



NOTICE TO PROCEED

JUL 24 2019

MR. HENG CHIN LENG &
MS. MELANI S. GUINTO

Authorized Representatives

Joint Venture of TRD Consultancy Pte Ltd. &

Southcoast Marketing Inc.

32 Old Toh Tuck Road #05-02 I-Biz Center Singapore 597658/

1246-C. C. Torres St., Singalong, Malate, Sta Ana, 081, Bgy. 749, Manila

Dear Mr. Leng and Ms. Guinto:

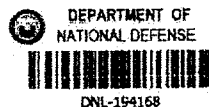
In view of the approved Contract Agreement hereto attached, hereby issued is a Notice to Proceed in relation to the acquisition of nine (9) sets Shoulder Fired Directional Jammer Project with Total Contract Price of **THIRTY-TWO MILLION FOUR HUNDRED FORTY-SIX THOUSAND FIVE HUNDRED SEVEN & 50/100 PESOS** (PhP32,446,507.50) for the Presidential Security Group, effective upon receipt.

You are hereby notified to implement the Contract within the terms and conditions set forth in the Contract Agreement and strictly conform to the Implementation Schedule.

Please acknowledge receipt and acceptance of this Notice by signing both copies in the space provided below. May we further request that one (1) of the copies of the received Notice be returned to the Department of National Defense.

Truly yours,

DELFIN N. LORENZANA
Secretary



I acknowledge receipt of this Notice on 25 JULY 2019
Name of the Representative of the Bidder MELANI S. GUINTO
Authorized Signature [Signature]

Contract Agreement

KNOW ALL MEN BY THESE PRESENTS:

This Agreement made and entered into on JUL 24 2019 in Quezon City, Philippines by and between:

The **DEPARTMENT OF NATIONAL DEFENSE** ("DND", for brevity) represented by the Secretary of National Defense, **DELFIN N. LORENZANA** with office address at Camp General Emilio Aguinaldo, Quezon City, (*hereinafter referred to as "the Procuring Entity"*)

-and-


JOINT VENTURE (JV) of SOUTHCOAST MARKETING, INC. and TRD CONSULTANCY PTE LTD. represented by its Authorized Representative, Ms. Melani S. Guinto with office address at 32 Old Toh Tuck Road #05-02 IBiz Center Singapore 597658/1246-C C. Torres St., Singalong Malate, Sta Ana, 081 Bgy. 749, Manila (*hereinafter referred to as "the Supplier"*);


WITNESSETH:


WHEREAS, on August 1, 2018, the Secretary of National Defense issued Acquisition Decision Memorandum No. 2018-018 directing the Acquisition of nine (9) sets Shoulder Fired Directional Jammers Project for the Presidential Security Group with an Approved Budget for the Contract of Thirty-Three Million Seven Hundred Fifty Pesos (PhP33,750,000.00) which shall be procured through Direct Contracting pursuant to Section 50 of the Revised Implementing Rules and Regulations of Republic Act No. 9184 (RIRR of RA 9184);


WHEREAS, on November 5, 2018, the SND noted the recommendation of the DND Bids and Awards Committee 1 ("Committee", for brevity) for the change in the Mode of Procurement from Direct Contracting to Public Bidding;


COL. FREDDIE MELAN CRUZ PA (MNSA)
Head, Technical Working Group


DELFIN N. LORENZANA
Secretary of National Defense


CPT RAMON M. ANGELIO II (JACS)
Legal Officer, Technical Working Group


MS. MELANI S. GUINTO
Authorized Representative
JV of Southcoast Marketing Inc. and
TRD Consultancy Pte Ltd.


