

CONTRACT AGREEMENT

(CA No. 2020-07)

KNOWN ALL MEN BY THESE PRESENT:

This Contract is executed and entered into for all intents and in all respects in the City of **MANDALUYONG CITY**, Philippines on this **JAN 05 2021** day of _____, 2020, by and between:

THE OFFICE OF THE OMBUDSMAN, with principal office address at Ombudsman Building, Agham Road, Diliman, Quezon City, represented by **HON. EDILBERTO G. SANDOVAL**, Acting Overall Deputy Ombudsman/Special Prosecutor, OSP, hereinafter referred to as "the ENTITY":

- AND -

AMERICAN TECHNOLOGIES INC., with business address at #5 Ideal corner McCollough St., Addition Hills, Mandaluyong City, represented by **MS. ANDREI LISSE C. KHO**, Senior Account Manager, hereinafter referred to as "the SUPPLIER".

WITNESSETH

WHEREAS, the Entity invited Bids for certain goods and ancillary services, viz., **One (1) Year Hardware Maintenance and Software Subscription for Hitachi and RedHat Systems for the Office of the Ombudsman for Lot 1 and Lot 2** (PB 2020-10) and has accepted a bid by the Supplier for the supply of those goods and services in the sum of Two Million Six Hundred Ninety-Eight Thousand Eight Hundred Eighty-Eight Pesos (**₱2,698,888.00**) for Lot 1 and One Million Nine Hundred Ten Thousand Four Hundred Sixty-Eight Pesos (**₱1,910,468.00**) for Lot 2 (hereinafter called "the Contract Price"), to wit:

Quantity	Item Description	Total Amount in Figures	Total Amount in Words
One (1) Lot	LOT 1 Hardware Maintenance for Hitachi Storage System and its Interrelated Components and Other Professional Services	₱2,698,888.00	Two Million Six Hundred Ninety-Eight Thousand Eight Hundred Eighty-Eight Pesos
One (1) Lot	LOT 2 One (1) Year Subscription Renewal for Red Hat Enterprise Linux (RHEL) and Professional Services	₱1,910,468.00	One Million Nine Hundred Ten Thousand Four Hundred Sixty-Eight Pesos

[Handwritten signatures and initials in blue ink on the left margin]


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 Financial Proposals (Annex "A");
 - (b) the Technical Proposals and Omnibus Sworn Statement with Secretary's Certificate (Annex "B" and "B-1");
 - (c) the Schedule of Requirements (Annex "C");
 - (d) the Technical Specifications (Annex "D");
 - (e) the General Conditions of Contract (Annex "E");
 - (f) the Special Conditions of Contract (Annex "F");
 - (g) the Entity's Notice of Award (Annex "G"); and
 - (h) the Performance Security (Annex "H")
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
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.

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.


OFFICE OF THE OMBUDSMAN

AMERICAN TECHNOLOGIES INC.

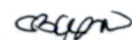

EDILBERTO G. SANDOVAL
Acting Overall Deputy Ombudsman/
Special Prosecutor, OSP


ANDREI LISSE C. KHO
Senior Account Manager

WITNESSES:


GINA LYN LUCAS

(Witness-Ombudsman)
Signature over printed name


BERJEL COROLLA P. MOLOMOG

(Witness-Supplier)
Signature over printed name

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of MANDALUYONG CITY) S.S.

JAN 05 2021 BEFORE ME, a Notary Public in and for the above jurisdiction on this _____ day of _____, personally appeared **Edilberto G. Sandoval**, with _____ No. _____, issued on _____, at Quezon City and **Andrei Lisse C. Kho**, with _____ No. _____ issued on _____ at _____, known to me and to me known to be the same persons who executed the foregoing instrument which they acknowledged before as their free and voluntary act and deed.

This Contract Agreement, which consists of three (3) pages, is signed by the parties and their witnesses on each and every page thereof.

IN WITNESS WHEREOF, I hereby set my hand and seal on the date and at the place first above-written.

ATTY. ELISEO J. SALVADOR JR.
NOTARY PUBLIC FOR MANDALUYONG CITY
Until December 31, 2021
PTR No. 4580105-01/04/2021 Mand. City
IBP No. 137336-01/04/2021 RSM
Roll No. 73033 06/13/2019
Comm. No. 0566-20/MCLE Comp. Exempt
304-B A.A Tanco Building
No. 22 Shaw Boulevard, Mandaluyong City

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Page No. 94 ;
Book No. 04 ;
Series of 20 21.