



CONTRACT re “ONE (1) LOT REPAIR / REHABILITATION / RENOVATION OF THE 7F/A OF THE DAP BUILDING IN PASIG CITY AS PART OF THE IDEA GENERATION HUB (IGH) INCLUDING ACQUISITION AND INSTALLATION OF DESIGN FIT-OUTS, FURNISHINGS, & FIXTURES”

Public Competitive Bidding per IB19-392852-07

This **CONTRACT** is made and entered into this ~~JAN 2020~~ **JAN 2020** of January 2020, by and between:

DEVELOPMENT ACADEMY OF THE PHILIPPINES, a government institution duly organized and existing under and by virtue of Presidential Decree 205, as amended, with principal office at DAP Building, San Miguel Avenue, Ortigas Center, Pasig City 1600, Metro Manila, Philippines, represented herein by its President and Chief Executive Officer, **Atty. ENGELBERT C. CARONAN, JR. MNSA**, hereinafter called the “**PROCURING ENTITY**”;

-and-

The **KERGIE ENTERPRISES**, a sole proprietor, duly organized and existing under and by virtue of Philippine laws, with principal office address at No.22 M.L. Quezon Street, San Diego Poblacion, Gumaca, Quezon, duly represented herein by its Sole Proprietress, **Ms. CRESELY A. LIBRANDA**, hereinafter called the “**Contractor**”.

-and-

Hereinafter, collectively referred to as “**Parties**”.

- **WITNESSETH**, that -

WHEREAS, the **PROCURING ENTITY**, in compliance to the pertinent provisions of Republic Act No.9184 for competitive public bidding, has determined that **Contractor’s** bid, to be the most advantageous bid for the Project: “ONE (1) LOT REPAIR / REHABILITATION / RENOVATION OF THE 7F/A OF THE DAP BUILDING IN PASIG CITY AS PART OF THE IDEA GENERATION HUB INCLUDING ACQUISITION AND INSTALLATION OF DESIGN FIT-OUTS, FURNISHINGS, AND FIXTURES” per Invitation to Bid No.IB19-392852-07 (hereinafter called the “**WORKS**”).

WHEREAS, the **Contractor** accepts and obligates itself to execute the **WORKS** and the **Procuring Entity** has accepted the **Contractor’s** bid amounting to **FIFTEEN**



MILLION FOUR HUNDRED EIGHTY FIVE THOUSAND THREE HUNDRED SEVENTY FOUR PESOS & 80/100 (₱15,485,374.⁸⁰) for the execution and completion of such WORKS and the repairs needed for any defects therein.

WHEREAS, the following documents shall be attached, deemed to form, and be read and construed as part of this Contract, to wit:

- A:** All Sections contained in the Official Bid Documents (OBD) inclusive of all the reference materials indicated thereat;
- B:** **Contractor's** Bid, including Eligibility and Technical Documents, as well as Financial Proposal;
- C:** BAC Resolution No.037, series of 2019, recommended to award the WORKS to **Contractor** (copy attached as **Annex "A"**);
- D:** Notice-of-Award (NOA) received by **Contractor** (copy attached as **Annex "B"**);
- E:** Performance Security submitted by **Contractor** (copy attached as **Annex "C"**);
- F:** Financial Bid Form containing the Bid Proposal of the **Contractor** (copy attached as **Annex "D"**).

NOW, THEREFORE and in consideration of the foregoing premises, the Parties hereby agree and stipulate as follows:

- 01: INTERPRETATION:** In this Contract, words and expressions shall have the same meanings as what are respectively assigned to them in the OBD per Invitation to Bid No.IB19-392852-07 hereinafter referred to;
- 02: REFERENCE DOCUMENTS:** Aside from the NOA signed by both Parties that form as an integral part of this Contract Agreement as well as the copy of the Performance Bond No.ESC/G(13)1604404 issued by the Commonwealth Insurance Company, the following documents shall primarily serve as the bases in determining any/or all details that should govern this Contract, to wit:
 - A.** The Technical and Eligibility Documents as well as Financial Requirements in the OBD including the Bid Bulletin and Notice-to-Bidders issued during the conduct of the competitive public bidding of this WORKS;
 - B.** The **Contractor's** submitted Bids and all the documents / statements contained in its bid envelope with all the reference materials indicated thereat;
 - C.** Documents required by the **Procuring Entity** from **Contractor** as the