



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
NATIONAL IRRIGATION ADMINISTRATION
PANGASINAN IRRIGATION MANAGEMENT OFFICE

D' BROTHERS INTERNATIONAL
TRADING CORPORATION
(CONTRACTOR)

By: FRANCIS E. LAYUG
President

THIS AGREEMENT, made this NOV 15 2023 between the National Irrigation Administration - Pangasinan Irrigation Management Office, Urdaneta City, Pangasinan, represented herein by its Acting Division Manager, JOHN N. MOLANO (hereinafter called the "Entity"), and D' BROTHERS INTERNATIONAL TRADING CORPORATION, 2020 Arpilleda Street, Carmona, Makati City, Metro Manila represented herein by its President, FRANCIS E. LAYUG (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor executes the AUTOMATION OF STEELGATES FOR DUMOLOC RIS (CCAW CY 2023) located at Bugallon, Pangasinan under Contract No. R1-PIMO-23-09-060 (hereinafter called the "Works"), and the Entity has accepted the Bid for the said project in the amount of TWENTY-FOUR MILLION TWENT THOUSAND PESOS ONLY (Php 24,020,000.00) by the Contractor for the execution and completion of such works and 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.:
- 3.

WITNESSES :

Melissa Dalmeig

CHARITO A. TABOBO

NATIONAL IRRIGATION
ADMINISTRATION

(NIA)

JOHN N. MOLANO
Acting Division Manager

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;

- a. Philippine Bidding Documents (PBDs);
 - i. Drawings/Plans;
 - ii. Specifications;
 - iii. Bill of Quantities;
 - iv. General and Special Conditions of Contract;
 - v. 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;
- c. Performance Security;
- d. Notice of Award of Contract and the Bidder's conforme thereto; and
- e. 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




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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.

4. In consideration for the sum of **TWENTY-FOUR MILLION TWENTY THOUSAND PESOS ONLY (Php 24,020,000.00)** or such other sums as may be ascertained, **D' BROTHERS INTERNATIONAL TRADING CORPORATION** agrees to execute and complete the project in accordance with its Bid.
5. The National Irrigation Administration - Pangasinan Irrigation Management Office 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.


PROCURING ENTITY:


JOHN N. MOLANO
Acting Division Manager

CONTRACTOR:


FRANCIS E. LAYUG
President
**D' BROTHERS INTERNATIONAL
TRADING CORPORATION**

WITNESSES:


CHARITO A. TABOBO


Melissa Dalmeida



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SPECIAL CONDITIONS of the CONTRACT

D' BROTHERS INTERNATIONAL
TRADING CORPORATION
(CONTRACTOR)
By: FRANCIS E. LAYUG
President

WITNESSES :
Melissa Dalmeida

CHARITO A. TABOBO

NATIONAL IRRIGATION
ADMINISTRATION
(NIA)
JOHN N. MOLANO
Acting Division Manager

GCC CLAUSE						
1.21	The PROCURING ENTITY is the NATIONAL IRRIGATION ADMINISTRATION, Pangasinan IMO, Urdaneta City, Pangasinan					
1.22	The PROCURING ENTITY's REPRESENTATIVE is JOHN N. MOLANO, Acting Division Manager.					
1.24	The site is located at Bugallon, Pangasinan.					
1.27	The start date is upon the receipt of Notice to Proceed					
1.30	The WORKS consist of the following:					
	ITEM NO.	DESCRIPTION	UNIT	QTY.	Unit Price (Php)	Amount (Php)
	I.	CONSTRUCTION SAFETY AND HEALTH PROGRAM	l.s.	1.00	278,292.50	278,292.50
	II.	AUTOMATION OF STEELGATE-LAGUIT DAM				
	a.	Supply and Installation of Actuator for Intake Gates 4 Tonner Capacity Whole System Power-up: Structural Framing Housing for all Intakes. 5 year Warranty Parts Labor and Maintenance, Future Proof	sets	10.00	880,267.50	8,802,675.00
	b.	Supply and Installation of Controller Terminal Unit, RTU, APP, ADU Future Proof. 5 year Warranty Parts Labor and Maintenance	set	1.00	2,508,975.00	2,508,975.00
	c.	Digital Solar Power Configuration/Capacitive Sensing/10 year Warranty on Solar System (Hybrid Solar), Programming and Commissioning	set	1.00	999,337.50	999,337.50
	III.	AUTOMATION OF STEELGATE-BOLAON DAM				
	a.	Supply and Installation of Actuator for Intake Gates 4 Tonner Capacity Whole System Power-up: Structural Framing Housing for all Intakes. 5 year Warranty Parts Labor and Maintenance, Future Proof	sets	9.00	880,267.50	7,922,407.50
	SUBTOTAL					20,511,687.50



