

Contract Agreement Form for the Procurement of Goods (Revised)

CONTRACT AGREEMENT

This AGREEMENT is made and entered into as of this 12/09/24 in the City of QUEZON CITY by and between APO Production Unit, Inc. (hereinafter referred to as the "Entity") and Puregold Price Club, Inc. (hereinafter referred to as the "Supplier");

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly the *Supply and Delivery of One (1) Lot Year-End Gift Packs for Employees and Officials of APO-PUI for CY 2024 (PB-23-24)* and has accepted a Bid by the Supplier for the supply of the said goods and services in the sum of *Three Million Seven Hundred Twenty-Three Thousand Seven Hundred Seventy Pesos (PhP 3,723,770.00)* (hereinafter called "the Contract Price").

NOW THEREFORE, for and consideration of the foregoing premises, the Entity and the Supplier hereby agree 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 Entity's bid evaluation;
 - iii. Performance Security;
 - 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. **The 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 of the sum of Three Million Seven Hundred Twenty-Three Thousand Seven Hundred Seventy Pesos (PhP 3,723,770.00) or such other sums as may be ascertained, Puregold Price Club, Inc. agrees to *Supply and Deliver Year-End Gift Packs for Employees and Officials of APO-PUI for CY 2024* to APO Production Unit, Inc. in accordance with its bid.
4. The Supplier shall pay the Entity liquidated damages when it fails or delays to deliver the goods or services. The liquidated damages shall be at least equal to one-tenth (1/10) of one percent (1%) of the cost of the delayed goods or services scheduled for delivery or performance for each day of delay. The liquidated damages will be imposed until such goods or services are finally delivered or performed and accepted by the Entity. Such amount shall be deducted from any money due or which may become due to the supplier, or collected from any securities or warranties posted by the supplier, whichever is convenient to the Entity.

In case the total sum of liquidated damages reaches ten percent (10%) of the total contract price, the Entity may rescind the contract and impose appropriate sanctions over and above the liquidated damages to be paid.


5. The Entity 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.


ATTY. GIL CARLOS R. PUYAT
Head of the Procuring Entity (HoPE)

for:

APO Production Unit, Inc.


MARILOU B. BIÑAR
Authorized Representative

for:

Puregold Price Club, Inc.

ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO before me this DEC 13 2024 day of QUEZON CITY, Metro Manila, Philippines, affiants exhibiting to me competent proof of their identities, to wit:

Name	Government Issued I.D.	Date and Place of Issue
Gil Carlos R. Puyat	Philippine Passport P2491155C	25 November 2022, DFA Manila
Marilou B. Biñar	Unified multi-Purpose ID 0033-0236155-4	-

Known to me to be the same persons who executed the foregoing Contract Agreement consisting of three (3) pages including this page upon which this acknowledgment is written, and who acknowledged to me that the same is their free and voluntary act and deed and of the entities they represent.

WITNESS MY HAND AND SEAL on the date and place above-written.

Notary Public

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Page No. 62 :
Book No. XII :
Series of 2024.

ATTY. WILLIAM M. AY-AY, C.P.A.
Attorney-at-Law/Notary Public
Until December 31, 2024
IBP No. 425304/01-15-2024/Quezon City
PTR No. 5602564-D/01-15-2024/Quezon City
MCLE Compliance VIII until 2025
Roll No. 84630
Adm. Matter No. NP-451/2023-2024
Calderon Building,
827 Edsa, South Triangle, Quezon City