

**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]

**CONTRACT AGREEMENT**

THIS AGREEMENT, made this DEC 06 2023 day of 2023 by and between:

The **AUTHORITY OF THE FREEPORT AREA OF BATAAN (AFAB)**, with office address at the Second Floor, AFAB Administration Building, Freeport Area of Bataan, Mariveles, Bataan, represented herein by its Administrator and Chief Executive Officer, **MOHAMMED HUSSEIN P. PANGANDAMAN**, pursuant to Board Resolution No. 2023-31 issued on 29 May 2023, hereto attached as *Annex "A"*, and hereinafter called "the Entity" of the one part;

- and -

**BOSTON HOME INCORPORATED**, with office address at 168 Apo Street, Barangay Maharlika, Quezon City, represented herein by its Admin Officer, **STEPHENIE AUDREY C. AGUAS**, who is likewise duly authorized pursuant to Secretary's Certificate issued on 19 October 2023, hereto attached as *Annex "B"*, and hereinafter called "the Supplier" of the other part.

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly the **SUPPLY, DELIVERY AND TESTING OF ECOLOGY CENTER LABORATORY EQUIPMENT (PHASE 1) (SUPPLY AND DELIVERY OF LABORATORY FOR ECOLOGY CENTER)** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Two Million Nine Hundred Ninety Five Thousand Pesos (Php 2,995,000.00)** (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.*:
  - a. 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

- b. 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;

- 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, particularly the AFAB-Bids and Awards Committee (BAC) Resolution No. G-41 dated 09 November 2023 recommending the Award of the Contract to the winning bidder, and the Certificate of Availability of Funds, which are hereto attached as *Annexes "C" and "D"*, respectively, and made integral parts of this Agreement.

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.

3. In consideration for the sum of *Two Million Nine Hundred Ninety Five Thousand Pesos (Php 2,995,000.00)* or such other sums as may be ascertained, **BOSTON HOME INCORPORATED** agrees to satisfactorily supply the goods and execute services in accordance with its Bid.
4. The **AUTHORITY OF THE FREEPORT AREA OF BATAAN** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

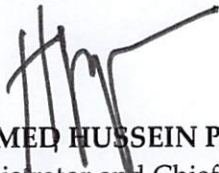


IN WITNESS whereof, the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

**AUTHORITY OF THE FREEPORT  
AREA OF BATAAN**

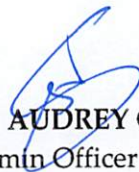
**BOSTON HOME  
INCORPORATED**

By:



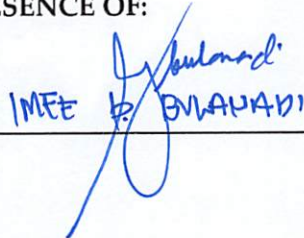
**MOHAMMED HUSSEIN P. PANGANDAMAN**  
Administrator and Chief Executive Officer

By:



**STEPHENIE AUDREY C. AGUAS**  
Admin Officer

**SIGNED IN THE PRESENCE OF:**

  
HAZEL P. GOZMAN  
IMEE R. BUANADI

## ACKNOWLEDGMENT

Republic of the Philippines)  
Province of Bataan )  
Municipality of Mariveles ) S.S.

DEC 06 2023

BEFORE ME, this \_\_\_\_\_ of \_\_\_\_\_ 2023 in Mariveles, Bataan, personally appeared:

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE & PLACE OF ISSUE/EXPIRY
MOHAMMED HUSSEIN P. PANGANDAMAN	TIN No. 920-163-898-000	11/17/2014
STEPHENIE AUDREY C. AGUAS	PASSPORT F9620785A	11/20/2018 DPA NCN EAST

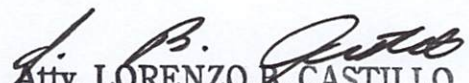
both known to me to be the same persons who executed the foregoing instrument and who acknowledged to me that the same is their free and voluntary act and deed, as well as the entities represented herein.

This instrument refers to a "Contract Agreement Form for the Procurement of Goods (Revised)" consisting of four (4) pages, including the page whereon this acknowledgment is written, and signed by the Parties and their instrumental witnesses on each and every page thereof and sealed with my notarial seal.

