

# CONTRACT

## KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT entered into on this SEP 23 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**, hereinafter referred to as "**DENR**"

-and -

**DEOKMA EIGHT TRADING INC.**, a private corporation organized and existing under the laws of the Republic of the Philippines, with business address at Unit 1 Greenhills Product Compound, M.L. Quezon St. Casuntingan, Mandaue City, represented herein by its Sales Executive, **MELODY B. GARCIA**, hereinafter referred to as "**DEOKMA**"

WITNESSETH: That

**WHEREAS**, the DENR conducted a competitive bidding for *Lot No 4: 41 units 3Ton/ HP Inverter Air-Conditioning Units* with an Approved Budget for the Contract (ABC) of P 7,800,596.16 under the *Supply, Delivery, Installation and Testing of Various Brand New Air Conditioning Units for the Department and Natural Resources-Central Office (DENR-CO)* per IB no. DENR-CO-2019-001 pursuant to Republic Act (RA) No. 9184 otherwise known as the Government Procurement Reform Act (GPRRA) and its Revised Implementing Rules and Regulations (IRR);

**WHEREAS**, the bid of **DEOKMA** 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, 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

B. Bid submission by **DEOKMA**

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


C. Notice of Award (NOA) received on 01 August 2019

D. Performance Security in the form of Surety Bond issued by Stronghold Insurance Company Inc., amounting to ₱ 1,842,570.00

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 supply and delivery must be completed within thirty (30) calendar days from receipt of Notice to Proceed (NTP). Delivery site is at the Material Control Unit Office, Basement, DENR Main Building, DENR Compound, Visayas Avenue, Diliman, Quezon City.

Installation and Testing must be completed within fifty (50) calendar days from receipt of Notice to Install. Installation site is at the DENR Compound, Visayas Avenue, Diliman, Quezon City. Designated sites are specified in item no. VI of Annex "A" (Terms of Reference).

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6. The **DENR** shall pay **DEOKMA** the amount of **SIX MILLION ONE HUNDRED FORTY ONE THOUSAND NINE HUNDRED PESOS ONLY (₱ 6,141,900.00)** for *Lot 4: Forty One (41) units 3 Ton/4 HP Inverter Air-Conditioning Units for the DENR-Central Office*, 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.

For one-time payment, the document requirement shall include the following:

- Delivery Receipt
  - Sales Invoice
  - Inspection Report issued by the DENR Inspection and Pre-Acceptance Committee (IPC)
  - Certificate of Acceptance issued by the DENR authorized representative
7. The **DENR** and **DEOKMA** 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.
  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**

**DEOKMA EIGHT TRADING INC.**

By:

By:

**JESUS ENRICO MOISES B. SALAZAR**  
OIC Assistant Secretary for Administration

**MELODY B. GARCIA**  
Sales Executive

SIGNED IN THE PRESENCE OF:

**Engr. GILBERT C. MONDROY**  
Chief, PSMD

**WYVENE G. PINEDA**

FUNDS AVAILABLE

**Certificate of Availability of Funds**

OBR NO 2019-09-0652 1st. of Sept. 19  
AMOUNT ₱ 6,144,900.00

**DIÑA M. NILLOSAN**  
Department Chief Accountant

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

**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 SEP 23 2019, personally appeared:

NAME	GOVERNMENT ISSUED IDENTIFICATION CARD OR PASSPORT & NO.	DATE/PLACE ISSUED
JESUS ENRICO MOISES B. SALAZAR	<u>EC4032099</u>	<u>APRIL 24, 2015 / DFA MANILA</u> Peñaranda, Nueva Ecija
MELODY B. GARCIA	<u>4921-0007A-B2093MB62</u>	<u>Ecija</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 SEP 23 2019 day of

Doc. No. ✓✓  
Page No. 11  
Book No. XIII B  
Series of 2019

*Wesill-5*  
**ATTY. CONCEPCION P. VILLAREÑA**  
Notary Public for Quezon City  
Until December 31, 2019  
PTR No. 7323642 - 1/3/2019/QC  
IBP No. AR14460591-12/17/2018/QC  
Roll No. 30457-05-09-80  
\*MCLE 5-0012536 - 12-21-2015  
Adm. Matter No. NP. 270 (2018-2019)



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**

**MELODY B. GARCIA**  
Authorized Representative  
**DEOKMA EIGHT TRADING INC.**  
Unit 1 Greenhills Product Compound,  
M.L. Quezon St.,  
Casuntingan, Mandaue City

Bid Project : Supply, Delivery, Installation and Testing of Various Brand New  
Air Conditioning Units for the DENR-Central Office under IB No.  
DENR-CO-2019-001  
Lot 4 : 41 units 3 Ton/4 HP Inverter ACU  
PhilGEPS Ref. No. : 6211972  
Contract No. : BSS-PB-2019-006

**Dear Ma'am:**

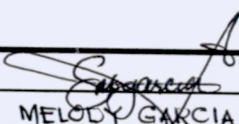
Please be advised that the contract relative to this project has been approved by this office. You are requested to proceed in accordance with the terms thereof.

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,

**JESUS ENRICO MOISES B. SALAZAR**  
OIC-Assistant Secretary for Administration

	Received by:
MELODY GARCIA / SEP 23 2019	DEOKMA EIGHT TRADING INC.
(SIGNATURE OVER PRINTED NAME & DATE)	NAME OF COMPANY
(PLEASE RETURN OR FAX THIS PAGE ONLY TO THE DENR BAC OFFICE @ 926-2675)	