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Acting Division Manager

ITEM NO.	DESCRIPTION	UNIT	QTY.	Unit Price	Amount
				(Php)	(Php)
b.	Supply and Installation of Controller Terminal Unit, RTU, APP, ADU Future Proof, 5 year Warranty Parts Labor and Maintenance	set	1.00	2,508,975.00	2,508,975.00
c.	Digital Solar Power Configuration/Capacitive Sensing/ 10 year Warranty on Solar System (Hybrid Solar), Programming and Commissioning	set	1.00	999,337.50	999,337.50
SUBTOTAL					3,508,312.50
TOTAL					24,020,000.00
4.1	The Intended Completion Date is Three Hundred (300) Calendar Days from the effectivity of the Contract				
7.2	In case of semi-permanent structures, such as buildings of types 1, 2, and 3 as classified under the National Building Code of the Philippines, concrete/asphalt roads, concrete river control, drainage, irrigation lined canals, river landing, deep wells, rock causeway, pedestrian overpass, and other similar semi-permanent structures: Five (5) years.				
10	No dayworks are applicable to the contract.				
13	The amount of the advance payment is fifteen percent (15%) of the Contract Price, to be made as per herein schedule: a. First (1st) Installment, <i>7.5% of the Contract Price</i> – upon submission to and acceptance by NIA of an irrevocable Standby Letter of Credit from a commercial bank, a bank guarantee or a surety bond, callable upon demand in accordance with Clause 39.2 and duly signed Construction Safety and Health Program approved by the DOLE. b. Second (2nd) Installment, <i>7.5% of the Contract Price</i> – after the Contractor has fully mobilized the initial equipment and manpower required for the project as specified in this Bid Documents.				
14	Unassembled materials delivered on the site shall not be included for payment.				
15.1	The date by which “as built” drawings are required is prior to the submission of the Final Billing Claims.				
15.2	The amount to be withheld for failing to produce “as built” drawings by the date required is <u>1%</u> of the total contract amount.				



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ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
URDANETA CITY, S.A.)

Before me, a Notary Public, for and in URDANETA CITY, PANGASINAN, Philippines, personally appeared the following:

JOHN N. MOJANO
Acting Division Manager

Valid Gov't I.D. No. : A05-02-057896
Issued on : September 9, 2019
Valid Until : August 25, 2024

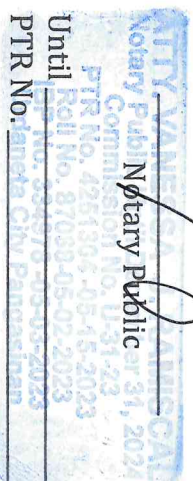
FRANCIS E. LAYUG
President
D' BROTHER INTERNATIONAL TRADING CORPORATION
Valid Gov't I.D. No. : NO1 - 02 - 006880
Issued on : SEPTEMBER 07, 2023
Valid Until : SEPTEMBER 11, 2023

known to me and to me known to be the same persons who executed and signed the foregoing instrument and who acknowledged to me that the same is their true and voluntary acts and deeds, and that of the agency/entity they respectively represent.

This instrument is a Contract Agreement for the AUTOMATION OF STEELGATES FOR DUMOLOC RIS (CCAW CY 2023) located at Bugallon, Pangasinan under Contract No. R1-PIMO-23-09-060, consisting of Five (5) pages including this page where the acknowledgement is written. Pages 1, 3 and 4 are signed on the left margin thereof and page 2 is signed on the corresponding spaces provided thereof by the Parties and their instrumental witnesses and sealed with Notarial Seal.

WITNESS MY HAND AND SEAL this NOV 15 2023 day of _____, at _____.

URDANETA CITY, PANGASINAN



Doc. No. 40;
Page No. 13;
Book No. 9;
Series of 3677.