

Contract Agreement
PROCUREMENT OF SIX (6) MOTOR VEHICLES
CONTRACT NO. MWSS-MV-001-2018

THE PUBLIC IS INFORMED:

This Contract is executed between:

METROPOLITAN WATERWORKS AND SEWERAGE SYSTEM (MWSS), a government owned and controlled corporation duly organized and existing under and by virtue of Republic Act No. 6234, as amended, holding office at 4th floor, Administration Building, MWSS Complex, 489 Katipunan Road, Balara, Quezon City, herein represented by its Administrator, PDDG REYNALDO V. VELASCO (Ret) Ph.D, duly authorized by its Board of Trustees as confirmed by the attached Resolution No. 2019-090-CO;

AND

NISSAN COMMONWEALTH INC. (SUPPLIER) a Corporation, holding office at #41 Commonwealth Avenue, Barangay Holy Spirit, Quezon City, herein represented by its Group Sales Manager and Authorized Representative, Mr. HUBERT L. YAP as contained in the attached Omnibus Sworn Statement and Secretary's Certificate dated 23 May 2019.

ANTECEDENTS:

MWSS through its Bids and Awards Committee (BAC) has undertaken the procurement of Sections A and B, Contract No. MWSS-MV-001-2018: Procurement of Six (6) Motor Vehicles under competitive bidding in accordance with the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act. No. 9184

MWSS submitted the required documents and was able to secure the authority to purchase the motor vehicles subject of this contract.

The Invitation to Bid (ITB) was advertised on 24 April 2018 at the Philippine Government Electronic Procurement System (PhilGEPs) and MWSS Website (<http://mwss.gov.ph>).

On 11 June 2019, the MWSS Board, in its Resolution No. 2019-090-CO approved to AWARD to the SUPPLIER Sections A and B of Contract MWSS-MV-001-2018: Procurement of Six (6) Motor Vehicles as recommended by the Bids and Awards Committee (BAC) in its Resolution No. 2

019-32 dated 11 June 2019.

Accordingly, the parties hereby agree, as follows:

1. All the documents mentioned in Section 37.2.3 of the Implementing Rules and Regulations (IRR) of RA 9184 shall be deemed part of this Contract. In addition and for reference, the following shall form part of the contract, viz:

HUBERT L. YAP
Nissan Commonwealth, Inc.

PDDG REYNALDO V. VELASCO (Ret), Ph.D
MWSS-CO


- a. Bid Form and Price Schedule;
- b. Schedule of Requirements;
- c. Technical Specifications and/ or Terms of Reference;
- d. General Conditions of Contract;
- e. Special Conditions of Contract;
- f. Notice of Award; and
- g. Performance Security;

2. The SUPPLIER hereby covenants with MWSS to supply and deliver the vehicles and remedy defects therein conformity with the provisions of this Agreement;
3. MWSS shall pay the SUPPLIER the total amount in PHILIPPINE PESO: Eight Million Six Hundred Thousand Pesos (Php 8,600,000.00) in the manner and accordance with the Payment Schedule provided in the Terms of Reference, not later than sixty (60) days after submission of an invoice or claim by the SUPPLIER; and
4. The SUPPLIER agrees to defend, indemnify, and hold MWSS free and harmless from any kind and all claims, damages, expenses, fines, penalties, and/or liabilities of whatever nature and kind, whether in law or equity, that may arise by reason of the implementation of the Agreement.

SIGNED by the parties on July 26, 2019 at Quezon City Philippines.

MWSS CORPORATE OFFICE

NISSAN COMMONWEALTH, INC.


PDDG REYNALDO V. VELASCO (Ret), Ph.D.
Administrator *R.V.*
Signatory


HUBERT L. YAP
Group Sales Manager/Authorized

Sign in the presence of:

MWSS CORPORATE OFFICE

NISSAN COMMONWEALTH, INC.


ANABELLA S. ALTUNA

Department Manager
Operations Support Department

ACKNOWLEDGEMENT

Republic of the Philippines
Quezon City

BEFORE ME, a Notary Public, for and in Quezon City, this July 26, 2019 personally appeared the following:

NAME	IDENTIFICATION DOCUMENT	DATE / PLACE OF ISSUE
PDDG REYNALDO V. VELASCO (Ret), Ph.D Representing MWSS-CO	MWSS ID No. [REDACTED]	March, 2017 / Quezon City
HUBERT L. YAP [REDACTED]	PASSPORT No. [REDACTED]	DFA-NCR North Issued on 12/8/2018 Expiring on 12/05/2028

They are known to me to be the same persons who executed the foregoing Contract with appendices and the acknowledged to me that their signature confirm their voluntary acts and of the corporations they represent.

SIGNED and SEALED on July 26, 2019, Quezon City.

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Book 15
Series of 2019.

NOTARY PUBLIC

ATTY. JOVENCIO P. FULGUERAS
Notary Public
Expires Dec. 31, 2019
Roll of Attorney No. 30906
IBP No. 016526/10.26.2017/Pasig City
PTR No. 3882687-C/1.16.2017/Q.C.
MCL.E Compliance No. V - 0006760
ADD: MWSS Bldg. Katipunan Rd. Balara, Q.C