

**CONTRACT AGREEMENT**

THIS AGREEMENT made on the APR 16 2024 day of \_\_\_\_\_ 2024 between **DEPARTMENT OF ENERGY (DOE)** of the Philippines (hereinafter called "the Entity") of the one part and **NOW CORPORATION.** of **5F OPL Bldg., 100 C Palanca cor. Dela Rosa and Gil St., Legazpi Village, Makati City** (hereinafter called "the Service Provider") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly for **DOE's CY 2024 Fixed Wireless Internet Access Service (IAS) for the Period of 01 May to 31 December 2024** and has accepted a Bid by the Service Provider for those services in the sum of **One Million One Hundred Forty Thousand Pesos Only (PhP1,140,000.00)** (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 of **One Million One Hundred Forty Thousand Pesos Only (PhP1,140,000.00)** or such other sums as may be ascertained, **NOW CORPORATION** agrees to the **DOE's CY 2024 Fixed Wireless Internet Access Service (IAS) for the Period of 01 May to 31 December 2024**, 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**



**PEPITO DELA CERNA, JR.**  
*Broadband Sales Head*

*for:*

**NOW Corporation**

SIGNED IN THE PRESENCE OF:



**PAOLO G. FONDEVILLA**  
*OIC-Director, ITMS*  
Witness



**JINO DELA CRUZ**  
*Territory Sales Manager*  
Witness



**HELEN C. ROLDAN**  
*OIC-Chief Accounting Division*  
Witness

CAF No. 01-24-04-078

CAF date. April 15, 2024

Manila Agency Fund

P 1,710,000.2