IN WITNESS WHEREOF, I have hereunto set my hand on the date and at the place first written above.

Notary Public

Doc. No. 144;  
Page No. 30;  
Book No. XXIV;  
Series of 2023.

  
**Atty. LORENZO B. CASTILLO**  
NOTARY PUBLIC until December 31, 2023  
For and in the PROVINCE OF BATAAN  
Notarial Commission No. 2021-002-ML  
1/F FAB Post Office Bldg., Mariveles, Bataan  
Roll No. 24642; MCLE VII- 0012139 03/07/22  
IBP No. 272149 01/05/23; PTR # 1249198 01/05/23

REPUBLIC OF THE PHILIPPINES)  
MARIVELES, BATAAN ) SS

**SECRETARY'S CERTIFICATE**

I, MARISTELLA KATRINA C. GARINO of legal age, Filipino, and with office address at Second Floor, AFAB Administration Building, FAB, Mariveles, Bataan 2106, after having been duly sworn in accordance with law do hereby depose and say:

1. That I am the duly appointed Board Secretary of the Authority of the Freeport Area of Bataan with office at Second Floor, AFAB Administration Building, FAB, Mariveles, Bataan 2106;
2. That as such Board Secretary, I am in possession of the minutes of meetings of the Board of Directors of said agency;
3. That in the special meeting of the Board of Directors of the Authority of the Freeport Area of Bataan held on 29 May 2023, the following resolution was unanimously approved, to wit:

**RESOLUTION NO. 2023-31**

"WHEREAS, under Republic Act No. 9184 (RA 9184), otherwise known as "The Government Procurement Reform Act," and its Revised Implementing Rules and Regulations (RIRR) provided that the Head of the Procuring Entity (HOPE) for government-owned and controlled corporations is the Governing Board or its duly authorized official;

RESOLVED, as it is hereby resolved, that the AFAB Board of Directors delegates its power under RA 9184 and its RIRR to, and thus authorizes and designates, the AFAB Administrator, as the Head of Procuring Entity;

RESOLVED FURTHER, that in consideration of the Ease of Doing Business, the Deputy Administrator for Support Services (DASS) shall be designated as the Alternate Approving Official for the procurement under Alternative Methods of Procurement (AMP) specifically small value procurement, shopping, emergency cases, agency to agency, lease of venue, scientific, scholarly, artistic and media services, community participation, direct contracting and online subscription with the threshold amount of One Hundred Fifty Thousand Pesos (Php150,000.00);



RESOLVED FURTHERMORE, that in the absence of the HOPE, the DASS shall be the Approving Official for all AMP regardless of amount provided the items to be procured is/are in accordance with the Approved Annual Procurement Plan;

RESOLVED, FINALLY, as it is hereby resolved, that the Board Secretary be authorized to issue certification(s) relative to the foregoing resolution."


  
MARISTELLA KATRINA C. GARINO  
Board Secretary

MAY 30 2023

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_ at MARIVELES, BATAAN City, affiant exhibiting to me her P-117 bearing her signature and photograph.

Doc. No. 459  
Book No. XV  
Page No. 92  
Series of 2023



  
Atty. LORENZO B. CASTILLO  
NOTARY PUBLIC until December 31, 2023  
For and in the PROVINCE OF BATAAN  
Notarial Commission No. 2021-002-ML  
1/F FAB Post Office Bldg., Mariveles, Bataan  
Roll No. 24642; MCLE VII- 0012139 03/07/22  
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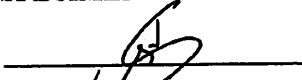
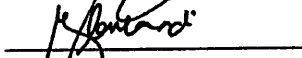
**AUTHORITY OF SIGNATORY  
SECRETARY'S CERTIFICATE**

I, MA. MYRNA CIELO C. TIONGSON, a duly elected and qualified Corporate Secretary of Boston Home Incorporated, a corporation duly organized and existing under and by virtue of the law of the Philippines, do hereby certify, that:

