

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila



Certificate Number: AJA15-0048

CONTRACT AGREEMENT

THIS AGREEMENT, made this ____ day of 16 NOV 2020, 2020 by and between the **DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE)**, with office address at DOLE Main Building, Intramuros, Manila, represented by **Secretary SILVESTRE H. BELLO III**, hereinafter called the “**DOLE**” and **SMART COMMUNICATIONS, INC.** with office address at Smart Tower 677 Ayala Avenue, Makati City represented by its **Senior Vice-President and Head of Enterprise Business of Smart, MR. JUAN VICTOR I. HERNANDEZ**, hereinafter called the “**Service Provider**”.

WHEREAS, the **DOLE** invited Bids for certain goods and ancillary services, viz., **Unlimited Data Plan Subscription for 24 Months with Free Tablets with Pen** for the **Bureau of Labor Relations** project and the **DOLE** has accepted a total Bid for **Three Million Six Hundred Twenty-Eight Thousand Eight Hundred Pesos Only (₱3,628,800.00)** 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 the Contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement, viz.:
 - a. Terms of Reference;
 - b. Schedule of Requirements;
 - c. Technical Specifications;
 - d. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents / statements submitted;
 - e. Instructions to Bidders;
 - f. Bid Data Sheet;
 - g. General Conditions of Contract;
 - h. Special Conditions of Contract;
 - i. Notice of Award of Contract and Bidder's conforme thereto; and
 - j. Performance Security;
3. Likewise, the Revised Implementing Rules and Regulations of Republic Act No. 9184 shall apply in the implementation of the project.

Juan Victor I. Hernandez

4. In consideration of the payments to be made by the **DOLE** to the **Service Provider** as hereinafter mentioned, the **Service Provider** hereby covenants with the **DOLE** to provide the goods and services and to remedy defects therein in conformity with the provisions of the Contract in all respects.
5. The **DOLE** hereby covenants to pay the **Service Provider** in consideration of the provisions of the goods and services and remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of this **Contract** at the time and in the manner prescribed by this **Contract**.

IN WITNESS whereof the parties thereto 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.

Signed, sealed, delivered by:

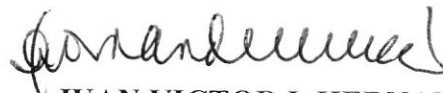
**DEPARTMENT OF LABOR AND
EMPLOYMENT**

By:



SILVESTRE H. BELLO III
Secretary

SMART COMMUNICATIONS, INC.

By:



JUAN VICTOR I. HERNANDEZ
Senior Vice-President and
Head of Enterprise Business of Smart

Signed in the presence of:


MARIA CONSUELO S. BACAY
Director, Bureau of Labor Relations


DANILO D. JUNGKA
Smart Communications, Inc.

Certified Funds Available: *₱ 453,600 -*
(Oct to Dec 2020)
GRS - 2020-10-4785
Balance to be sourced
from 2021/22 GAA


RICHELDA L. BALLAD
Department Chief Accountant
Financial and Management Service

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES) s.s
 CITY OF MANILA)

MANILA

BEFORE ME, the undersigned Notary Public in and for _____, Philippines, on this day personally appeared:

<u>Name</u>	<u>Competent Government ID No.</u>	<u>Date and Place Issued</u>
<u>SILVESTRE H, BELLO III</u> In his capacity as Secretary of the Department of Labor and Employment	P1431902A (Passport No.) 03 January 2017	DFA, Manila
<u>JUAN VICTOR I. HERNANDEZ</u> In his capacity as Senior Vice-President and Head of Enterprise Business of Smart Communications, Inc.	Passport ID No. P6715403A Expiration Date: 04-09-2028	DFA, Manila Date Issued: 04-10-2018

Known to me to be the same persons whose names are subscribed to the foregoing Contract and who executed the same as acts of their free will and deed of their respective principals.

This instrument refers to the Contract Agreement for the project “**Unlimited Data Plan Subscription for 24 Months with Free Tablets with Pen**” for the **Bureau of Labor Relations** consisting of three (3) pages including this page on which this acknowledgment is written and signed by the parties.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at MANILA, Philippines on this **NOV 16 2020** day of _____ 2020.

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 Book No. LXXXV
 Series of 2020

ATTY. JOHN EDWARD TRINIDAD ANG
 Notary Public for City Manila - Valid 12/31/2021
 Notarial Commission No. 2020 - 033
 2/F Midland Plaza Hotel, Adreatico st., Ermita, Manila
 IBP NO. 101538 / Jan. 6, 2020 - Pasig City
 PTR. NO. 9115583 / Dec. 27, 2019 - Manila
 Roll No. 68731/MGLE COMPLIANCE NO. VI-0017186 12-24-2019

(Handwritten Signature)