

**CONTRACT FOR THE PROCUREMENT OF TWO (2) UNITS OF
DISASTER RECOVERY AND BACKUP EQUIPMENT
DEDUPLICATION STORAGE**

KNOW ALL MEN BY THESE PRESENTS:

THIS AGREEMENT made on the ____ day of _____ 2012 between the **ENERGY REGULATORY COMMISSION (ERC) of the Philippines** (hereinafter called "**THE ENTITY**"), a government agency duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office address at 16th Floor, Pacific Center Bldg., San Miguel Avenue, Pasig City, represented by its Chairperson and Chief Executive Officer, **ATTY. ZENAIDA G. CRUZ-DUCUT**, on the one part and the **SANDZ SOLUTIONS PHILIPPINES, INC.**, a corporation duly organized and existing under and by virtue of the laws of the Philippines, with principal address at 6/F CYA Building, 110 Rada Street, Legaspi Village, Makati City, Metro Manila, hereinafter referred to as "**THE SUPPLIER**", represented by its duly authorized representative, **MS. TRIXIE JANE G. MOLINOS**, of the other part:

WHEREAS, THE ENTITY invited Bids for certain goods and ancillary services, viz., **Two (2) Units of Disaster Recovery and Backup Equipment Deduplication Storage** and has accepted a Bid by **THE SUPPLIER** for the supply of those goods and services in the sum of **ONE MILLION SIX HUNDRED EIGHTY EIGHT THOUSAND AND EIGHT HUNDRED PESOS (PhP1,688,800.00)** [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 Contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement, viz:
 - (a) the Bid Form and the Price Schedule submitted by the Bidder (Annex "A");
 - (b) the Schedule of Requirements (Annex "B");
 - (c) the Technical Specifications (Annex "C");
 - (d) the General Conditions of Contract (Annex "D");
 - (e) the Special Conditions of Contract (Annex "E"); and
 - (f) the Client's Notification of Award (Annex "F").
3. In consideration of the payments to be made by the Entity to the Supplier as hereinafter mentioned, the Supplier hereby covenants with the Entity to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract. Provided that the Supplier shall provide training for the use of the equipment subject of this contract.
4. The Entity hereby covenants to pay the Supplier in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract.

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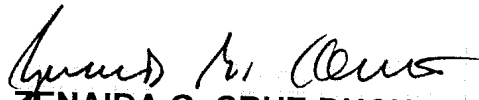
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines by their duly authorized representatives at the place and on the date first above written.


ENERGY REGULATORY
COMMISSION

SANDZ SOLUTIONS PHILIPPINES, INC.

BY:

BY:


ZENAIDA G. CRUZ-DUCUT
Chairperson & CEO, ERC


TRIXIE JANE G. MOLINOS
Account Manager

Signed in the presence of:

ACKNOWLEDGEMENT

Republic of the Philippines)
City of Pasig) S.S.


BEFORE ME, a Notary Public for and in the City of Pasig, personally
Appeared the following:

<u>NAME</u>	<u>RES. CERT. NO.</u>	<u>ISSUED AT/ON</u>
ATTY. ZENAIDA G. CRUZ-DUCUT TIN: 157-838-552-001		
MS. TRIXIE JANE G. MOLINOS		

known to me and to me known to be the same persons who executed the foregoing agreement consisting of two (2) pages including this page wherein the acknowledgement is written and has been assigned by both parties and their witnesses on each and every page thereof.

WITNESS MY HAND AND SEALS, this _____ day of JAN 25 2013, 2012.

Doc. No. 169 ;
Page No. 35 ;
Book No. III ;
Series of 2012


ATTY. GERVACIO B. ORTIZ JR.
Notary Public City of Makati
Until December 31, 2013
IBP NO. 656155-Lifetime Member
MCLE Compliance No. III-0014282
Appointment No. M-199-(2013-2014)
PTR No. 3664330 Jan. 2, 2013
Makati City Roll No. 40091
101 Urban Ave., Brgy. Pio del Pilar,
Makati City

FUNDS AVAILABLE


BUDGET OFFICER

