

A G R E E M E N T

THIS AGREEMENT (the "Agreement") made the _____ day of _____ 20____ between **DEVELOPMENT BANK OF THE PHILIPPINES**, a government financial institution duly created and existing under the provisions of Executive Order No. 81, the 1986 Revised Charter of DBP, as amended by Republic Act No. 8523 dated 14 February 1998, with principal office at DBP Building, Sen. Gil Puyat Ali corner Makati Avenue, Makati City, Philippines, herein represented by its CSS Acting Head, **SENIOR VICE PRESIDENT (SVP)**

(hereinafter called "the Entity") of the one part and **ESBUILDERS INC.** a domestic corporation, with principal office address at 88 M.L. Quezon Street, Hagonoy, Taguig City, herein represented by its President, **SHIRMAN I. AMOR**, duly authorized for this purpose as shown in the attached Secretary's Certificate dated 05 October 2024 for Board Resolution No. 5, series of 2024 [attached as Annex "F" hereof] (hereinafter called "the Supplier/Contractor") of the other part:

WHEREAS, after the conduct of public bidding where the Contractor was declared as the Single Calculated and Responsive Bid, the Procuring Entity is desirous that the Contractor execute this Contract Agreement for the *Fit-out Construction of DBP Pozorrubio Branch Lite Unit* (hereinafter called "the Works") and thus the Procuring Entity has accepted the Bid for: *Pesos: Six Million One Hundred Ninety-Three and 50/100 (Php6,000,193.50)* (hereinafter called the "Contract Price") by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

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 hereinafter 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 part of this Agreement, viz.:

(a) Philippine Bidding Documents (PBDs);

- i. Drawings/Plans;
- ii. Specifications;
- iii. Bill of Quantities;
- iv. General and Special Conditions of Contract;
- v. Supplemental or Bid Bulletins, if any;

(b) Supplier/Contractor's Bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted, Bid form, including all documents/stated contained in the Supplier/Contractor bidding envelopes, as annexes, and all other documents submitted (e.g. Supplier/Contractor response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Entity's bid valuation;

- (c) Performance Security (Annex B);
- (d) Notice of Award of Contract and the Supplier/Contractor conforme thereto (Annex C);
- (e) Performance Evaluation of 3rd Party Contracts/Agreements (Annex D);
- (f) Data Privacy Consent Form (Annex E);
- (g) Supplier/Contractor's Secretary's Certificate for Board Resolution (Annex F); and
- (h) Other contract documents that may be required by existing laws and/or the Entity in the PBDs. Supplier/Contractor agrees that additional contract documents or information prescribed by the Government Procurement Policy Board (GPPB) that are subsequently required for submission after the Agreement's execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Agreement.

The Parties shall endeavor to harmonize the provisions of this Agreement and the Annexes so that each shall be effective. In the event of any inconsistency between the terms of this Agreement and the Annexes, the terms of the Annexes shall prevail to the extent necessary to resolve such inconsistency. In the event of any conflict between the provisions of this Agreement including the annexes and the Terms of Reference or Technical Specifications, as the case may be, the terms of the Terms of Reference/Technical Specifications shall prevail.

5. In consideration for the sum of Pesos: Six Million One Hundred Ninety-Three and 50/100 (PhP6,000,193.50) or such other sums as may be ascertained, the Supplier/Contractor agrees to complete the fit-out construction, installation of equipment, furniture and fixtures of DBP Pozorrubio Branch Lite Unit in accordance with its Bid and the terms and conditions of this Agreement.

6. The Entity agrees to pay the above-mentioned sum in accordance with the terms of the Bidding and of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have signed this Agreement on the _____ day of _____, 202__ in _____.

DEVELOPMENT BANK OF THE PHILIPPINES

By:

ESBUILDERS INC.

By:

(SIGNED)

Acting Head, Corporate Services Sector
Development Bank of the Philippines

(SIGNED)

SHIRMAN I. AMOR
President
ESBuilders Inc.

Signed in the presence of:

(SIGNED)

SM, Concurrent OIC, Construction and
Facilities Management Department
Development Bank of the Philippines

(SIGNED)

SALVADOR N. DORLONES
Corporate Secretary
ESBuilders Inc.

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
Makati City) SS.

BEFORE ME, a Notary Public for and in the City of Makati, Philippines, this ____
day of 13 JAN 2025 20____, personally appeared the following:

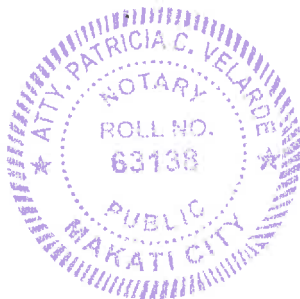
Name	Government ID Presented	Place and Date Issued
ESBuilders Inc. Represented by: SHIRMAN I. AMOR		
Development Bank of the Philippines Represented by: RONALDO U. TEPORA		

known to me and to me known to be the same persons who executed the foregoing document and identified by me through competent evidence of identity, to be the same persons in the foregoing document who exhibited to me the above IDs bearing their respective signatures and photographs, that each party acknowledged to me that the execution of this document is the free and voluntary act and deed of the entities represented and that they have the authority to sign in behalf of their respective principals.

The foregoing document is an **Agreement** which consists of fifty one (51) pages, including herein Annexes and the page where this Acknowledgment is written. This acknowledgment forms an integral part of the said document.

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

Doc. No. 7;
Page No. 3;
Book No. XVII;
Series of 2024.



(SIGNED)

— **ATTY. PATRICIA C. VELARDE**
Notary Public for the City of Makati
Appointment No. M-147 until December 31, 2025
Roll of Attorneys No. 63138
IBP Lifetime No. 012809 05/07/2014
PTR Exempt under R.A. 7160
MCLE Compliance No. VIII-0005492 12/01/2023
10F DBP Building, Sen. Gil J. Puyat Ave., Makati City