Availability of Funds**  
2020-11-06743 dtd. 28 Nov. 20  
OBR NO 2020-11-06746 dtd. 28 Nov. 20  
AMOUNT \$ 565,000.00 | \$ 1,430,000.00  
  
**DINA M. NILLOSAN**  
Department Chief Accountant

**DINA M. NILLOSAN**  
Chief, Accounting Division

**ACKNOWLEDGEMENT**

Republic of the Philippines) SS  
CITY OF MANDALUYONG (Manila)

**BEFORE ME**, a Notary Public for and in the City of MANDALUYONG, Metro Manila, Philippines, this 9th day of December, 2020, personally appeared:


NAME	GOVERNMENT ISSUED IDENTIFICATION CARD OR PASSPORT & NO.	DATE/PLACE ISSUED
<b>ROLANDO R. CASTRO</b>	_____	_____
<b>ELIZABETH DAVID</b>	<u>SSS No. 03-3942781-7</u>	_____

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 9th day of December 2020

Doc. No. 365  
Page No. 73  
Book No. 11  
Series of 2020

  
**ATTY. JEFFREY P. OMADTO**  
NOTARY PUBLIC FOR MANDALUYONG CITY  
MY COMMISSION EXPIRES ON DECEMBER 31, 2021  
NOTARIAL COMMISSION NO. 0424-20  
ROLL OF ATTORNEYS NO. 56715  
IBP LIFETIME NO. 08428-RSM  
MCLE NO. VI-0008015-04-24-18  
PTR NO. 4333655-01 - 01/09/20 MAND. CITY