

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT entered into on this FEB 03 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 Assistant Secretary for Administration, Human Resources and Legislative Affairs, **JOAN A. LAGUNDA, D.M.** hereinafter referred to as "**DENR**"

-and -

MICROGENESIS SOFTWARE, INC. DOING BUSINESS UNDER THE NAME AND STYLE OF MICROGENESIS BUSINESS SYSTEMS a private corporation organized and existing under the laws of the Republic of the Philippines, with business address at Unit 1202 Paragon Plaza Bldg., 162 EDSA Corner Reliance St., Mandaluyong City represented herein by its Sales Specialist I, **LEISA ANN G. LAYOLA**, hereinafter referred to as "**MICROGENESIS**"

WITNESSETH: That

WHEREAS, the DENR conducted a competitive bidding for *One (1) Year Maintenance Service Agreement for Network Storage System of the Department of Environment and Natural Resources* with an Approved Budget for the Contract (ABC) of ₱ 5,200,000.00 per IB no. DENR-CO-2018-007 pursuant to Republic Act (RA) No. 9184 otherwise known as the Government Procurement Reform Act (GPR) and its Revised Implementing Rules and Regulations (IRR);

WHEREAS, the bid of **MICROGENESIS** was declared as the Single Calculated and Responsive Bid (SCR) 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 & Technical Specifications under Section VI
- vii. Bidding Forms under Section VII
- viii. Checklist of Requirements under Section VIII

- C. Notice of Award (NOA) received on 7 November 2019
- D. Performance Security in the form of Performance Bond with OIC Bond No. G(13) 028164 dated 7 November 2019 issued by Western Guaranty Corporation amounting to ₱ 1,559,661.60
- 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 Notice of Award
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 agreement shall be valid for One (1) year. The Maintenance Agreement for Corrective and Preventive Maintenance shall commence after the issuance of the Notice to Proceed. Parts replacement service level for RMA shall take effect within forty-five (45) calendar days from receipt of Notice to Proceed (NTP).
 6. The DENR shall pay MICROGENESIS the amount of **FIVE MILLION ONE HUNDRED NINETY EIGHT THOUSAND EIGHT HUNDRED SEVENTY TWO PESOS ONLY (₱5,198,872.00)** for *One (1) Year Maintenance Service Agreement for Network Storage System of the DENR*, 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.

Payment shall be made in five (5) tranches as stated in the table below:

Timeline	Project Deliverables	Percentage Amount of Contract Price to be released as payments	Documentary Requirements
Within thirty (30) calendar days from receipt of Notice to Proceed (NTP)	<ul style="list-style-type: none"> • Transport, installation and configuration of Secondary Storage Equipment at the DENR-Region II (see III.4) 	20%	<ul style="list-style-type: none"> • Delivery Receipt of equipment received by ICT focal of DENR-Region II • Billing Statement
Within one (1) year from receipt of Notice to Proceed (NTP)	<ul style="list-style-type: none"> • Conduct of First Preventive Maintenance 	20%	<ul style="list-style-type: none"> • Maintenance and Technical report • Certificate of Acceptance issued by DENR • Billing Statement
	<ul style="list-style-type: none"> • Conduct of Second Preventive Maintenance 	20%	<ul style="list-style-type: none"> • Maintenance and Technical report • Certificate of Acceptance issued by DENR • Billing Statement
Within one (1) year from receipt of Notice to Proceed (NTP)	<ul style="list-style-type: none"> • Conduct of Third Preventive Maintenance 	20%	<ul style="list-style-type: none"> • Maintenance and Technical report • Certificate of Acceptance issued by DENR • Billing Statement

	<ul style="list-style-type: none"> • Conduct of Fourth Preventive Maintenance 	20%	<ul style="list-style-type: none"> • Maintenance and Technical report • Certificate of Acceptance issued by DENR • Billing Statement
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- The **DENR** and **MICROGENESIS** shall comply with the terms and conditions under Republic Act (RA) No. 9184 otherwise known as the Government Procurement Reform Act and its Revised Implementing Rules and Regulations (IRR), and other applicable laws.
- 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.

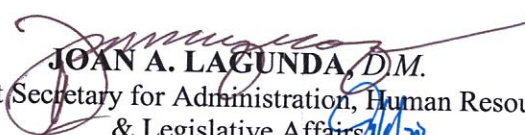
IN WITNESS WHEREOF, the Parties have hereunto affixed their signatures on the date and at the place first above written.


DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

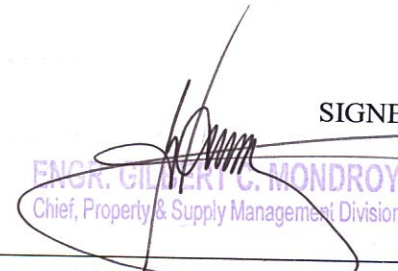
**MICROGENESIS SOFTWARE, INC.
DOING BUSINESS UNDER THE NAME
AND STYLE OF MICROGENESIS
BUSINESS SYSTEMS**

By:

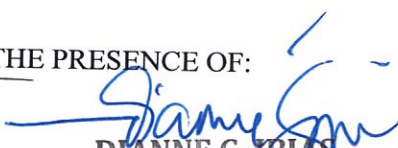
By:


JOAN A. LAGUNDA, D.M.
Assistant Secretary for Administration, Human Resources
& Legislative Affairs

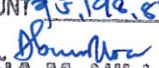

LEISA ANN G. LAYOLA
Sales Specialist I


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

SIGNED IN THE PRESENCE OF:


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

FUNDS AVAILABLE

Certificate of Availability of Funds
OBR NO 2020-01-00157 del. 27
AMOUNT ₱ 5,192,872.00

DIANNE G. IBIAS

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)S.S.

MANDALUYONG CITY, Metro Manila)

BEFORE ME, a Notary Public for and in MANDALUYONG CITY, Metro Manila, Philippines, this ___ day of FEB 03 2020 personally appeared:

NAME	GOVERNMENT ISSUED IDENTIFICATION CARD OR PASSPORT & NO.	DATE/PLACE ISSUED
JOAN A. LAGUNDA, D.M.	_____	_____
LEISA ANN G. LAYOLA	Passport / EUGENIA	DEA NCR EXPT 20-09-2015

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,

FEB 03 2020

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of MANDALUYONG CITY

Doc. No. 387
Page No. 79
Book No. 18
Series of 2020

ATTY. JAMES R. ABUGAN
NOTARY PUBLIC
 Appt. No. 0442-19
 Until Dec 31, 2020
IBP No. 101013 01/03/2020 Rizal Chapter
 Roll No. 26890 Lifetime
MCLE No. VI-0012875 Until 4/14/2022
TIN No. 116-239-956
PTR No. 43330065 /01-06-2020
 Tel. No. 631-40-90
 Mandaluyong City

layola



Republic of the Philippines
Department of Environment and Natural Resources

Visayas Avenue, Diliman Quezon City, 1100
Tel. Nos. (632) 929-66-26 x (632) 929-62-52
929-66-20 x 929-66-33 to 35
929-70-41 to 43

NOTICE TO PROCEED

LEISA ANN G. LAYOLA

Sales Specialist I

MICROGENESIS SOFTWARE, INC. DOING BUSINESS

UNDER THE NAME AND STYLE OF MICROGENESIS BUSINESS SYSTEMS

Unit 1202 Paragon Plaza Bldg.,

162 EDSA Corner Reliance St., Mandaluyong City

Tel No.: 8658-7000 loc. 124

Bid Project : Procurement of One (1) Year Maintenance Service Agreement for Network Storage System of the DENR under IB No. DENR-CO-2019-007

PhilGEPS Ref. No. : 6480266

Contract No. : BSS-PB-2019-014

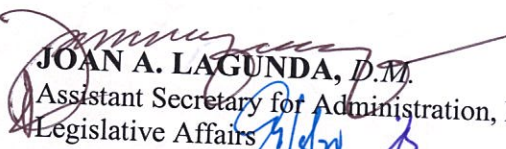
Dear Ma'am:

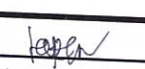
Please be advised that the contract relative to this project has been approved by this office. You are requested to proceed in accordance with the terms thereof.

We have attached hereto your copy of approved Contract as stated above for your file and reference.

Kindly acknowledge receipt hereof and send back to us.

Very truly yours,


JOAN A. LAGUNDA, D.M.
Assistant Secretary for Administration, Human Resources &
Legislative Affairs

 Feb. 2, 2020	Received by: <u>Microgenesis Software Inc. Doing Business under the name of Microgenesis Business Systems</u>
(SIGNATURE OVER PRINTED NAME & DATE)	NAME OF COMPANY
(PLEASE RETURN OR FAX THIS PAGE ONLY TO THE DENR BAC OFFICE @ 8926-2675)	