



Republic of the Philippines
Province of Palawan
Municipality of San Vicente

CONTRACT AGREEMENT

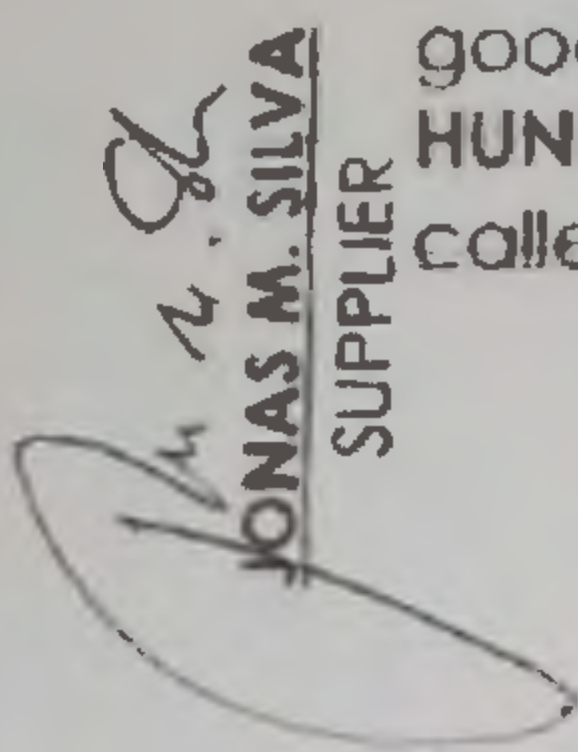
THIS AGREEMENT made and entered into this 9th day of October 2020 between the **MUNICIPAL GOVERNMENT OF SAN VICENTE, PALAWAN** of the Philippines represented in the act by its **Municipal Mayor, HON. AMY R. ALVAREZ** (hereinafter called "the Entity") of the one part and **ABSOLUTE ADVANTAGE, INC.** of Lot 3 Block 2 Richwood Subdivision, Gulsad Road, Baguio City, Benguet represented by **JONAS M. SILVA** (hereinafter called "the Supplier") of the other part:

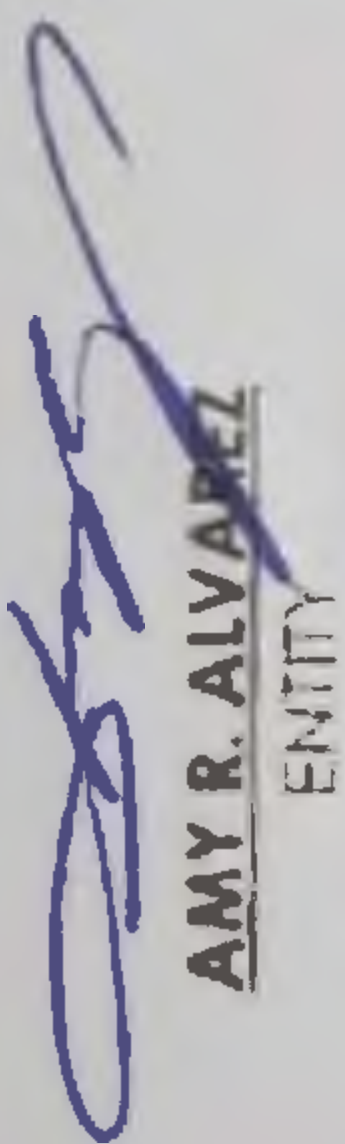
WHEREAS the Entity invited for a Bids for certain goods and ancillary services, particularly **SUPPLY AND DELIVERY OF TWO (2) UNITS BRAND NEW GARBAGE DUMP TRUCK, 6 X 2 INTENDED FOR THE COLLECTION OF SOLID WASTES IN DIFFERENT BARANGAYS, THIS MUNICIPALITY/2020-018** and has accepted a bid by the Supplier for the supply of those goods and services in the sum of **TWO MILLION SIX HUNDRED EIGHTEEN THOUSAND THREE HUNDRED NINETEEN PESOS AND NINETY-SIX CENTAVOS (P2,618,319.96)** (hereinafter called "the Contract Price").

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 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 Procuring 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. 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,


JONAS M. SILVA
SUPPLIER


AMY R. ALVAREZ
ENTITY

and Warranty Security, shall likewise form part of the Contract.

3. In consideration for the sum of TWO MILLION SIX HUNDRED EIGHTEEN THOUSAND THREE HUNDRED NINETEEN PESOS AND NINETY-SIX CENTAVOS (P2,618,319.96) or such other sum as may be ascertained ABSOLUTE ADVANTAGE, INC. agrees to SUPPLY AND DELIVERY OF TWO (2) UNITS BRAND NEW GARBAGE DUMP TRUCK, 6 X 2 INTENDED FOR THE COLLECTION OF SOLID WASTES IN DIFFERENT BARANGAYS, THIS MUNICIPALITY / in accordance with his/her/its Bid.
4. The MUNICIPAL GOVERNMENT OF SAN VICENTE, PALAWAN agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
5. The Supplier shall provide and deliver the items in accordance with the terms specified in Schedule of Requirements, upon receipt of Notice to Proceed.
6. The Entity shall impose one tenth (1/10) of one (1) percent of the total cost for each day of delay in the delivery of the goods.
7. The Entity have the right to reject defective items and any items that do not conform to the specification.
8. The Supplier shall replace defective/rejected items to meet the specification at no cost to the Entity.
9. The Supplier shall provide the following:

WARRANTY

1. 3 years or 100,000 km whichever comes first (Engine, Transmission and Differential)
2. Preventive Maintenance Service (PMS) must be done any authorized FOTON Dealer or Representative
3. A compulsory of every 10,000km PMS period is a must

AFTER SALES SERVICE

1. Pre-delivery orientation and seminar (Operation and Maintenance)
 2. Free labor on the first 2,000km PMS only
 3. Maintenance schedule sheet is provided as reference
 4. On-site repair and preventive maintenance
 5. 24/7 on call service assistance, located at National Highway, Bgy. Tagbueros, Puerto Princesa City
 6. Thru phone troubleshooting
 7. Service request 1-2 days dispatched after approved/sign conformed or service quotation
10. The notarization of this instrument shall be for the account of the Supplier.

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.

ENTITY


AMY R. ALVAREZ
Municipal Manager

SUPPLIER


JONAS M. SILVA
Authorized Representative

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF PALAWAN)
Puerto Princesa City,) S.S.
Palawan, Philippines

BEFORE ME, a Notary Public for and the above jurisdiction, personally appeared the following:

NAME	COMMUNITY TAX CERTIFICATE NO.	DATE AND PLACE ISSUED
AMY R. ALVAREZ	27717150	Jan. 23, 2020/San Vicente, Pal.
JONAS M. SILVA	13140567	Jan. 7, 2020/Puerto Princesa City

Known to me and to be the same persons who executed the foregoing instrument and acknowledged to me that the same are their own free will and voluntary act and deed.

This instrument consists of three (3) pages including this page wherein this acknowledgment is written and signed by the parties and sealed with my notarial seal.

OCT 09 2020

WITNESS MY HAND AND SEAL on this ____ day of _____, 2020 at Puerto Princesa City, Palawan, Philippines. Palawan, Philippines

Notary Public

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ATTY. GIDEON REY V. GUYCO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2020
ATTORNEY'S ROLL NO. 56394
IBP NO. 016026 LIFE TIME
P.T.R. NO. 1377291 JANUARY 6, 2021
NPL NO. 2019-09