MR. SAM ONG
Witness

WHEREAS, the Committee conducted the Submission, Opening and Bids Evaluation (SOBE) thrice dated October 25, 2018, November 29, 2018 and January 15, 2019, but declared as failed biddings pursuant to Section 35.1(a) and 35.1(b) of the 2016 RIRR of RA 9184, respectively;

WHEREAS, after the conduct of necessary bidding procedures, the Committee conducted the fourth SOBE on February 26, 2019 which was participated by two bidders, namely: JV of TRD Consultancy Pte. Ltd. And Southcoast Marketing, Inc. and JV of Safer PH Innovations, Inc. and NT Service UAB;

WHEREAS, in the same conference, only the JV of TRD Consultancy Pre Ltd. And Southcoast Marketing, Inc. passed the initial evaluation of the eligibility and technical requirements and was declared by the Committee as eligible to bid for the project while the JV of Safer PH was declared ineligible to bid for failure to comply with Tabs B and D of the eligibility and technical documents;

WHEREAS, after the evaluation of the financial proposal, the Committee upon the recommendation of the Technical Working Group (TWG) of the project declared the JV of TRD Consultancy Pte Ltd. and Southcoast, Marketing Inc. as the Single Calculated Bidder (SCB) for the Acquisition of nine (9) sets Shoulder Fired Directional Jammers Project of the Presidential Security Group and to direct the conduct of Post-Qualification (PQ) through BAC Resolution Number DND/PSG-SFDJ-19-R-01;

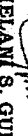
WHEREAS, the PQ Team conducted the PQ to the JV of TRD Consultancy Pte. Ltd. and Southcoast Marketing, Inc. on March 13, 2019 at its Head Office in Manila and on April 12-18, 2019 at its Head Office at Old Toh Tuck Road #05-02, I-Biz Centre, Singapore to verify, validate and ascertain all submitted documents during the SOBE;


WHEREAS, the PQ Team found that the JV of TRD Consultancy Pte Ltd. and Southcoast Marketing, Inc. complied with and is responsive to all the requirements set forth in the Bidding Documents; the Committee then declared the JV of TRD Consultancy Pte Ltd. and Southcoast Marketing, Inc. as post-qualified and the Single Calculated and Responsive Bidder (SCRB) for the procurement of nine (9) sets Shoulder Fired Directional Jammers and the issuance of the Notice of Award (NOA) in its favor through BAC Resolution Number DND/PSG-SFDJ-19-R-03;


COL FRBENIE V. DELA CRUZ PA (MNSA)
Head, Technical Working Group


DELFIN N. LORENGANA
Secretary of National Defense


CPT RAMON M. ANGELIO II (JAGS)
Legal Officer, Technical Working Group


MS. MELANI S. GUINTO
Authorized Representative
JV of Southcoast Marketing Inc. and
TRD Consultancy Pte Ltd.


MR. SAM ONG
Witness

WHEREAS, upon the recommendation of the DND BAC1, the Secretary of National Defense approved and issued the NOA with a Contract Price amounting to **Thirty-Two Million Four Hundred Forty-Six Thousand Five Hundred Seven Pesos and 50/100 (PhP32,446,507.50)** and was duly conformed by the Supplier on May 14, 2019;

WHEREAS, as stated in the Special Conditions of the Contract under clause 10.5, the mode of payment through the Letter of Credit (L/C);

WHEREAS, as per agreement with the supplier, the mode of payment for this agreement shall be through "Wire Transfer";

WHEREAS, as stated in the Special Conditions of the Contract under clause 10.5 (i), the delivery terms is "DAP-AFP, General Headquarters, Camp General Emilio Aguinaldo, Quezon City";

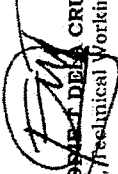
WHEREAS, as per agreement with the supplier, the delivery terms is "DAP-AFP, Supply Accountable Office Warehouse, Presidential Security Group, Malacañan Park, Manila;

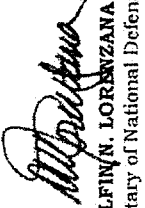
NOW THEREFORE, in view of the foregoing premises and for and in consideration of the mutual covenants and stipulations hereinafter provided, the Procuring Entity and the Supplier have agreed, as follows:

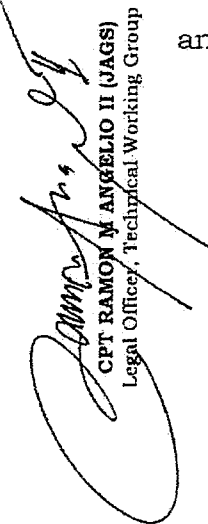
1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Bidding Documents referred to.


