

**CONTRACT AGREEMENT**

23 JUL 2024

THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 2024 between the **DEPARTMENT OF ENERGY (DOE)** of the Philippines (hereinafter called "the Entity") of the one part and **BARKERO, INC.** of **1129 Angel Linao Street, President Quirino Ave., Manila** (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly for the **Enhancement and Maintenance of Various System Applications under the National Energy Efficiency and Conservation Database (NEECD) Initiative – The Government Energy Management Program (GEMP) System (Lot 2)** and has accepted a Bid by the Supplier for the supply of those goods and services in the amount of **Seven Million One Hundred Ninety-Nine Thousand Pesos Only (Php7,199,000.00)** (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.:
  - i. Philippine Bidding Documents (PBDs);
    - i. Schedule of Requirements;
    - ii. Technical Specifications;
    - iii. General and Special Conditions of Contract;
    - iv. Supplemental or Bid Bulletins, if any
  - ii. 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;
  - iii. Performance Security;
  - iv. Notice of Award of Contract; and the Bidder's conforme thereto; and
  - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. 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 amount of **Seven Million One Hundred Ninety-Nine Thousand Pesos Only (Php7,199,000.00)** or such other sums as may be ascertained, **Barkero, Inc.** agrees to the **Enhancement and Maintenance of Various System Applications under the National Energy Efficiency and Conservation Database (NEECD) Initiative – The Government Energy Management Program (GEMP) System (Lot 2)** in accordance with its Bid.
4. The **Department of Energy** 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.

  
**FELIX WILLIAM B. FUENTEBELLA**  
Undersecretary  
for:  
**Department of Energy**

  
**VINCENT MARTIN HERMOSURA**  
President & CEO  
for:  
**Barkero, Inc.**

**SIGNED IN THE PRESENCE OF:**

  
**PATRICK T. AQUINO, CESO III**  
Director, EUMB  
Witness

  
**KAREN PATRICIA MACASIRAY**  
Corporate Secretary  
Witness

  
**HELEN C. ROLDAN**  
OIC, Accounting Division  
Witness

CAF No. 02-24-07-098  
CAF Date: July 12, 2024  
Pr. No. 02-0151-2024-01-0015  
₱ 7,199,000.00

REPUBLIC OF THE PHILIPPINES)  
Taguig City ) S. S.

**ACKNOWLEDGEMENT**


Before me, a Notary Public for and in the City of Taguig, Metro Manila, on this 28th day of July 2024, personally appeared:

NAME	PROOF OF IDENTIFICATION	ID NUMBER
FELIX WILLIAM B. FUENTEBELLA	Passport	P7154955B
VINCENT MARTIN HERMOSURA	<u>Passport</u>	<u>P1483663C</u>

Both known to me and to me known to be the same persons who executed the foregoing Contract for the **Enhancement and Maintenance of Various System Applications under the National Energy Efficiency and Conservation Database (NEECD) Initiative – The Government Energy Management Program (GEMP) System (Lot 2)**, and they acknowledged to me the same is their free act and deed and that of the agency and the corporation which they respectively represent. This agreement consisting of three (3) pages, including the page upon which this Acknowledgment is written, has been signed by the Parties and their instrumental witnesses.

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

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Series of 2024

  
**ATTY. PATRICIA PAMELA DB HUEVOS**  
Notary Public  
Until Dec 31, 2024  
Roll No. 83859  
IBP No. 389769; Rizal Chapter  
PTR No. 6089673, Taguig City  
MCLE Compliance No. VIII-0002240, until Apr. 14, 2025  
Royal Palm Residences, Acacia Estates, Taguig City