

CONTRACT AGREEMENT
LOT 1 TO LOT 9 - PROCUREMENT OF SPORTING GOODS AND SUPPLIES FOR 2023
(PBM 2023-21)

THIS AGREEMENT made on the _____ day of 09 NOV 2023 between:

The **UNIVERSITY OF THE PHILIPPINES**, the national university of the Philippines, created by virtue of Act No. 1870, as amended and re-organized and operating by virtue of Republic Act No. 9500, through its constituent unit, the **UNIVERSITY OF THE PHILIPPINES MINDANAO (UP MINDANAO)**, established by virtue of Republic Act No. 7889, with office address at Administration Building, Mintal, Tugbok District, Davao City, represented herein by its Chancellor, **LYRE ANNI E. MURAO, Ph.D.**, hereinafter referred to as the **"THE ENTITY"**;

and

The **TOPCOMS MARKETING CORPORATION**, with office address at 1647 Taft Avenue Malate, Manila, Philippines represented herein by its Authorized Representative, **JESUS LIM JR.**, hereinafter referred to as **"THE SUPPLIER"**.

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **LOT 1 TO LOT 9 - PROCUREMENT OF SPORTING GOODS AND SUPPLIES FOR 2023 (PBM 2023-21)** and has accepted the Bids by the Supplier for the supply of those goods and services for the followings lots:

Lot No.	Description	Contract Price (Php)
Lot 1	Equipment for Archery	109,200.00
Lot 2	Equipment for Discus Throw	126,350.00
Lot 3	Equipment for Javelin Throw	224,500.00
Lot 4	Balls for Ball Games	199,500.00
Lot 5	Sports Training Equipment	65,000.00
Lot 6	Speed and Agility Training Equipment	69,700.00
Lot 7	Flexibility Training Equipment	46,000.00
Lot 8	Equipment for Arnis	302,000.00
Lot 9	Equipment for Track and Shot Put	165,000.00
	TOTAL	1,307,250.00

in the sum of **One Million Three Hundred Seven Thousand Two Hundred Fifty Pesos (P1,307,250.00)**.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, viz.:

- i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and

Lyre Anni E. Murao

Jesus Lim Jr.

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 DATE: NOV 09 2023
 TIME: _____
 BY: _____

- iv. Supplemental or Bid Bulletins, if any
- ii. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted (Annex A)
- Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;
- iii. Performance Security (in the form of Cash Bond) (Annex B);
- iv. Notice of Award of Contract; and the Bidder's conforme thereto; (Annex C) and
- v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned 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. In consideration for the sum of **One Million Three Hundred Seven Thousand Two Hundred Fifty Pesos (P1,307,250.00)** or such other sums as may be ascertained, **TOPCOMS MARKETING CORPORATION** agrees to deliver/perform the following lots for the **PROCUREMENT OF SPORTING GOODS AND SUPPLIES FOR 2023 (PBM 2023-21)** in accordance with its Bid:

Lot No.	Description
Lot 1	Equipment for Archery
Lot 2	Equipment for Discus Throw
Lot 3	Equipment for Javelin Throw
Lot 4	Balls for Ball Games
Lot 5	Sports Training Equipment
Lot 6	Speed and Agility Training Equipment
Lot 7	Flexibility Training Equipment
Lot 8	Equipment for Arnis
Lot 9	Equipment for Track and Shot Put

4. The **UNIVERSITY OF THE PHILIPPINES MINDANAO** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

Lyre Anni E. Murao
LYRE ANNI E. MURAO, Ph.D
Chancellor

Jesus Lim Jr.
JESUS LIM JR.
Authorized/Designated Representative

for:

for:

University of the Philippines Mindanao

Topcoms Marketing Corporation

SIGNED IN THE PRESENCE OF:

Zenaida G. Calatrava
ZENAIDA G. CALATRAVA, CPA
Chief, Accounting Office
University of the Philippines Mindanao

Mary Grace Cayce
MARY GRACE CAYCE
Topcoms Marketing Corporation

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in the City of Davao, personally appeared the following persons, to wit:

Name	Gov't Issued ID	Date Issued
1. Lyre Anni E. Murao	<u>L02-06-003064</u>	<u>07/03/2018</u>
2. Jesus Lim Jr.	<u>33-2458518-5</u>	<u>02/01/2020</u>

known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their free and voluntary act and deed and that it is within the authority of the entities they respectively represent in this instance.

This instrument consisting of three (3) pages including this page where the Acknowledgement is written, refers to a Contract Agreement between the UNIVERSITY OF THE PHILIPPINES MINDANAO and TOPCOMS MARKETING CORPORATION. It has been signed by the parties and their instrumental witnesses at every page.

WITNESS MY HAND AND NOTARIAL SEAL this 20 day of NOV 2023 2023 at Davao City, Philippines.

Doc. No.: 133 ;
Page No.: 19 ;
Book No.: 36 ;
Series of 2023.

Atty. Roberto B. Pasimane
ATTY. ROBERTO B. PASIMANE
Notary Public until December 31, 2023
Notarial Commission 2022 - 052
IBP# 165727; Pasig City, 2023
PTR# 0861164; Min - 1-3-2023
Roll # 25473; TIN# 103-098-346
MCLE Exempt. No. VII-NP004370 'til 4-14-2025