2. The following documents, as attached shall be deemed to form and be read and construed as part of this Agreement:

- a. General Conditions of the Contract;
- b. Special Conditions of Contract;
- c. Schedule of Requirements;
- d. Technical Specifications;
- e. Supplemental Bid Bulletin;
- f. DND BAC 1 Resolutions;
- g. Bidder's Eligibility Requirements;
- h. Financial Proposal;
- i. Notice of Award;
- j. Performance Security


COL. FREDERICK DE LA CRUZ PA (MNSA)
Head, Technical Working Group


DELFIN N. LORENZANA
Secretary of National Defense


CPT RAMON M. ANGELIO II (JAGS)
Legal Officer, Technical Working Group


MS. MELANI S. GUINTO
Authorized Representative
JV of Southcoast Marketing Inc. and
TRD Consultancy Pte Ltd.


MR. SAM ONG
Witness

3. In consideration of the payments to be made by the Procuring Entity to the Supplier as hereinafter mentioned, the Supplier hereby covenants with the Procuring Entity to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of this Agreement.

4. The Procuring 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 this Agreement at the time and in the manner prescribed by this Agreement.

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 date and at the place stated above.

**JV of SOUTHCOAST
MARKETING, INC. and
CONSULTANCY PTE LTD.**

DEPARTMENT OF NATIONAL DEFENSE

By:



MS. MELANI S. GUINTO
Authorized Representative

By:



DELFIN N. LORENZANA
Secretary of National Defense



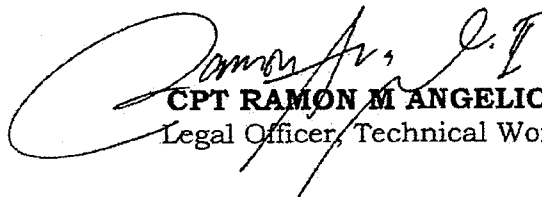
SIGNED IN THE PRESENCE OF:



MR. SAM ONG
Witness



COL FREDDIE T. DELA CRUZ PA (MNSA)
Head, Technical Working Group



CPT RAMON M. ANGELIO II (JAGS)
Legal Officer, Technical Working Group

ACKNOWLEDGMENT

Republic of the Philippines)S.S.
Quezon City)

Before me, a Notary Public for and in Quezon City, this JUL 25 2019, appeared the following persons presenting to me their respective identifications, to wit:

| | Competent Evidence of Identity No. | Issued at | Expiry Date |
|-----------------------------|--|----------------|-------------|
| MS. MELANI S. GUINTO | Non Prof Driver's Lic No. NO4-07-0054-18 | Parañaque City | 13 Jul 2023 |
| DELFIN N. LORENZANA | ID NR 2016-015 | DND | 31 Dec 19 |

known to me and to me known to be the same persons who executed and voluntarily signed the foregoing Contract Agreement which they acknowledged before me as their own free and voluntary act and deed with full authority to sign in that capacity.

This instrument refers to the Contract Agreement and consists of five (5) pages including this page where the acknowledgment is written duly signed by the parties and their instrumental witnesses thereof.

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

NOTARY PUBLIC

Portia D. Flores-Diesta
ATTY. PORTIA D. FLORES-DIESTA
NOTARY PUBLIC

Until December 31, 2019
Attorney's Rull No. 41164
Notarial Commission No. 096 (2018-2019)
PTR No. 5926386 1/3/19, Quezon City
TAP (P) No. 03543-Q C. Quezon
MCLE Certificate No. 1060523 9/28/19, Pasig City
215 Bonnie Serrano Rd., Murphy, Quezon City (063) 422-55-19

Doc. No. 932;
Page No. 48;
Book No. CXXIX
Series of 2019.

[Signature]
COL FREDERICK DELACRUZ PA (MNSA)
Head, Technical Working Group

[Signature]
DELFIN N. LORENZANA
Secretary of National Defense

[Signature]
CPT RAMON M ANGELIO II (JAGS)
Legal Officer, Technical Working Group

[Signature]
MS. MELANI S. GUINTO
Authorized Representative
JV of Southcoast Marketing Inc. and
TRD Consultancy Pte Ltd.

[Signature]
MR. SAM ONG
Witness