



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Bureau of Soils and Water Management
Soil Research and Development Center Building,
Elliptical Road corner Visayas Avenue, Diliman, Quezon City 1100
www.bswm.gov.ph email: bswmclientcenter@yahoo.com Tel No. (632)8332-9534

BIDS AND AWARDS COMMITTEE 01-0005
CONTRACT NUMBER: BSWM-2022-

Contract Agreement Form for the Procurement of Goods (Revised)

[shall be submitted within ten (10) days after receiving the Notice of Award]

CONTRACT AGREEMENT

THIS AGREEMENT made this 14 day of JAN 14 2022 2022 between **Bureau of Soils and Water Management** of SRDC Building, Visayas Ave. corner Elliptical road, Diliman, Quezon City, Philippines herein represented by its Director, **ENGR. PABLO M. MONTALLA** (hereinafter called "the Entity") of the one part and **Exotherm Inc.** of Unit S-10 Daniel Commercial Complex National Hi-way Brgy. Parian City, Calamba, Laguna herein represented by its President and CEO, **FRANCIS S. RAMOS** (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **PROCUREMENT OF MAINTENANCE OF BSWM SUBMERGE MEMBRANE BIOREACTOR (SMBR) FOR CY 2022- IB NO: BSWM-2022-00-003** procured through **Public Bidding** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Two Million Four Hundred Sixty-One Thousand and Six Pesos (Php 2,461,006.00)** (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 conformed 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, and Warranty Security, shall likewise form part of the Contract.

ENGR. PABLO M. MONTALLA
Director

FRANCIS S. RAMOS
President & CEO

RODRIGO I. ABLAZA
Chief Accountant

TWILIGHT C. VALLINAS
Corporate Secretary



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3. In consideration for the sum of **Two Million Four Hundred Sixty-One Thousand and Six Pesos (Php 2,461,006.00)** or such other sums as may be ascertained, **Exotherm Inc.** agrees to **PROCUREMENT OF MAINTENANCE OF BSWM SUBMERGE MEMBRANE BIOREACTOR (SMBR) FOR CY 2022-IB NO: BSWM-2022-00-003** in accordance with its Bid.
4. The **Bureau of Soils and Water Management** 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.

APPROVED


BUREAU OF SOILS AND WATER MANAGEMENT


ENGR. PABLO M. MONTALLA
Director

EXOTHERM INC.


FRANCIS S. RAMOS
President & CEO

SIGNED IN THE PRESENCE OF:


CRISALDO C. SOLANO
Head, BGA


TWILIGHT C. VALLINAS
Corporate Secretary

CERTIFIED FUNDS AVAILABLE:


RODRIGO I. ABLAZA
Chief Accountant



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BIDS AND AWARDS COMMITTEE
CONTRACT NUMBER: BSWM-2022-01-0005

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
 QUEZON CITY

BEFORE ME, notary for and in QUEZON CITY, personally appeared the following:

Valid ID

Issued at/ Issued on

ENGR. PABLO M. MONTALLA TIN No. 102-413-057
 FRANCIS S. RAMOS TIN No. 206-224-950 Calamba City/12-21-2020

known to me be the same persons who executed the foregoing Contract and acknowledgement to me the same is their free and voluntary act and deed. This Contract consist of three (3) pages including this page in which the acknowledgement signed by the parties and every page thereof and sealed by the notarial seal.

WITNESS MY HAND AND SEAL, this JAN 14 2022 day of 2022, 2022 at Quezon City, Philippines.

NOTARY PUBLIC

Doc. No. 44/21
 Page No. 2
 Book No. 11
 Series of 2022

ATTY. MICHAEL JOSEPH C. CAPINPIN
 Notary Public for Quezon City
 PTR No. 000417 01/04/2022 Q.C.
 JSP Lifetime No. 88330
 Roll No. 56499
 MCLF Commission No. 41-0008995
 Adm Order No. NP-207 (2020-2021)
 (Extended Valid Until June 30, 2022)
 EN OANG "B.M. No. 3795
 101 Malakas Lane Brgy. Central Q.C.

ENGR. PABLO M. MONTALLA
 Director

FRANCIS S. RAMOS
 President & CEO

RODRIGO I. ABLAZA
 Chief Accountant

TWILIGHT C. VALLINAS
 Corporate Secretary