

Contract Agreement Form

*For the Purchase of Data Storage for the National Economic and Development
Authority Central Office*

THIS AGREEMENT made this _____ day of JUL 11 2016 **CITY OF MANILA**
Philippines, by and between:

The **NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY (NEDA)** with address at NEDA-sa-Pasig Bldg., No. 12 Saint Josemaria Escriva Drive, Ortigas Center, Pasig City, herein represented by its Deputy Director-General, **NESTOR R. MIJARES IV**, and hereinafter referred to as the **"Procuring Entity"**;

- and -

The **COLUMBIA TECHNOLOGIES, INC.** with address at 136-1146 J. Nakpil St., Malate, Manila, herein represented by its Account Manager, **MARY GRACE D. GREGORIO**, and hereinafter referred to as the **"Supplier"**;

WHEREAS, the Contract for the Purchase of Data Storage for the NEDA CO involves the provision of Storage Area Network (SAN) Module and Network Attached Storage (NAS) Appliance;

WHEREAS, upon the invitation of the **Procuring Entity**, the **Supplier** submitted a bid for the Purchase of Data Storage for the National Economic and Development Authority Central Office (NEDA CO) in the sum of Three Million Six Hundred Sixteen Thousand Five Hundred Forty Pesos (Php3,616,540.00), inclusive of all applicable government taxes and charges (hereinafter called the **"Contract Price"**);

WHEREAS, the **Procuring Entity** subsequently accepted the bid of the **Supplier** pursuant to the NEDA Bids and Awards Committee for Goods and Infrastructure Projects (NBAC-GIP) Resolution No. 15, series of 2016 approved on 20 June 2016.

NOW THEREFORE, the **Procuring Entity** and the **Supplier** have agreed on the following terms and conditions:

1. In this contract, words and expressions shall have the same meanings as are respectively assigned to them in the conditions of contract hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as part of this contract, to wit:
 - (a) Bidding Documents, consist of:
 - i. Invitation to Bid;
 - ii. Instructions to Bidders;
 - iii. Bid Data Sheet;
 - iv. General Conditions of Contract;
 - v. Special Conditions of the Contract;

- vi. Schedule of Requirements and Technical Specifications;
- vii. Terms of Reference;
- (b) Supplier's Bid, including the Eligibility Requirements, Technical and Financial Proposals, and all other documents/statements contained in the Supplier's bidding envelopes, as annexes;
- (c) Bid Bulletin No. 1;
- (d) Performance Security;
- (e) Credit line issued by a licensed bank, if applicable;
- (f) Abstract of Bids and Post-Qualification Evaluation Report;
- (g) NBAC-GIP Resolution No. 15 , series of 2016;
- (h) Notice of Award of Contract with the Supplier's conforme thereto;
- (i) Notice to Proceed;
- (j) Addendum and/or Supplement to the Contract, if any; and
- (k) Other contract documents that may be required by existing laws and/or the Procuring Entity.

3. In consideration of the payments to be made by the **Procuring Entity** to the **Supplier**, the **Supplier** hereby covenants to deliver said services in conformity with the provisions of this Contract in all respects.


4. The **Procuring Entity** hereby covenants to pay the **Supplier** in consideration for the delivery of said services, the Contract Price or such other sum, as may become payable at the time and in the manner prescribed by this Contract.

5. Should any dispute related to this contract and/or the rights of the Parties arise, the same shall be submitted to mutual consultation, mediation and arbitration, in the order of application. The venue of the proceedings shall be at the Pasig City.


6. In case of a court suit, the venue shall be the courts of competent jurisdiction in Pasig City, to the exclusion of all other courts.

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

Signed, sealed, and delivered by:


NESTOR R. MIJARES IV
Deputy Director-General
NEDA Central Support Office
NEDA-sa-Pasig Building
No. 12 Saint Josemaria Escriva Drive
Ortigas Center, Pasig City

Signed, sealed, and delivered by:


MARY GRACE D. GREGORIO
Account Manager
Columbia Technologies, Inc.
136-1146 J. Nakpil St
Malate, Manila

Signed in the presence of:





ACKNOWLEDGMENT

Republic of the Philippines)
CITY OF MANILA) S.S.

Before me this _____ day of JUL 11 2016 in CITY OF MANILA,
personally appeared:

Name	Government Issued Identification Document	Date and Place Issued
NESTOR R. MIJARES IV In his capacity as Deputy Director-General NEDA Central Support Office NEDA-sa-Pasig Bldg. No. 12 Saint Josemaria Escriva Drive Ortigas Center, Pasig City	TIN 107674196	
MARY GRACE D. GREGORIO In her capacity as Account Manager Columbia Technologies, Inc. 136-1146 J. Nakpil St. Malate, Manila	SSS No. 0033-5122997-7	

all known to me and to me known to be the same persons who executed the foregoing instrument consisting of three (3) pages including this page, together with the documents deemed construed part of the Contract Agreement, on which this acknowledgment is written, duly signed by their instrumental witnesses, and they acknowledged to me that the same is their own free and voluntary act and deed as well as that of the entities which they represent.

WITNESS MY HAND on the date and place first hereinabove stated.

Doc. No. 86
Page No. 18;
Book No. 91;
Series of 2016.


FRANCISCO G. ZARATE
NOTARY PUBLIC
COM. NO. 245205 UNTIL DEC. 31, 2016
TIN NO. 180-238-358/ROLL NO. 17574
IBP OR NO. 1015943/1-04-2016/ANGLAN CHAPTER
PTR NO. 4922454/MANILA/01-04-2016
MCLEEXEMPTION NO. V-0001/1 UNTIL 2019
553 P. FAIRAST, ERMITA, MANILA-TEL 714-5716