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DATE: SEP 05 2023
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CONTRACT AGREEMENT

Lot 1 Mid-Level Branded Laptop - Rebidding of the Supply of IT Equipment for the Modernization of Various Laboratory, IT, Teaching and Research Classroom Equipment and Equipment to Furnish New Buildings (PBM 2023-15)

THIS AGREEMENT made on the 29 AUG 2023 day of _____ 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 **NG KHAI DEVELOPMENT CORPORATION**, with office address at P. Tavera Cor. Pag-asa St. Barangay 9A Poblacion, Davao City, represented herein by its Sales Executive, **MICHELLE MAE S. ABO**, hereinafter referred to as **"THE SUPPLIER"**.

WHEREAS, THE ENTITY invited Bids for certain goods and ancillary services, particularly **Lot 1 Mid-Level Branded Laptop - Rebidding of the Supply of IT Equipment for the Modernization of Various Laboratory, IT, Teaching and Research Classroom Equipment and Equipment to Furnish New Buildings (PBM 2023-15)** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Two Million Two Hundred Thirty Thousand Three Hundred Five Pesos (P2,230,305.00)** (hereinafter referred to as **"THE CONTRACT PRICE"**).

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
 - 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;

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;

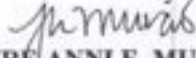
- iii. Performance Security (in the form of Bank Guarantee to expire on August 1, 2024);
- iv. Notice of Award of Contract; and the Bidder's conforme thereto; and
- v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. Winning bidder agrees 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 **Two Million Two Hundred Thirty Thousand Three Hundred Five Pesos (P2,230,305.00)** or such other sums as may be ascertained, **Ng Khai Development Corporation** agrees to deliver/perform the **Lot 1 Mid-Level Branded Laptop - Rebidding of the Supply of IT Equipment for the Modernization of Various Laboratory, IT, Teaching and Research Classroom Equipment and Equipment to Furnish New Buildings (PBM 2023-15)** consisting of **35 units Asus Laptop TUF 15 (FX507VU4) 13th Gen Intel® Core™ i7-13700H Processor** in accordance with its Bid.
- 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.

University of the Philippines Mindanao

By:



LYRE ANNI E. MURAO, Ph.D.

Chancellor

Ng Khai Development Corporation

By:



MICHELLE MAE S. ABO

Sales Executive

SIGNED IN THE PRESENCE OF:


ZENAIDA G. CALATRAVA

Chief, Accountant

University of the Philippines Mindanao


LEO MANUEL B. ESTAÑA

Vice Chancellor for Administration

University of the Philippines Mindanao

Republic of the Philippines)
 City of _____) S.S

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. Michelle Mae S. Abo	<u>741-808-341-00000</u>	<u>04/25/2019</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 NG KHAI DEVELOPMENT CORPORATION. It has been signed by the parties and their instrumental witnesses at every page.

WITNESS MY HAND AND NOTARIAL SEAL this SEP 01 day of 2023 at Davao City, Philippines.

Doc. No.: 447
 Page No.: 91
 Book No.: 58
 Series of 2023.

SHUA C. TAN
 Notary Public for Davao City
 Notarial Commission No. 2022-073-2023
 Commission expires on December 31, 2023
 Roll of Attorney No. 49435
 PTR No. 6359365; 1-3-22; D.C.
 IBP Life Roll No 05154
 Office Address: Magallanes St., D.C.
 MCLE Compliance No. VII-0010373
 Issued on 2-16-2022/Pasig City