

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

This Contract entered into by and between:

WESTERN MINDANAO STATE UNIVERSITY, a state educational institution of higher learning, duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office address at Normal Road, Baliwasan, Zamboanga City, Philippines, herein represented by its President, **DR. MA. CARLA A. OCHOTORENA**, and hereinafter referred to as the "**UNIVERSITY**";

- and -

SCIGATE TECHNOLOGY CORP a corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with business address at Unit 1C A&L Bldg., 126 N. Domingo St., Pedro Cruz, San Juan City 1500, Manila, Philippines, herein represented by its Authorized Representative, **ALVIN JOSEPH C. VILLETA** and hereinafter called the "**SUPPLIER**";

WITNESSETH, That:

WHEREAS, the **UNIVERSITY** is desirous that certain equipment be procured and delivered in accordance with plans and specifications consisting of the **SUPPLY AND DELIVERY OF VARIOUS MEDICAL EQUIPMENT FOR THE COLLEGE OF MEDICINE (Item no. 10) PLASTINATED CADAVERS** located at the WMSU Main Campus, Normal Road, Baliwasan, Zamboanga City, Philippines with an Approved Budget for the Contract (ABC) of **TWENTY THREE MILLION TWO HUNDRED TWENTY FIVE THOUSAND PESOS (Php23,225,000.00)**;

WHEREAS, after the observance of the rules and regulations under Republic Act 9184, the **SUPPLIER** has tendered and offer for the supply and delivery of the medical equipment, details of which are hereto provided in Annex "**A**", and forms an integral part hereof, in the amount of **FIVE MILLION NINE HUNDRED NINETY NINE THOUSAND NINE HUNDRED NINETY NINE PESOS (Php5,999,999.00)** and said offer had been determined to be the lowest calculated responsive bid;

WHEREAS, the **UNIVERSITY** upon the recommendation of the WMSU-Bids and Awards Committee (BAC) per Resolution 325-2022, dated November 21, 2022, hereto attached as Annex "**B**", and was duly approved by the WMSU BOR per BOR Resolution No. 148, dated December 16, 2022 has awarded the said items to the **SUPPLIER** per Notice of Award dated _____;

WHEREFORE, the premises considered, the **PARTIES** hereto hereby mutually agree to enter into contract for the Supply and Delivery of Various Medical Equipment for the College of Medicine located at the WMSU Main Campus, Normal Road, Baliwasan, Zamboanga City, Philippines;

Western Mindanao State University
Zamboanga City
BIDS AND AWARDS COMMITTEE
RECEIVED by: _____
Date: JAN 27 2023
Time: 02:30

BAC FILE COPY


NOW THEREFORE, for and in consideration of the aforementioned premises, and of the mutual covenants and stipulations herein set forth, the PARTIES, one with the other, do hereby jointly agree as follows:

1. In this contract, words and expressions shall have the same meaning as respectively assigned to them in the conditions hereinafter referred to:
2. The following documents shall be deemed to form and be interpreted and construed as part of this contract:
 - a. The Bid Form and the price schedule submitted by the Bidder;
 - b. The schedule of requirements;
 - c. The technical specifications;
 - d. The general conditions of the contract;
 - e. The special conditions of the contract; and
 - f. Drawing/Plans and Specifications
3. In consideration of the payment to be made by **UNIVERSITY** to **SUPPLIER** as herein mentioned, the latter hereby covenants with **UNIVERSITY** to provide the goods and services and to remedy defects found therein in conformity with all respect to the provisions of this contract; and complete all requisite works and deliver the goods within ninety (90) calendar days from the date of receipt of this contract or purchase order or both, as may be authorized under the law or the rules;
4. The **UNIVERSITY** also hereby covenants to pay **SUPPLIER**, and in consideration thereof the **SUPPLIER** hereby covenants to provide after sales services as may be necessary for the complete use and satisfaction of the **UNIVERSITY**.

IN WITNESS WHEREOF, the PARTIES have hereunto set their hands on this ___ day of JAN 27 2023 20__ in the City of Zamboanga, Philippines.

BY:

UNIVERSITY



DR. MA. CARLA A. OCHOTORENA
President
Western Mindanao State University

SUPPLIER



ALVIN JOSEPH C. VILLETA
Authorized Representative
SCIGATE TECHNOLOGY Corp.

Signed in the presence of:



ASSO. PROF. AL-GHANI D. MOHAMMAD
Secretary, Univ./WMSU BOR



JOENMAR A. JAIPUDDIN
University Accountant, WMSU

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in the City of Zamboanga, Philippines, on this ___ day of JAN 27 2023, personally appeared: **DR. MA. CARLA A. OCHOTORENA** and **ALVIN JOSEPH C. VILLET**A having exhibited their respective competent evidence of identification are known to me and to me known to be the same persons who executed the foregoing Contract consisting of three (3) pages including this page on which the acknowledgment is written and acknowledged to me that the same is their free and voluntary act and deed.

WITNESS MY HAND AND SEAL at the place and date above written.

Doc. No. 418 ;
Page No. 85 ;
Book No. XXIX ;
Series of 2023.

ATTY. ROBERTO A. RIVERO III
Notary Public for Zamboanga City
Rivero Medalle Law Office
Pilar St., Zamboanga City
Notarial Commission No. 050-2022; 06.30.22
Roll No. 59055; 05-11-11
IBP No. 097429; 12-13-19;
PTR No. 2344947, 01-04-2022; Z.C.;