

CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT AGREEMENT made the 22nd day of March 2022 between the **CITY GOVERNMENT OF BALANGA, BATAAN**, herein represented by **HON. FRANCIS ANTHONY S. GARCIA** (hereinafter called the "Entity") of the one part and **XEPTO COMPUTING INC.** of Filinvest Corporate City, Alabang, Muntinlupa City, Philippines, herein represented by **MR. ANTONIO ERNESTO R. TARROZO, JR.** (hereinafter called the "Supplier") of the other part;


WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **PROCUREMENT FOR THE SUBSCRIPTION OF REMOTE ONLINE DIGITAL LEARNING PLATFORM FOR DEP-ED SCHOOLS DIVISION FOR USE IN THE CITY GOVERNMENT OF BALANGA** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **SEVEN HUNDRED THIRTY-FIVE THOUSAND PESOS (₱735,000.00)** 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; and
 - 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


LILIBETH T. CALATA
City General Services Officer


JOSEFIN R. EVANGELISTA
City Treasurer


XEPTO COMPUTING INC.
Supplier


FRANCIS ANTHONY S. GARCIA
City Mayor

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 SEVEN HUNDRED THIRTY-FIVE THOUSAND PESOS (P735,000.00) or such other sums as may be ascertained, XEPTO COMPUTING INC. agrees to execute the PROCUREMENT FOR THE SUBSCRIPTION OF REMOTE ONLINE DIGITAL LEARNING PLATFORM FOR DEP-ED SCHOOLS DIVISION FOR USE IN THE CITY GOVERNMENT OF BALANGA in accordance with his/her/its Bid.


4. The CITY GOVERNMENT OF BALANGA 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.


HON. FRANCIS ANTHONY S. GARCIA
City Mayor

For:

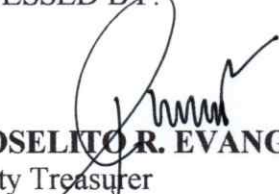
CITY GOVERNMENT OF BALANGA

FOR: 
ANTONIO ERNESTO R. TARROZO, JR.
Authorized Representative

For:

XEPTO COMPUTING INC.

WITNESSED BY:


JOSELITO R. EVANGELISTA
City Treasurer


LILIBETH T. CALATA
City General Services Officer

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF BALANGA, BATAAN) S.S

BEFORE ME, as the Notary Public for and within the City of Balanga, Province of Bataan, Philippines, personally appeared:

Name	Evidence of Identity	Date / Place of Issue
FRANCIS ANTHONY S. GARCIA	COB ID No. 0520	July 2016 / Balanga City
ANTONIO ERNESTO R. TARROZO JR.	PP# <u>PS926750B</u> <u>2/11/2022 - 2/10/2032</u>	<u>DFA NCR SOUTH</u>

J

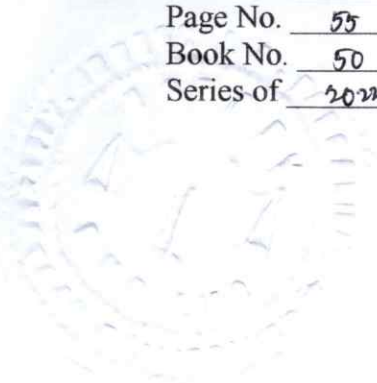
known to me to be the same persons who executed the foregoing CONTRACT AGREEMENT and who acknowledged to me that the same is their true act and deed for and in behalf of the parties they represented.

This instrument consists of three (3) pages, including this page where the acknowledgement is written, signed by the contracting parties and their witnesses on the left margin of each and every page hereof.

IN WITNESS WHEREOF, I have hereunto affixed my Signature and Official Seal this MAR 2, 2022 in Balanga City, Bataan.

Doc. No. 269 ;
 Page No. 55 ;
 Book No. 50 ;
 Series of 2022 .

J
 ATTY. JORESCEL S. PANGANIBAN
 NOTARY PUBLIC
 NC No. 3689, Balanga City, Bataan
 Valid until June 30, 2022, Res. No. 9-28-2021
 Roll of Attorneys, No. 43690, IBP Lifetime No. 01590
 PTR No. 3216837, 1-3-2022, Balanga City
 Suite 31, Ellison Hotel, Balanga City, Bataan



Atty. Pang

[Signature]



Republic of the Philippines
Province of Bataan
City of Balanga
OFFICE OF THE CITY MAYOR
(047) 2372256 / 2372969 / 2373510

NOTICE OF AWARD

18 MARCH 2022

XEPTO COMPUTING INC.
Unit 2202, Asian Star Building
Asean Drive corner Jakarta Lane
Filinvest Corporate City, Alabang
Muntinlupa City

Dear Sir/Madam:

We are happy to notify you that your bid dated March 11, 2022 for execution of the Procurement for the Subscription of Remote Online Digital Learning Platform for Dep-Ed Schools Division for use in the City Government of Balanga, for the Contract Price of equivalent to **SEVEN HUNDRED THIRTY FIVE THOUSAND PESOS ONLY (P 735,000.00)**, as corrected and modified in accordance with the Instructions to Bidders is hereby accepted.

