

(ITB No. 34-2022-G)

CONTRACT AGREEMENT

THIS AGREEMENT made the 8th day of March 2023 between the **BUREAU OF THE TREASURY**, with office address at Ayuntamiento Building, Cabildo Street corner Andres Soriano Avenue, Intramuros, Manila 1002 (hereinafter called "the Entity") of the one part and **INFOBAHN COMMUNICATIONS, INC.** with office address at 2/F DRB (Fil-American) Bldg. Aurora Boulevard. Corner La Salle Street, Cubao, Quezon City (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids/Quotations for certain goods and ancillary services, particularly Procurement of Software Defined – Wide Area Network (SD-WAN) for the Regional Offices of the Bureau of the Treasury (Re-bid) and has accepted a Bid/Quotation/Proposal by the Supplier for the supply of those goods and services in the sum of **PHILIPPINE PESO: SEVEN MILLION NINE HUNDRED EIGHTY THOUSAND EIGHT HUNDRED EIGHTY-EIGHT PESOS (Php7,980,888.00), INCLUSIVE OF APPLICABLE TAX** (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)¹:
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract²; 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

¹ For projects procured through public bidding

² For projects procured through alternative methods of procurement, General and Special Conditions of Contract shall apply and incorporated by reference to the procurement documents

Contract Agreement Form for the Procurement of Goods (Revised)

[Not required to be submitted with the Bid, but it shall be submitted within ten (10) days after receiving the Notice of Award]

submitted³;

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 conforme⁴ thereto; and
 - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **Winning bidder⁵ 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 **PHILIPPINE PESO: SEVEN MILLION NINE HUNDRED EIGHTY THOUSAND EIGHT HUNDRED EIGHTY-EIGHT PESOS (Php7,980,888.00), INCLUSIVE OF APPLICABLE TAX** or such other sums as may be ascertained, **INFOBAHN COMMUNICATIONS, INC.** agrees to perform and deliver the "Procurement of Software Defined – Wide Area Network (SD-WAN) for the Regional Offices of the Bureau of the Treasury (Re-bid)" in accordance with his/her/its accepted Bid/Quotation/Proposal.
4. The **BUREAU OF THE TREASURY** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding/Accepted Quotation/Proposal and procurement documents.

³ For projects procured through alternative methods of procurement, the procurement documents that includes the Request for Quotation/Proposal, Project Terms of Reference/Scope of Work, Supplier/Contractor Quotation/Proposal, Service Level Agreement, and other documents such as abstract of quotations/proposals, evaluation of quotations/proposals, schedule of payments required in relation to the procurement shall form part of the Contract.

⁴ For projects procured through alternative method of procurement, Supplier/Contractor's conforme shall be required

⁵ For projects procured through alternative method of procurement, this commitment shall apply to the winning Supplier/Contractor

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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.



ROSALIA V. DE LEON

Treasurer of the Philippines

for:

BUREAU OF THE TREASURY

JOEL JOHN I. BAUTISTA

Bidder's Representative/ Authorized Signatory

for:

INFOBAHN COMMUNICATIONS, INC.

Signed in the presence of:

ROWENA R. GAMBA, CPA

Chief Accountant

for:

BUREAU OF THE TREASURY

for:

INFOBAHN COMMUNICATIONS, INC.

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Republic of the Philippines)
City of _____) S.S.

ACKNOWLEDGMENT

BEFORE ME, a Notary Public, for and in the City of _____,
Philippines, personally appeared the following:

Name	Competent Proof of Identification	Validity Period
Rosalia V. De Leon Representing the: <u>Bureau of the Treasury</u>	_____	_____
Joel John I. Bautista Representing the: <u>Infobahn Communications, Inc.</u>	_____	_____

known to me to be the same persons who executed the foregoing Contract Agreement, consisting of four (4) pages, including this page, and acknowledged to me that the same is their free and voluntary act and deed and of the agency/institution they respectively represent.

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

Notary Public

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 20____.