

**CONTRACT ON THE BIDDING FOR THE
PROCUREMENT OF EQUIPMENT FOR EMERGENCY AND DISASTER
PREPAREDNESS (AUTOMATED EXTERNAL DEFIBRILLATOR AND
TRAINING MANIKINS) LOT 2 - TRAINING MANIKINS
(IB No. AEDTM 2021-010-AA)**

THIS AGREEMENT made and entered into this JUN 30 2022 day of _____ 2022, in the City of MANILA, Metro Manila, by and between:

PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH), a government owned and controlled corporation duly created by virtue of R.A. 7875, as amended by R.A 9241 and R.A. No. 10606 or the "National Health Insurance Act of 2013", with principal office address at 17th Floor, Citystate Centre Building, 709 Shaw Blvd corner Oranbo Drive, Pasig City. PHILHEALTH is represented in this Agreement by its President and Chief Executive Officer (CEO), **ATTY. DANTE A. GIERRAN, CPA** who is authorized to sign this agreement under Corporate Order No. 2018-0026 on the New Delegation and Signing Authority (DSA) in the Head Office and Regional Offices, copy attached hereto as Annex "A";

-and-

INTELLISERVE TRADING INCORPORATED, a stock corporation, organized and registered with the Securities and Exchange Commission and existing under the laws of the Republic of the Philippines, with business address at Unit 615 Globe Telecom Plaza 1, Pioneer St. Corner Madison St. Mandaluyong City, Philippines, represented herein by its Authorized Representative/Team Leader, (hereinafter called "**INTELLISERVE**"), duly authorized for this purpose as evidenced by **INTELLISERVE** Secretary's Certificate, copy attached hereto as Annex "B".

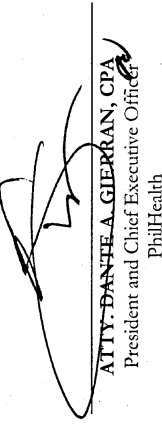
WHEREAS, PHILHEALTH invited Bids for certain goods and ancillary services particularly on the **Procurement of Equipment for Emergency and Disaster Preparedness (Automated External Defibrillator and Training Manikins) Lot 2 - Training Manikins** and has accepted a Bid by **INTELLISERVE** for the supply of those goods in the sum of, **One Million Ninety-Three Thousand Three Hundred Pesos (PhP1,093,300.00)** (hereinafter called "**the Contract Price**").

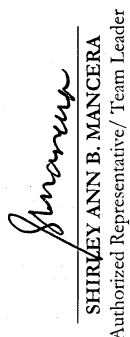
On October 27, 2021, PhilHealth caused the posting of an Invitation to Bid for the Procurement of Equipment for Emergency and Disaster Preparedness (Automated External Defibrillator and Training Manikins) with an Approved Budget of the Contract (ABC) in the amount of Five Million Eight Hundred Eight Thousand Three Hundred Fifty Four Pesos (PhP5,808,354.00) in accordance with its 2021 Annual Procurement Plan.

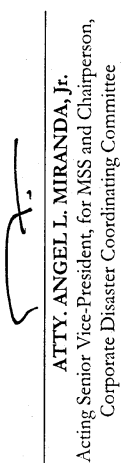
Three (3) bidders submitted their bids on or before November 16, 2021. After opening the bids, **INTELLISERVE** was declared eligible having submitted the Lowest Calculated Bid (LCB) for Lot 2 - Training Manikins.

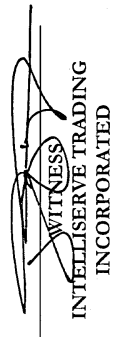
PhilHealth subjected to post-qualification and after such proceedings, **INTELLISERVE's** bid in the amount of **One Million Ninety-Three Thousand Three Hundred Pesos (PhP1,093,300.00)** was found to be the Single Calculated and Responsive Bid.


PhilHealth subsequently issued the Notice of Award to **INTELLISERVE** which the latter accepted on May 13, 2022.