You are hereby required to provide within ten (10) days the performance security in the form and the amount stipulated in the Instructions to Bidders. Failure to provide the Performance Security shall constitute sufficient ground for cancellation of this award and forfeiture of your Bid Security.

Very Truly Yours,

FRANCIS ANTHONY S. GARCIA
City Mayor

Conforme :

JUAN PAOLO MIRANDA (FOR XEPTO COMPUTING, INC.)
Contractor
18 MAR 2022
Date



Republic of the Philippines
Province of Bataan
City of Balanga
OFFICE OF THE CITY MAYOR
(047) 2372256 / 2372969 / 2373510

NOTICE TO PROCEED

24 MARCH 2022

XEPTO COMPUTING INC.
Unit 2202, Asian Star Building
Asean Drive corner Jakarta Lane
Filinvest Corporate City, Alabang
Muntinlupa City

Dear Sir/Madam:

The attached Contract Agreement having been approved, notice is hereby given to XEPTO COMPUTING INC. that work may proceed on the Procurement for the Subscription of Remote Online Digital Learning Platform for Dep-Ed Schools Division for use in the City Government of Balanga, effective on the date indicated above within 7 calendar days after the receipt of this notice.

Upon receipt of this notice, you are responsible for performing the services under the terms and conditions of the Agreement and in accordance with the Implementing Schedule.

Please acknowledge receipt and acceptance of this notice by signing both copies in the space provided below. Keep one copy and return the other to the City Government of Balanga

Very Truly Yours,

FRANCIS ANTHONY S. GARCIA
City Mayor

I acknowledge receipt of this Notice on 24 MARCH 2022

Name of the Representative of the Bidder: JUAN PAOLO MIRANDA

Authorized Signature:

2nd Floor, Balanga City Hall, Poblacion, Balanga City, Bataan 2100
cmo.cob@gmail.com

PURCHASE ORDER

CITY OF BALANGA
Agency / Procuring Entity

Supplier	<u>XEPTO COMPUTING INC.</u>	P.O. No.	:
Address	Unit 2202, Asian Star Building	Date	:
	Asean Drive corner Jakarta Lane		
	Filinvest Corporate City, Alabang Muntinlupa City		
E-mail address	_____	Mode of Procurement	: Public Bidding
Telephone No.	_____		
TIN	<u>007-013-643-000</u>		

Gentlemen:
Please furnish this office the following articles subject to the terms and conditions contained herein:

Place of Delivery	<u>DEP-ED Balanga City</u>	Delivery Term	: 30 calendar days
Date of Delivery		Payment of Term	: check

STOCK NO	UNIT	DESCRIPTION	QTY	UNIT COST	AMOUNT
1	unit	Digital Learning Platform Cloud System Deployment Setup and Hosting A. Technical Services System Setup, Cloud Setup, Cloud Management, System Configuration, -Support Object Storage, -Automated backup that is fast, uses less space and allows for full restoration, -Automated management of outage periods B. E-Learning Platform Configuration of Server System, Installation E-learning Software, -Latest software version, constant update to latest release Customization of E-learning software, Setup of learning environment Course development, -Design your own course, -Supports instructor-led, self-paced, blended or full online, -Built-in collaboration features, -Multi-media integration, -Easy integration with other external sources, -Group management, -Marking workflow and inline marking, -Peer and self-assessment, -Grading features, -In-line editing, -Tracking progress, -Reusable activities, -Course enrollment, Administrative features, -Site design themes and layout, -Mass enrollment, -Secure authentication, -User management, -Open standard, -Easy backup, -Bulk course creation, -Detailed reports, -System logs, -High interoperability, Supported activities, -Forums, -Chats, -Wikis, -Glossaries, -Lessons, -Quizzes, -Choices, -SCORM, -Database, -	1	735,000.00	735,000.00
Grand-Total					735,000.00

(Total Amount in Words) Seven hundred thirty five thousand pesos only

In case of failure to make the full delivery within the specified above, a penalty of one-tenth (1/10) of one (1) percent for very day of delay shall be imposed

Very truly yours,



FRANCIS ANTHONY S. GARCIA
Authorized Official

Conforme:


