



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
Manila 1099

NOTICE TO PROCEED

January 7, 2014

MR. ARIEL R. DELA CRUZ
FACILITIES PROTECTION, INC.
Suite 410 Cityland Pasong Tamo Tower
2210 Chino Roces Avenue
Makati City

and Joint Venture Partner

MR. PETER RAKE
H2O SECURITY PTY. LTD.
12 Nelson Street, San Souci
New South Wales, 2219
Australia

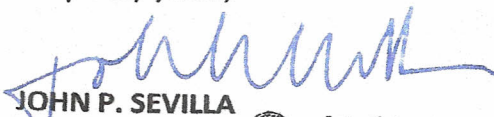
Dear Messrs. Dela Cruz & Rake:

The attached Contract having been approved, notice is hereby given to the Joint Venture of **FACILITIES PROTECTION, INC. AND H2O SECURITY PTY. LTD.** that work may commence on the project **SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING OF X-RAY INSPECTION MACHINES TO VARIOUS CUSTOMS AREAS IN IDENTIFIED INTERNATIONAL AIRPORTS OF ENTRY**, Lot 1: Eight (8) Units Fixed Baggage X-ray Machines, effective upon receipt and acceptance of this Notice.

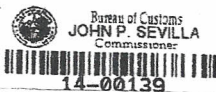
You are responsible for performing the services in coordination with the X-Ray Unit under the terms and conditions of the Contract and in accordance with Section VI. Schedule of Requirements and Section VII. Technical Specifications.

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 BAC Secretariat, OCOM-GSD, Bureau of Customs.


Very truly yours,


JOHN P. SEVILLA

Commissioner



10-JAN-2014

I acknowledge receipt of this Notice on 19 JANUARY 2014
Name of the Representative of the Bidder: ARIEL DELA CRUZ
Authorized Signature: 



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
Manila 1099

Notice of Award

16
December 8, 2013

MR. ARIEL R. DELA CRUZ
FACILITIES PROTECTION, INC.
Suite 410 Cityland Pasong Tamo Tower
2210 Chino Roces Avenue
Makati City

and Joint Venture Partner

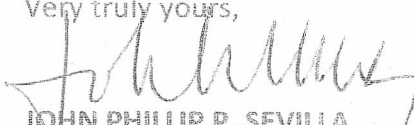
MR. PETER RAKE
H2O SECURITY PTY. LTD.
12 Nelson Street, San Souci
New South Wales, 2219
Australia

Dear Messrs. Dela Cruz & Rake.

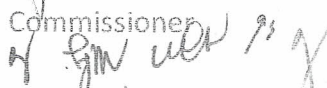
Based on the Bureau of Customs – Bids and Award Committee Resolution No. 2013-0015, we are pleased to inform you that the contract for the Project “SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING OF X-RAY INSPECTION MACHINES TO VARIOUS CUSTOMS AREAS IN IDENTIFIED INTERNATIONAL AIRPORTS OF ENTRY” is hereby awarded to your joint venture company in the amount of FORTY SEVEN MILLION EIGHT HUNDRED THOUSAND PESOS (Php 47,800,000.00), Fixed Baggage X-ray Machines.

In this regard, you are hereby required to post a performance security in the amount and form stated in Section 39 of the Implementing Rules and Regulations of Republic Act No. 9184 within ten (10) calendar days upon receipt of this notice and sign the contract. Failure to provide the performance security shall constitute sufficient ground for cancellation of the award and forfeiture of the bid security.

Very truly yours,


JOHN PHILLIP P. SEVILLA
Commissioner

16 Dec 2013


13-00148


12/9/13
TEOFILO C. GADIAS

**CONTRACT FOR THE SUPPLY, DELIVERY, INSTALLATION AND
COMMISSIONING OF EIGHT (8) FIXED BAGGAGE X-RAY MACHINES**

THIS CONTRACT made and entered into by and between: hereinafter referred to as the **BUREAU OF CUSTOMS** (hereinafter called "the Procuring Entity"); and *Joint Venture of FACILITIES PROTECTION, INC.* of Suite 410 Cityland Pasong Tamo Tower, 2210 Chino Roces Avenue, Makati City and **H2O SECURITY PTY. LTD.** of 12 Nelson Street, San Souci, New South Wales, 2219, Australia (hereinafter called "the Supplier");