ATTY. DANTE A. GIERRAN, CPA
President and Chief Executive Officer
PhilHealth


SHIRLEY ANN B. MANCERA
Authorized Representative/ Team Leader

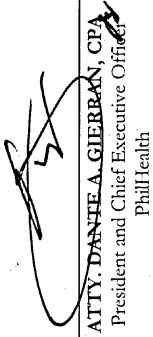

ATTY. ANGEL L. MIRANDA, JR.
Acting Senior Vice-President, for MSS and Chairperson,
Corporate Disaster Coordinating Committee

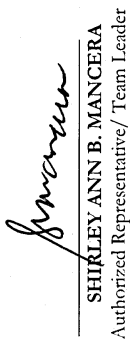

WITNESS
INTELLISERVE TRADING
INCORPORATED

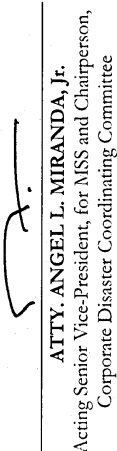

WITNESS
PHILHEALTH

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

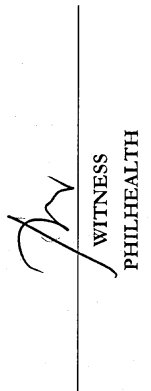
1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as part of this Agreement, viz:
 - (a) Corporate Order No. 2018-0026 (**Annex "A"**);
 - (b) **INTELLISERVE's** Secretary's Certificate (**Annex "B"**);
 - (c) Philippine Bidding Documents (PBDs);
 - (i) **INTELLISERVE's** Schedule of Requirements (**Annex "C"**);
 - (ii) **INTELLISERVE's** Technical Proposal and its Appendices (**Annex "D"**);
 - (iii) General Conditions of the Contract (GCC) (**Annex "E"**);
 - (iv) Special Conditions of the Contract (SCC) (**Annex "F"**);
 - (v) Bid Bulletin No. 01 (**Annex "G"**);
 - (d) **INTELLISERVE's** Bid;
 - (i) PhilGEPS Registration Certificate (**Annex "H"**);
 - (ii) Registration certificate from SEC (**Annex "I"**);
 - (iii) Business Permit (**Annex "J"**);
 - (iv) Tax Clearance (**Annex "K"**);
 - (v) Statement of all Ongoing Government and Private Contracts, including contracts awarded but not yet started (**Annex "L"**);
 - (vi) Statement of Single Largest Completed Contract (SLCC) (**Annex "M"**);
 - (vii) Bid Security/Bid Securing Declaration (**Annex "N"**);
 - (viii) Omnibus Sworn Statement (**Annex "O"**);
 - (ix) Audited Financial Statements (**Annex "P"**);
 - (x) Joint Venture Agreement (**Annex "Q"**);
 - (xi) Net Financial Contracting Capacity (NFCC) (**Annex "R"**);
 - (xii) Financial Bid Form (**Annex "S"**);
 - (e) Performance Security (**Annex "T"**);
 - (f) Notice of Award (**Annex "U"**);
 - (g) BAC-A Resolution No. 47, s. 2021 (**Annex "V"**);
 - (h) **INTELLISERVE's** Additional Post-Qualification Documents;
 - (i) Bureau of Internal Revenue (BIR) Value Added Tax Registration Form and Payment Form (BIR Form no. 2303 and 0605) (**Annex "W"**);
 - (ii) Annual Income tax Return (ITR) for CY2020 (**Annex "X"**);
 - (iii) Quarterly Income Tax Return (BIR Form No. 1702Q) and Monthly Value Added Tax Declaration (BIR Form No. 2550-M) (**Annex "Y"**);
and
 - (iv) Proof of Payment of PhilHealth Premium Contribution (**Annex "Z"**).
 - (i) Other contract document that may be required by existing laws and/or the **PHILHEALTH** in the PBDs. **INTELLISERVE** agrees that the 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.


ATTY. DANIEL A. GIERRAN, CPA
President and Chief Executive Officer
PhilHealth


SHILEY ANN B. MANCERA
Authorized Representative/ Team Leader


ATTY. ANGEL L. MIRANDA, JR.
Acting Senior Vice-President, for MSS and Chairperson,
Corporate Disaster Coordinating Committee


WITNESS
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INCORPORATED


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PHILHEALTH

3. In consideration for the sum of **One Million Ninety-Three Thousand Three Hundred Pesos (PhP1,093,300.00)** or such other sums as may be ascertained, **INTELLISERVE** agrees to provide the goods and services and to remedy defects therein within the warranty period in accordance with their Bid.
4. **PHILHEALTH** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
5. **INTELLISERVE** holds **PHILHEALTH** free and harmless from any claim, obligation or liability that may be caused to any third party that may be injured or harmed due to the willful, unlawful or negligent act or omission of **INTELLISERVE** or any of its personnel or representative, without prejudice to any other legal action that **PHILHEALTH** may have against **INTELLISERVE** for, in relation to the implementation of the Contract.
6. If any dispute or difference of any kind whatsoever shall arise between the parties in connection with the implementation of the contract, the parties shall make every effort to resolve amicably such dispute or difference by mutual consultation.

