

GENERAL AGREEMENT
(COMPLETION OF TRACK OVAL: DELIVERY AND INSTALLATION OF SYNTHETIC TRACK SYSTEM AND OTHER FACILITIES)

This Agreement is made and entered into by and 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, **SYLVIA B. CONCEPCION, Ph.D.**; hereinafter referred to as "**UNIVERSITY**".

and

The **SPURWAY ENTERPRISES**, an entity duly organized and existing under the laws of the Republic of the Philippines, with address at Unit 3 2/F Raymundo Building # 14 Balete Drive, Quezon City represented herein by its Authorized Product Manager (Sports Division), **LESTER LOUIE O. LEE**, hereinafter referred to as the "**CONTRACTOR**".

RECITALS:

1. The **UNIVERSITY** needs to undertake the **Completion of Track Oval: Delivery and Installation of synthetic Track System ("PROJECT")** with an approved budget of **Thirty Five Million Pesos (P35,000,000.00)**.
2. The **UNIVERSITY**, through its Bids and Awards Committee, published the Invitation to Bid for the **Completion of Track Oval: Delivery and Installation of Synthetic Track System**, posted the same in the PhilGEPS website, the UP Mindanao website and in a conspicuous place in the premises of the University of the Philippines Mindanao continuously for 7 days.
3. In response to said postings, **Four (4) bidders** purchased bid documents and submitted their bids on **September 8, 2017**.
4. Upon preliminary checking of the eligibility and technical documents submitted by the **four (4) bidders**, all of them were declared eligible for bidding, namely: **FIRMBUILDERS, INC., SPURWAY Enterprises, A.HAE TRAFFIC & COLISUEM FACILITIES, INC. and SIERRA UNIVERSAL CORPORATION**.
5. The **CONTRACTOR, SPURWAY ENTERPRISES**, submitted the lowest bid. Upon a thorough evaluation and post qualification of the eligibility, technical and financial documents, its bid was found to be compliant and responsive to the technical specifications and requirements for bidding.
6. On **September 25, 2017**, the members of the Bids and Awards Committee resolved to declare **SPURWAY ENTERPRISES**, as the lowest calculated and responsive bid and recommended the award of the **Modernization of Fiber Optic Cabling of the University of the Philippines Mindanao contract to it in the amount of Twenty Five Million Five Hundred Twenty Two Thousand Six Hundred Fifteen Pesos & 73/100 (P25,522,615.73)**.
7. A Notice of Award dated **October 27, 2017** was issued to the **CONTRACTOR**, who has accepted the **PROJECT** under set terms and conditions, representing itself to be especially competent, skilled, and fully equipped with the necessary materials, manpower and equipment necessary for undertaking the **PROJECT**;