XEPTO COMPUTING INC. JUAN PAOLO MIRANDA
 Signature over Printed Name of Supplier
21 MAR 2022
 Date

Funds Available:

OBR No.: _____
Amount: 735 000 00

PURCHASE ORDER

CITY OF BALANGA
Agency / Procuring Entity

Supplier	<u>XEPTO COMPUTING INC.</u>	P.O. No.	: _____
Address	Unit 2202, Asian Star Building	Date	: _____
	Asean Drive corner Jakarta Lane		: _____
	Filinvest Corporate City, Alabang <u>Muntinlupa City</u>		: _____
E-mail address	_____	Mode of Procurement	: <u>Public Bidding</u>
Telephone No.	_____		
TIN	<u>007-013-643-000</u>		

Gentlemen:
Please furnish this office the following articles subject to the terms and conditions contained herein:

Place of Delivery	<u>DEP-ED Balanga City</u>	Delivery Term	: <u>30 calendar days</u>
Date of Delivery		Payment of Term	: <u>check</u>

STOCK NO	UNIT	DESCRIPTION	QTY	UNIT COST	AMOUNT
1	unit	Feedback, -Survey, -Workshop, Additional features, -Gradebook export to Deped Forms, - Easy configuration, custom logo support for mobile display, -Bulletin board, global site news support, -Restriction by course completion, - Colorpicker custom fields, -Easy to use custom reports builder, -Automated sharing of content among multiple courses, -Auto-enrollment of users on a course, -Embedded Edwiser reports, - Automated issuance of digital certificates to course enrollees, -Provides approximate disk usage by course, Digital Learning Platform Maintenance – Hosting for 1 year, Cloud server to accommodate 2,070 students and 168 teachers, Scalable computing Instance: Support a maximum of 1,000 concurrent users on very rare occasions, Scalable storage: Support for up to 20TB of storage, 24/7 System Monitoring: Support tracking via online ticketing, email and/or phone, Data Privacy and Security: Compliance, to Data Privacy Act Single sign-on using Google Suite or Microsoft 365, Cloud Hosted with at least 99.9% uptime guarantee for the cloud service, Access: -Desktop (Windows, macOS, Linux, etc) using an app or web browser. The desktop view should be designed to be used with a mouse and keyboard. -Mobile device (smartphone, tablet, etc.) using an app or web browser. The mobile device view should be designed for touch screen.			

(Total Amount in Words)

In case of failure to make the full delivery within the specified above, a penalty of one-tenth (1/10) of one (1) percent for very day of delay shall be imposed

Very truly yours,



FRANCIS ANTHONY S. GARCIA
Authorized Official

Conforme:

Juan Paolo Miranda
JUAN PAOLO MIRANDA
Signature over Printed Name of Supplier

24 MARCH 2022
Date

Funds Available:	OBR No :
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PURCHASE ORDER

CITY OF BALANGA
Agency / Procuring Entity

Supplier: XEPTO COMPUTING INC. P.O. No. : _____
Unit 2202, Asian Star Building
Address: Asean Drive corner Jakarta Lane Date : _____
Filinvest Corporate City, Alabang
Muntinlupa City
E-mail address : _____
Telephone No. : _____ Mode of Procurement : Public Biddings
TIN: 007-013-643-000

Gentlemen:
Please furnish this office the following articles subject to the terms and conditions contained herein:

Place of Delivery: DEP-ED Balanga City Delivery Term : 30 calendar days
Date of Delivery : _____ Payment of Term : check

STOCK NO	UNIT	DESCRIPTION	QTY	UNIT COST	AMOUNT
1	unit	Backup Services and system recovery -Automated periodic system backup, -Backup on demand, - Secured backup, -System recovery or reinstallation in case of a system failure. Digital Learning Training , Training plan for all of the major stakeholders of the projects: administrators, teachers, students and parents., Provide reports of teachers competency and proficiency in the use of the digital platform for effective online teaching, Details of training requirements are in Annex C of this document. Data Analytics-Provide dashboard reports on students, teachers and school performance based on DepEd forms, List of dashboard reports are in Annex D of this document, Subscription for seven (7) months.			

(Total Amount in Words)

In case of failure to make the full delivery within the specified above, a penalty of one-tenth (1/10) of one (1) percent for very day of delay shall be imposed

Very truly yours,

FRANCIS ANTHONY S. GARCIA
Authorized Official

Conforme:

XEPTO COMPUTING INC. JUAN PABLO MIRANDA

Signature over Printed Name of Supplier

29 MARCH 2022

Date

Funds Available:

MYRNA B. ROMAN
Chief Accountant

OBR No.:

Amount:

735,000.00