Any dispute that is not settled amicably shall be submitted to arbitration in the Philippines according to the provisions of R.A. 876, otherwise known as the "Arbitration Law" and R.A. 9285, otherwise known as the "Alternative Dispute Resolution Act of 2004".

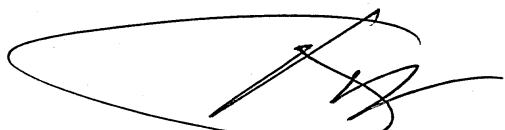
Whenever necessary to promote Arbitration or to seek judicial relief, **PHILHEALTH** and **INTELLISERVE** agree that any legal action, suit or proceeding arising out of or relating to the Contract may be instituted in any competent court where the principal office of **PHILHEALTH** is situated, to the exclusion of other courts of equal jurisdiction.

7. Attorney's Fee - In the event that **PHILHEALTH** is compelled to commence arbitration or to seek judicial relief to enforce the provisions of the Contract, it shall be entitled to attorney's fees and liquidated damages equivalent to ten percent (10%) and fifteen percent (15%), respectively, of the contract price or the amount claimed in the arbitration or judicial action, whichever is higher, aside from the cost of arbitration or litigation, whichever is applicable, and other expenses incidental thereto.
8. EFFECTIVITY CLAUSE. This Agreement shall take effect upon signing thereof by the Parties and **INTELLISERVE** shall commence performance of its obligations upon the issuance by **PHILHEALTH** of a Notice to Proceed.

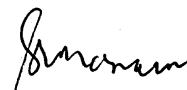
IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

PHILIPPINE HEALTH INSURANCE CORPORATION

INTELLISERVE TRADING INCORPORATED



ATTY. DANTE A. GIERRAN, CPA
President and Chief Executive Officer



SHIRLEY ANN B. MANCERA
Authorized Representative/Team Leader

Recommending Approval:



ATTY. ANGEL L. MIRANDA, Jr.
Acting Senior Vice-President, for MSS and Chairperson,
Corporate Disaster Coordinating Committee

Signed in the presence of:



Witness
PhilHealth

Witness
INTELLISERVE TRADING INCORPORATED

ACKNOWLEDGEMENT

REPUBLIC OF ~~THE~~ PHILIPPINES)
CITY OF ~~MANILA~~) S.S.

BEFORE ME, this ___ day of JUN 30 2022 2022, personally appeared the following persons exhibiting to me their respective Government issued ID's, to wit:

ATTY. DANTE A. GIERRAN, CPA
Philippine Health Insurance Corporation

PHILHEALTH COMPANY ID NO. 20647870

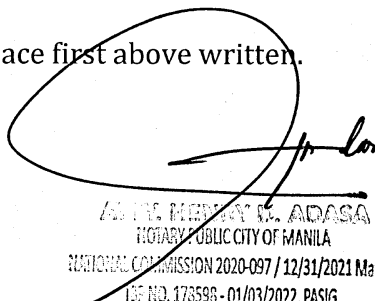
SHIRLEY ANN B. MANCERA Authorized
Representative/Team Leader

Shirley Ann Mancera
DRIVER'S LICENSE NO. 1001-02-002953

Known to me to be the same persons who executed the foregoing Contract on the Bidding for the Procurement of Equipment for Emergency and Disaster Preparedness (Automated External Defibrillator and Training Manikins) – Lot 2 Training Manikins consisting of two hundred eleven (211) pages including the annexes and this page on which the acknowledgement is written and they acknowledged that the same is their free act and deed and that of the corporations being represented.

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

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Book No. XII
Series of 2022


DANTE MENDOZA E. ADASA
NOTARY PUBLIC CITY OF MANILA
NATIONAL COMMISSION 2020-097 / 12/31/2021 Manila
IBF NO. 178598 - 01/03/2022, PASIG
PTR NO. 0380197 - 10/05/2021 MLA
POLI NO. 28073, TIN: 172-528-620
MCB REG. NO. NB-0050165 6/25/2019 Valid April 14, 2025
TRUSTEES HOMES MANILA, B-2, UNIT 355, TONDO, NLA
UNDER SUPREME COURT E.M. NO. 3795 EXTENDED FROM JAN. 1 TO JUNE 30, 2021