WHEREAS, the Bureau of Customs conducted a public bidding for the Supply, Delivery, Installation and Commissioning of X-ray Inspection Machines to Various Customs Areas in Identified International Airports of Entry Lot 1 (hereinafter, the "Goods and Services") and the bid of the Supplier in the amount of Forty Seven Million Eight Hundred Thousand Pesos Only (Php 47,800,000.00) (hereinafter called "the Contract Price") was determined to be the Single Calculated Responsive Bid;

WHEREAS, the Notice of Award was issued to the Supplier on December 19, 2013 and Supplier posted its performance security on December 27, 2013;

NOW, THEREFORE, for and in consideration of the foregoing premises, the parties hereby mutually stipulate and agree as follows:

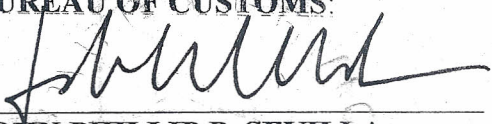
1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the General and Special Conditions of Contract referred to in Annex D and E.
2. The following documents shall form and be read and construed as part of this Agreement, viz.:
 - (A) Bid Form and the Price Schedule submitted by the Bidder
 - (B) Schedule of Requirements
 - (C) Technical Specifications
 - (D) General Conditions of Contract
 - (E) Special Conditions of Contract
 - (F) Notification of Award and
 - (G) Performance Security

Other documents referred to in Section 37.23 of the IRR of R.A. 9184 shall likewise form part of this contract.

3. In consideration of the payments to be made by the Bureau of Customs, the Supplier hereby covenants with the Bureau of Customs to provide the Goods and Services and to remedy defects therein in conformity in all respects with the provisions of the Contract
4. The Bureau of Customs 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 times and in the manner prescribed by the Contract.

IN WITNESS, WHEREOF, the parties hereto have signed this Contract executed in accordance with the laws of the Republic of the Philippines on this 27th day of December, 2013 at Port Area, Manila, Philippines.

BUREAU OF CUSTOMS:

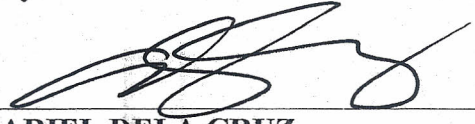


JOHN PHILLIP P. SEVILLA
Commissioner, Bureau of Customs

JOINT VENTURE:

FACILITIES PROTECTION, INC.

By:



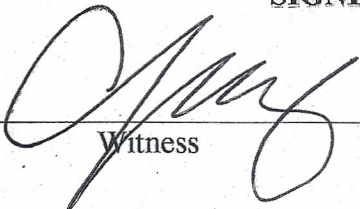
ARIEL DELA CRUZ
President

H2O SECURITY PTY. LTD.

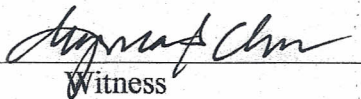
By:

PETER RAKE
Director

SIGNED IN THE PRESENCE OF:



Witness



Witness

ACKNOWLEDGEMENT

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

Before me, NOTARY PUBLIC for and in the ~~MAKATI CITY~~, personally appeared the following persons with their respective Resident Certificates:


<u>NAME</u>	<u>RES. CERT.</u> Valid Govt ID	<u>ISSUED AT</u>	<u>ISSUED ON</u>
JOHN PHILLIP P. SEVILLA	<u>DOC ID #100145</u>	<u>Bureau of Customs Post Area, MIA.</u>	<u>Dec. 10, 2013</u>
ARIEL DELA CRUZ	<u>PASSPORT NO. EA0000340</u>	<u>DFA MANILA</u>	<u>SEPTEMBER 10, 2009</u>

known to be same persons who executed the foregoing contract and who acknowledge the same to be their free and voluntary act and deed and of the entities they respectively represent.

This Contract for the Supply, Delivery, Installation and Commissioning of Fixed Baggage X-ray Machines X-ray Inspection Machines to Various Customs Areas in Identified International Airports of Entries, was signed by the parties, and signed/initialed by their material witnesses on each and every page thereof.

WITNESS MY HAND AND SEAL this JAN 14 2014 day of December, 2013.

Doc. No. 197
Page No. 41
Book No. I
Series of 2013


HERMENEGILDO M. RAMOS, JR.
Notary Public for Makati City
Until December 31, 2015
Appointment No. M-103 (2014-2015)
G/F Erlag Bldg., 102 Esteban St.,
Legazpi Village, Makati City 1229
PTR No. 4225892/1-3-14/Mkt.
IBP Lifetime Member No. 012125
Roll of Attorneys No. 27404