

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF NATIONAL DEFENSE
ARMED FORCES OF THE PHILIPPINES
OFFICE OF THE VICE CHIEF OF STAFF
Camp General Emilio Aguinaldo, Quezon City

NOTICE TO PROCEED

MR. ANG TJO TIEN

Vice President, Marketing Group
Advanced Material Engineering Pte Ltd/ST Kinetics
249 Jalan Boon Lay
Singapore 619523.

Attention: MR. RICHARD A. FLORO

Vice President
Floro International Corporation
#656, 20th Century Bldg
Shaw Boulevard, Mandaluyong City


Dear Sir:

In view of the approved Contract Agreement hereto attached, hereby issued is a Notice to Proceed in relation to the supply and delivery of **Eight (8) units 40mm Automatic Grenade Launcher** with a **Total Contract Price of Nineteen Million Seven Hundred Fifty Thousand Six Hundred Seventy Two Philippine Pesos (PhP19,750,672.00)** for the Philippine Marine Corps, effective upon receipt.



It is assumed that, upon receipt hereof, you shall work 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.

Very truly yours,


ALAN R LUGA
Lieutenant General, AFP

I acknowledge receipt of this Notice on _____
Name of the Representative of the Bidder _____
Authorized Signature _____



3/4/2014
Ang Tjo Tien
VP - Marketing
Advanced Material Engineering

Contract Agreement

KNOW ALL MEN BY THESE PRESENTS:

THIS CONTRACT made and entered into on _____ in Quezon City, Philippines by and between:

The **DEPARTMENT OF NATIONAL DEFENSE/ARMED FORCES OF THE PHILIPPINES (DND/AFP, for brevity)** represented by the Vice Chief of Staff, AFP, **LTGEN ALAN R LUGA AFP** with office address at Camp General Emilio Aguinaldo, Quezon City, (hereinafter referred to as "the Procuring Entity");

-and-

ADVANCED MATERIAL ENGINEERING PTE LTD/ST KINETICS, duly represented by **MR. ANG TJO TIEN**, Vice President, Marketing Group, Advanced Material Engineering Pte Ltd/ST Kinetics, with Office address at 249 Jalan Boon Lay, Singapore 619523 (hereinafter referred to as the "SUPPLIER");

WITNESSETH:

WHEREAS, after two (2) failed biddings, the submission and opening of Price Quotation for the acquisition of **8 units, Philippine Marine Corps 40mm Automatic Grenade Launcher** with an Approved Budget for the Contract of **TWENTY MILLION PHILIPPINE PESOS (PhP20,000,000.00)**, through Negotiated Procurement pursuant to Section 53.1 of the IRR of RA 9184 otherwise known as the "Government Procurement Reform Act" was held last 26 November 2012, which was participated in by a lone bidder, Advanced Material Engineering Pte Ltd/ST Kinetics (AMEPL/STK);

WHEREAS, Advanced Material Engineering Pte Ltd/ST Kinetics was declared by the AFP Bids and Awards Committee (AFP BAC) as the **Single Calculated Bidder (SCB)** after the Supplier submitted their price proposal amounting to **NINETEEN MILLION SEVEN HUNDRED FIFTY THOUSAND SIX HUNDRED SEVENTY TWO PHILIPPINE PESOS (PhP19,750,672.00)** for the project;

APPROVED BY:


LTGEN ALAN R LUGA AFP
Vice Chief of Staff, AFP


NILO B. ABACAN, DPA
Chief Accountant
Chief, Group Accounting Center



OFR # 13-12-250

MAJ RONALD M VIKTUDAZO PNM
Head/TWG

LTGEN ALAN R LUGA AFP
Vice Chief of Staff, AFP

CPT MARLON B DAYAO (JACS) FN
Legal Officer, TWG

MR. ANG TJO TIEN
Vice President, Marketing Group, Advanced Material Engineering Pte Ltd/ST Kinetics

MR. Victorino A Florio III
Local Representative

WHEREAS, after the conduct of the Post-Qualification at Advanced Material Engineering Pte Ltd/ST Kinetics at 249 Jalan Boon Lay, Singapore/601 Rifle Range Road, Singapore on 18 to 22 December 2013 the proposal of the Supplier was determined and declared as responsive on December 27, 2013, and subsequently declared as the Single Calculated Responsive Bidder (SCRB) for the abovementioned project;

WHEREAS, upon the recommendation of the AFP Bids and Awards Committee, the Chief of Staff, Armed Forces of the Philippines issued the Notice of Award (NOA) on December 27, 2013, duly conformed by the Supplier on January 10, 2014.

