

Contract Agreement Form

For the Provision of Hyperconverge Infrastructure System/Solution for NEDA Central Office

THIS AGREEMENT made this 17th day of January 2018 in Pasig City, 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 Undersecretary, **JOSE MIGUEL R. DE LA ROSA**, and hereinafter referred to as the **“Procuring Entity”**;

- and -

The **ALTAIR-I SOLUTIONS**, with address at 1904 88 Corporate Center corner Valero and Sedeño Streets, Salcedo Village, Makati City, herein represented by its Authorized Representative, **ALEJANDRO P. DAVILA**, and hereinafter referred to as the **“Supplier”**;

WHEREAS, upon the invitation of the **Procuring Entity**, the **Supplier** submitted a bid for the Provision of Hyperconverge Infrastructure System/Solution for NEDA Central Office in the sum of Seven Million Five Hundred Four Thousand Pesos (PHP7,504,000.00), 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. 34, series of 2017 approved on December 15, 2017.

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 Nos. 1 and 2 issued on November 6 and 13, 2017, respectively;
 - (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. 34, series of 2017;
 - (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:


JOSE MIGUEL R. DE LA ROSA
Undersecretary
NEDA Central Support Office
NEDA-sa-Pasig Building
No. 12 Saint Josemaria Escriva Drive
Ortigas Center, Pasig City

Signed, sealed, and delivered by:


ALEJANDRO P. DAVILA
Authorized Representative
Altair-I Solutions, Inc.
1904 88 Corporate Center
Corner Valero and Sedeño Streets
Salcedo Village, Makati City

Signed in the presence of:


FLORANTE G. IGTIBEN

1/16/18

ACKNOWLEDGMENT

Republic of the Philippines)
PASIG CITY) S.S.


Before me this **JAN 17 2018** day of _____ in **PASIG CITY**,
personally appeared:

Name	Government Issued Identification Document	Date and Place Issued
JOSE MIGUEL R. DE LA ROSA In his capacity as Undersecretary NEDA Central Support Office NEDA-sa-Pasig Bldg. No. 12 Saint Josemaria Escriva Drive Ortigas Center, Pasig City	TIN 119-736-263	
ALEJANDRO P. DAVILA In his capacity as Authorized Representative Altair-I Solutions, Inc. 1904 88 Corporate Center Corner Valero and Sedeño Streets Salcedo Village, Makati City		

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 this **JAN 17 2018** day of _____, 2017 in
PASIG CITY, Philippines.

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Book No. XLIX
Series of 2018


ATTY. EMMANUEL L. OBUNGEN
NOTARY PUBLIC
UNTIL DECEMBER 31, 2018
PASIG, SANTIAGO CATEROS
PTR NO. 353-0143-03-2018
IBP NO. (RSM) 019633-01-03-2018
ROLL NO. 28037
APPOINTMENT NO. 40 (2017-2018)
MCLE NO. V-0023360 VALID UNTIL 4/14/19
GROUND FLOOR PASIG CITY HALL