

**AGREEMENT FOR THE PREVENTIVE MAINTENANCE SERVICE OF SIX (6) UNITS
HITACHI ELEVATORS AT MAIN BUILDING FOR C.Y. 2021**

KNOW ALL MEN BY THESE PRESENTS:

This Agreement for the Department of Foreign Affairs' (DFA) for the modernization/upgrade service of six (6) units Hitachi elevators at main building (hereinafter, the AGREEMENT), entered into in Pasay City, Philippines, on ~~1 JAN 2021~~ between the:

DEPARTMENT OF FOREIGN AFFAIRS, (hereafter, the PROCURING ENTITY), with principal office address at 2330 Roxas Blvd., Pasay City, 1300 Metro Manila, represented by its Undersecretary for Administration and Head of the Procuring Entity (HOPE) **HONORABLE J. EDUARDO MALAYA**,

and

HITACHI ELEVATOR PHILIPPINES CORPORATION, (hereinafter, the CONTRACTOR), a company duly organized and existing under and by virtue of the laws of the Philippines, as evidenced by the submitted Securities and Exchange Commission (SEC) Certificate of Registration dated 8th day of July 2011 as ANNEX "A", with business address at Unit 604 Penthouse Oppen Bldg. 349 Sen. Gil Puyat Ave., BEL-AIR, Makati City, represented by **ASUNCION P. MANALO**, who is duly authorized to enter into this Agreement pursuant to the Secretary's Certificate dated 25 September 2020, copy of which is attached as ANNEX "B" and made an integral part of this AGREEMENT.

WITNESSETH:

WHEREAS, the PROCURING ENTITY awarded to the Contractor, being the exclusive distributor and maintenance service provider of Hitachi Brand Elevators in the Philippines, the Department's preventive maintenance services of six (6) units Hitachi elevators in the premises of the "Procuring Entity" for twelve (12) months, and has accepted a bid by the CONTRACTOR to provide the said services in the amount of **FORTY THOUSAND FIVE HUNDRED PESOS ONLY (PHP 40,500.00)** inclusive of 12% VAT per month or a total contract price of **FOUR HUNDRED EIGHTY SIX THOUSAND PESOS ONLY (PHP 486,000.00)** only (hereinafter, the Contract Price) inclusive of all applicable taxes and other lawful charges.

WHEREAS, this Agreement, undertaken pursuant to BAC Resolution No. NTC 03-21 dated 01 January 2021, and Notice of Award (ANNEX "C"), complies with the applicable provisions of the Republic Act No. 9184 and its Implementing Rules and Regulations;

NOW, THEREFORE, for and in consideration of the foregoing premises, the PARTIES agree as follows:

1. The definitions included in the General and Special Conditions of the Contract (GCC)



provided in the Philippine Bidding Documents for Procurement of Goods issued by the Government Procurement Policy Board (GPPB) are deemed incorporated in this AGREEMENT.

2. The following documents are also attached and made integral parts of this AGREEMENT:
 - o ANNEX D - Quotation submitted by the CONTRACTOR
 - o ANNEX E - Certificate of Availability of Funds
 - o ANNEX F - Terms of Reference
 - o ANNEX G - General and Special Conditions of Contract
 - o ANNEX H - Performance Security
 - o ANNEX I - Mayor's Permit
3. The CONTRACTOR shall deliver the goods to the PROCURING ENTITY within the period prescribed in the Terms of Reference, (Annex "F").
4. The CONTRACTOR shall ensure that each of its personnel assigned in the Department shall execute and sign a Non-Disclosure Agreement which is to be submitted to the Department prior to commencement of the service.
5. For and in consideration of the performance of services, the PROCURING ENTITY shall pay the CONTRACTOR the above-mentioned Contract Price. The terms of payment shall be in accordance to Clause X in the Terms of Reference.

IN WITNESS WHEREOF, the Parties through their authorized representatives hereto have signed this AGREEMENT on 01 JAN 2021 in Pasay City, Metro Manila.

For the Procuring Entity:
DEPARTMENT OF FOREIGN AFFAIRS


By: HON. J. EDUARDO MALAYA
Undersecretary for Administration
And Head of the Procuring Entity

For the Contractor:
HITACHI ELEVATOR
PHILIPPINES CORPORATION


By: ASUNCION P. MANALO
Authorized Representative

WITNESSES


DFA Chief Accountant


HITACHI ELEVATOR
PHILIPPINES CORPORATION

ACKNOWLEDGEMENT

Republic of the Philippines)

CITY OF MANILA) s.s.

CITY OF MANILA

NOV 16 2021


BEFORE ME, a NOTARY PUBLIC for and in the City of Pasay, Philippines, on _____, personally appeared HONORABLE J. EDUARDO MALAYA, Undersecretary for Administration of the Department of Foreign Affairs and ASUNCION P. MANALO, Authorized Representative of HITACHI ELEVATOR PHILIPPINES CORPORATION, known to me to be the same persons who executed the foregoing AGREEMENT FOR THE PREVENTIVE MAINTENANCE SERVICES OF SIX (6) UNITS HITACHI ELEVATORS AT MAIN BUILDING FOR C.Y. 2021 which instrument consists of _____ pages including the page on which this acknowledgment is written and the Annexes attached thereto, all pages of which have been signed by said PARTIES and their witnesses, and who acknowledged to me that the same is their free and voluntary act and deed and of the entities they represent.

The Philippine Government-Issued ID of the Parties were exhibited to me, the same bearing:

| NAME | ID No. | PLACE OF ISSUE | DATE OF ISSUE |
|--------------------|---------------------------|----------------|---------------|
| J. EDUARDO MALAYA | PASSPORT NO. D0003682A | MANILA | 29-07-2017 |
| ASUNCION P. MANALO | PASSPORT NO. P4914599A | DFA CALASIO | 02-11-2017 |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day, year and in the place above written.

Doc. No. 169
Page No. 34
Book No. 14
Series of 2021.


ATTY. HENRY D. ADASA
 NOTARY PUBLIC CITY OF MANILA
 UNTIL DECEMBER 31, 2021
 NOTARIAL COMMISSION ON 2020-097 MLA
 IBP NO. 242209-02, 04/2021, PASIG
 PTR NO. 0006108 - 01/05/2021 MLA
 ROLL NO. 29879, TIN: 172-528-620
 (27) MCLE COMPL. NO. VII-0000165
 URBAN DECA HOMES MANILA, B-2, UNIT 355