NOW THEREFORE, in view of the foregoing premises and for and in consideration of the mutual covenant and stipulation 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 Conditions of Contract referred to.

2. The following documents 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 the Contract;
- c. Technical Specifications;
- d. Schedule of Requirements/Delivery Schedule;
- e. Test and Acceptance Procedures;
- f. AFP BAC Resolutions;
- g. Supplemental Bid Bulletins;
- h. Eligibility Requirements;
- i. Performance Security;
- j. Notice of Award

APPROVED BY:

LTGEN ALAN R LUGA, AFP
Vice Chief of Staff, AFP

NILO S. ABAIGAR, DPA
Chief Accountant
Chief, GHQ Accounting Center

ORR # 13-12-850



MAJ RONALD M. MINTUDAZO, FNMI
Head, TWG

LTGEN ALAN R LUGA, AFP
Vice Chief of Staff, AFP

CPT MARLON B. DAYAG (JAGS) FN
Legal Officer, TWG

MR. ANO TJO TISM
Vice President, Marketing Group, Advanced Material Engineering Pte Ltd/ST Kinetics

MR. Victorio A. Florio III
Local Representative

3. Each and every page of the above-mentioned documents shall be signed by the Head and Legal Officer of the Technical Working Group (TWG) of the project and the Supplier or its duly authorized representative.

4. 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 the Contract.


5. 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 the contract at the time and in the manner prescribed by the contract.

6. All charges for the opening of Letter of Credit and/or incidental expenses thereto (i.e., bank commission, documentary stamp tax, cable, etc.) shall be for the account of the Supplier.

IN WITNESS, whereof the parties hereto have caused this Contract to be executed in accordance with the laws of the Republic of the Philippines on the date and at the place stated above.

Advanced Material Engineering
Pte Ltd/ST Kinetics

By:



ANG TJO TIEN
Vice President, Advanced
Material Engineering Pte Ltd/
ST Kinetics

ARMED FORCES OF THE PHILIPPINES

By:


LTGEN ALAN R LUGA AFP
Vice Chief of Staff, AFP

SIGNED IN THE PRESENCE OF:


VICTORINO A FLORO III
Local Representative


MAJ RONALD M VIRTUDAZO PN(M)
Head, TWG


CPT MARLON B DAYAO (JAGS) PN
Legal Officer, TWG



ACKNOWLEDGMENT

Republic of the Philippines
Quezon City

MANILA

MANILA

APR 02 2014

Before me, a Notary Public for and in Quezon City, this ____ day of _____ 2014, appeared the following persons presenting to me their respective identifications, to wit:

	Competent Evidence of Identity No.	Issued at	Expiry Date
MR. ANG TJO TIEN	E2034698N	Republic of Singapore	15 May 2016
ALAN R LUGA			

known to me and to me known to be the same persons who executed and voluntarily signed the foregoing Contract 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 consisting of four (4) pages including this page where the acknowledgement is written duly signed by the parties and their instrumental witnesses thereof.

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

Doc. No. 7
Page No. 8
Book No. 161
Series of 2014

[Signature]
ATTY. BELFING B. ROCAOJA JR.
NOTARY PUBLIC
UNTL. EXPIRES 31. 2014
PTR NO. 2437007 / 2014 MIA.
IBP NO. 543889 / 2014 MIA.
ROLL NO. 2465571R NO. 144-515-068
MCLE III 9815521
COM NO. 2013-023

[Handwritten signature]

13-12-850
FUNDS AVAILABLE
CO 00053 (204) P19,750,472

[Signature]
VINCENT C CASTANEDA
LCDR PN
CHIEF, MFO, AFPPG

