

## CONTRACT AGREEMENT

THIS AGREEMENT, made this 31st day of January, 2022 between the ILOILO SCIENCE AND TECHNOLOGY UNIVERSITY (ISAT U), La Paz, Iloilo City Campus, a public institution of higher learning, organized and existing under Republic Act No. 10595, with office address at Burgos Street, La Paz, Iloilo City, Philippines, represented herein by DR. RAUL F. MUYONG, in his capacity as SUC PRESIDENT III (hereinafter called the "Entity") and TOPMOST DEVELOPMENT & MARKETING CORPORATION with office address at Calajunan, Mandurriao, Iloilo City, hereinafter referred to as the "CONTRACTOR", represented by RAYMUND E. TABUGA, in his capacity as GENERAL MANAGER. (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute the SUPPLY AND INSTALLATION OF SOLAR POWERED EXTERNAL LIGHTING POLES FOR WALKWAYS, CARPARKS AND ACCESS ROAD (hereinafter called "the Works") and the Entity has accepted the Bid for TWO MILLION FIFTY-FIVE THOUSAND THREE HUNDRED SEVENTY TWO PESOS AND FORTY FOUR CENTAVOS (PHP 2,055,372.44) by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

### 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 hereinafter 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 part of this Agreement, viz.:
  - a. Philippine Bidding Documents (PBDs);
    1. Drawings/Plans;
    2. Specifications;
    3. Bill of Quantities;
    4. General and Special Conditions of Contract;
    5. Supplemental or Bid Bulletins, if any;
  - b. 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;
  - c. Performance Security;
  - d. Notice of Award of Contract and the Bidder's conforme thereto;
  - e. Other documents related to the bidding process, including, but not limited to the following:
    1. Annual Procurement Plan;
    2. Approved Program of Works, Plan, BOQ;

Contract Representative

Contract Representative

General Manager

SUC President III

VP, Administration and Finance

Director, PDAS

Contractor Representative

Contractor Representative

General Manager

SUC President III

GABRIEL M. SALUSTRE, JR., D.I.T.  
VP, Administration and Finance

ENGR. ALBERT J. JANAPON  
Director, PDAS

3. Job Request No. PB. 2022-02;
4. Project Procurement Management Plan;
5. Invitation to Bid;
6. PhilIGEPS Posting, Cert. of Posting;
7. Minutes, Pre-bid Conference;
8. Bidders Eligibility and Technical Documents;
9. BAC Checklist of Edibility and Technical Documents;
10. Bid Security;
11. Bidders Financial Documents;
12. Minutes of Bid Opening;
13. Abstract of Bids as Read;
14. Bid Evaluation Report of Technical Working Group (TWG) as Read;
15. Summary of Bid Evaluation;
16. Abstract of Bids as Calculated;
17. Notice of Bid Evaluation;
18. Notice to Conduct Post-Qualification;
19. Post Qualification Documents;
20. Post Qualification Evaluation Report;
21. Notice of Post-Qualification;
22. BAC Resolution to Award No. 32 as SCRB;
23. Notice of Award;
24. Performance Bond;
25. Contract No. ISAT-U-2022-02-03;
26. Notice to Proceed; and

- f. 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 Fifty-Five Thousand Three Hundred Seventy-Two Pesos and Forty-Four Centavos (Php 2,055,372.44) or such other sums as may be ascertained, Topmost Development & Marketing Corporation agrees to supply and install solar powered external lighting poles for walkways, carparks and access road in accordance with its Bid.
4. The ISAT U agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

ILOILO SCIENCE AND TECHNOLOGY  
UNIVERSITY (ISAT U)

TOPMOST DEVELOPMENT  
& MARKETING CORPORATION

By:

By:

RAUL F. MUYONG, Ed. D.  
SUC President III

RAYMUND E. TABUGA  
General Manager

WITNESSETH:

**GABRIEL M. SALISTRE, JR., D.I.T.**  
VP, Administration and Finance

**ALBERT Z. JANAPON**  
(Contractor Representative)

**ALBERT Z. JANAPON**  
Director, PDAS

**ALBERT Z. JANAPON**  
(Contractor Representative)

REPUBLIC OF THE PHILIPPINES:  
CITY OF ILOILO : S.S  
X ----- X

### ACKNOWLEDGMENT

Before me, a Notary Public, in the City of Iloilo, this 12nd day of February, 2022 personally appeared the following persons who exhibited their identification cards to establish their identities, to wit:

	Name	Government ID	Place Issued	Date Issued
1	<b>RAUL F. MUYONG, Ed. D.</b>	Passport No. 0686746B	DFA Iloilo	15 Feb 2019
2	<b>RAYMUND E. TABUGA</b>	Driver's License No. 703-82-013510	Iloilo City	Oct 19, 2018

They are known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free, voluntary act and deed as well as the voluntary act of the institution / agencies they represent.

The instrument consists of three (3) pages including this page wherein this acknowledgement is written and duly signed by the parties and their witnesses on each and every page hereof.

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

**ALBERT Z. JANAPON, JR.**  
NOTARY PUBLIC FOR THE CITY AND PROVINCE OF ILOILO  
NOTARY PUBLIC  
ILOILO UNTIL JUNE 30, 2022  
AS PER B.M. NO. 3795 DATED 9/28/2021  
BP 001818/ 1/3/2022/ ILOILO CITY  
PTR 7686659/ 1/3/2022/ ILOILO CITY  
NOT. REG. NO. 74, ROLL NO. 25533  
ICLE VII: CERTIFICATION ON PROCESS  
TIN NO. 117-355-747

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