I am familiar with the facts herein certified and duly authorized to certify the same;

At the regular meeting of the Board of Directors of the said Corporation duly convened and held on October 10, 2023 at which meeting a quorum was present and acting throughout the following resolutions were approved, and the same have not been annulled, revoked and amended in any way whatever and are in full force and effect on the date hereof:

RESOLVED, that Boston Home Incorporated be as it hereby is authorized to participate in the bidding of Supply, Delivery And Testing Of Ecology Center Laboratory Equipment (Phase I) (Supply And Delivery Of Laboratory For Ecology Center); GA10192023 by the Authority Of The Freeport Area Of Bataan (AFAB) and that if awarded the Contract shall enter into a contract with the Authority Of The Freeport Area Of Bataan (AFAB) and in connection therewith hereby appoint Stephenie Audrey C. Aguas or Imee P. Bulanadi, acting as duly authorized and designated representatives of Boston Home Incorporated and granted full power and authority to do, execute and perform any and all acts necessary and/or to represent Boston Home Incorporated in the bidding as fully and effectively as the Boston Home Incorporated might do if personally present with full power of substitution and revocation and hereby satisfying and confirming all that my said representative shall lawfully do or cause to be done by virtue hereof:

NAME	POSITION	SPECIMEN SIGNATURE
<u>Stephenie Audrey C. Aguas</u>	<u>Admin Officer/Authorized Rep.</u>	
<u>Imee P. Bulanadi</u>	<u>Sales Rep./Authorized Rep.</u>	

RESOLVED FURTHER THAT, the Board hereby authorizes its President or its authorized representative to:


1. Execute a waiver of jurisdiction whereby the Boston Home Incorporated hereby submits itself to the jurisdiction of the Philippine Government and hereby waives its right to question the jurisdiction of the Philippine Courts;
2. Execute a waiver that the Boston Home Incorporated shall not seek and obtain writ of injunctions or prohibition or restraining order against the Procuring Entity or any other agency in connection with this Contract to prevent and restrain the bidding procedures related thereto, the negotiating of and award of a contract to a successful bidder, and the carrying out of the awarded contract.

WITNESS the signature of the undersigned as such officer of Boston Home Incorporated, this OCT 19 2023.

  
MA. MYRNA CIELO C. TIONGSON  
Corporate Secretary

SUBSCRIBED AND SWORN To before me this OCT 19 2023 at QUEZON CITY, Philippines. Affiant exhibited to me her SSS I.D with No. 33-0841270-8 appearing the name, picture and signature thereon.

Doc. No. 277  
Page No. 56  
Book No. EXV1  
Series of 2023.

**Certified True Copy**  
From the Original  
  
STEPHENIE AUDREY C. AGUAS  
Authorized Representative

ATTY. JAY T. BORRAMEO  
Notary Public  
For and in Quezon City  
Valid Until Dec. 31, 2024  
IBP No. 248673/10-13-2022 for 2023, Quezon City  
PTH No. 4030624 / 01-03-2023, Quezon City  
Roll No. 49649 / TIN 156-845-237  
Admin Matter No. NP-008 (2023-2024)  
MCLE Compliance No. VII-0002196  
Issued On 02/26/2020, Until 04/14/2025  
Add: No. 315 Commonwealth Avenue

**BIDS AND AWARDS COMMITTEE**

**RESOLUTION NO. G-41 S. 2023**

**BAC RESOLUTION DECLARING THE SINGLE CALCULATED AND  
RESPONSIVE BID (SCRB) AND RECOMMENDING THE AWARD OF  
CONTRACT FOR THE PROJECT "SUPPLY, DELIVERY AND TESTING OF  
ECOLOGY CENTER LABORATORY EQUIPMENT (PHASE 1) (SUPPLY AND  
DELIVERY OF LABORATORY FOR ECOLOGY CENTER)" TO BOSTON HOME  
INCORPORATED**

WHEREAS, the Authority of the Freeport Area of Bataan (AFAB) advertised the Invitation to Bid on 25 September 2023 for the project: *"Supply, Delivery and Testing of Ecology Center Laboratory Equipment (Phase 1) (Supply and Delivery of Laboratory for Ecology Center)"* at the Philippine Government Electronic Procurement System (PhilGEPS), the AFAB website, and in the BAC bulletin board of the AFAB pursuant to Section 21.2 of the Revised Implementing Rules and Regulations (RIRR) of R.A. No. 9184;

WHEREAS, in response to the said advertisement, two (2) bidders purchased and submitted bid documents;

WHEREAS, during the checking of technical component envelope on 25 October 2023, W. Rivera Const. and Equipment Rentals, Inc. (W. Rivera) was declared non-responsive for its failure to submit the original copy of the technical and financial component of its bid. Hence, the checking of W. Rivera's documents was discontinued, and its bid documents were re-sealed. Mr. Dexter M. Deapera, W. Rivera's representative, was notified that a request for reconsideration may be filed within three calendar days. All of the bidders were likewise informed that if a request was received and the BAC resolved to grant the request, a reopening of bids shall be conducted by the BAC in the presence of the bidders and the observers;

WHEREAS, no request for reconsideration from W. Rivera was received within the three calendar day prescribed period to file;

WHEREAS, the bid proposal of the hereunder bidder was found to be complying with the eligibility requirements:

Name of Bidders	Bid Amount as Read
Boston Home Incorporated	Php 2,995,000.00

WHEREAS, the detailed evaluation of the bid conducted on 31 October 2023, resulted in the following:

Name of Bidders	Bid Amount as Calculated
Boston Home Incorporated	Php 2,995,000.00




WHEREAS, based on the post-qualification report of the TWG dated 08 November 2023 and after a detailed examination, evaluation and verification of all the eligibility, technical and financial requirements, the bid proposal submitted by Boston Home Incorporated was found to be responsive;

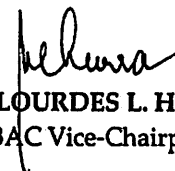
NOW, THEREFORE, we, the Members of the Bids and Awards Committee, hereby RESOLVE as it is hereby RESOLVED:

- a. To declare BOSTON HOME INCORPORATED as the Bidder with the Single Calculated and Responsive Bid for the project *"Supply, Delivery and Testing of Ecology Center Laboratory Equipment (Phase 1) (Supply and Delivery of Laboratory for Ecology Center)"*;
- b. To use the Bid Amount as Calculated of Php 2,995,000.00 as the contract amount per Section 34.4 of the RIRR of RA 9184;
- c. To recommend for approval by the Administrator and Chief Executive Officer (CEO) of the Authority of the Freeport Area of Bataan as Head of the Procuring Entity of the foregoing findings.

RESOLVED this 9<sup>th</sup> day of November 2023 at the Freeport Area of Bataan, Mariveles, Bataan, Philippines.

Authority of the Freeport Area of Bataan Bids and Awards Committee

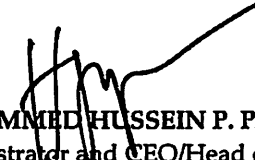
  
PERCIVAL B. PERALTA,  
BAC Chairperson

  
MA. LOURDES L. HERRERA  
BAC Vice-Chairperson

  
DONIA G. ALONZO  
BAC Member

  
CRISTINA F. RODRIGO  
BAC Member


  
CHARLES M. RAMONES  
BAC Member

  
MOHAMMED HUSSEIN P. PANGANDAMAN  
Administrator and CEO/Head of Procuring Entity  
Approved on NOV 09 2023

## C E R T I F I C A T I O N

This is to certify that the Authority of the Freeport Area of Bataan (AFAB) has available budget allocation in Capital Outlay (FY 2023 IGF) under the Board-approved Corporate Operating Budget for FY 2023 to defray the necessary expenses for the project: Supply and Delivery of Laboratory for Ecology Center as approved under Secretary's Certificate Resolution No. 2023-44.

Issued this 18<sup>th</sup> of August 2023.

  
**CHARLES M. RAMONES**  
Department Manager A, Finance

*Note:*

Board Approved Budget:	3,000,000.00
ABC:	3,000,000.00
Unallocated:	0.00



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