

**NOTICE OF AWARD**

22 November 2017

**BISWANATH MAITI**  
Vice-President  
Dastur International Inc.  
P-17 Mission Row Extension  
Kolkata, India

Thru: **LUDWIG JOHN H. PASCUAL**  
14 Purok 1 Greenwater Village,  
Baguio City, Philippines

Dear Vice President Maiti:

You are advised that the Purchase Order for the "*Consultancy Service for the Conduct of Pre-Feasibility Study on the Setting Up of a PH Ironmaking Facility*" of the Metals Industry Research and Development Center has been awarded to your firm in the amount of **Two Million Pesos (PhP2,000,000.00)** only, subject to the approval of the concerned authorities.


You are therefore requested to acknowledge receipt of this notice and post a performance security in any of the following schedule within ten (10) calendar days from receipt hereof:

- a. Cash, Manager's check or Cashier's check – 5% of the total contract price;
- b. Bank Guarantee/ Draft/ Irrevocable Letter of Credit – 5% of the total contract price;
- c. Surety Bond, callable on demand, valid for one year, issued by the Office of the Insurance Commissioner, or any combination thereof – 30% of the total contract price.

Thank you.

Rec'd by  
Luis G. J. Pascual  
18 DECEMBER 2017

Very truly yours,

  
**ROBERT O. DIZON**  
Executive Director

Metals Industry Research & Development Center  
IN REPLYING PLEASE CITE



00-17-1123-14

*Molding the Future of Metal Industries*

**NOTICE TO PROCEED**

05 December 2017

**BISWANATH MAITI**  
Vice-President  
Dastur International Inc.  
P-17 Mission Row Extension  
Kolkata, India

Thru: **LUDWIG JOHN H. PASCUAL**  
14 Purok 1 Greenwater Village,  
Baguio City, Philippines

Dear Vice President Maiti:

The attached Contract Agreement having been approved, notice is hereby given to **Dastur International Inc.**, that work may proceed on the project for the "**Consultancy Service for the Conduct of Pre-Feasibility Study on the Setting Up of a PH Ironmaking Facility**" effective after Three (3) calendar days from receipt of this Notice to Proceed. 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 Implementation 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 Metals Industry Research and Development Center.

Thank you.

Very truly yours,



**ROBERT O. DIZON**  
Executive Director

I acknowledge receipt of this Notice on 20 FEBRUARY 2018 (date of receipt)

Name of Bidder's Representative: LUDWIG J.H. PASCUAL

Authorized Signature: 

*The Head of the Procuring Entity or his duly authorized representative shall issue the Notice to Proceed within seven (7) calendar days from the date of the approval of the contract.*

Molding the Future of Metal Industries

**BAC RESOLUTION DECLARING HIGHEST RESPONSIVE RATED BID (HRRB)**

**RESOLUTION NO. 2017- 25**

**Project: "Consultancy Service for the Conduct of Pre-Feasibility Study on the Setting Up of a PH Ironmaking Facility."**

Approved Budget Contract (ABC): Php2,000,000.00

Pre-procurement Conference: July 26, 2017

Submission/Opening of Eligibility Documents: August 15, 2017

Pre-bid Conference: September 4, 2017

Opening of Technical Components: September 18, 2017

Opening of Financial Components: September 20, 2017

Whereas, Metals Industry Research and Development Center (MIRDC) advertised the Request for Expression of Interest for the Consultancy Service for the Conduct of Pre-Feasibility Study on the Setting Up of a PH Ironmaking Facility Project and posted in PhilGEPS, MIRDC Website and bulletin boards continuously for twenty (20) days from July 26 to August 15, 2017;

Whereas, in response to the said advertisements, three (3) consultants namely: Dastur International Inc., Infoshare Mgt. Systems and Minercon International, Inc., attended the Submission/Opening of Eligibility Documents on August 15, 2017;

Whereas, only Dastur International Inc. passed the shortlisting process and attended the Opening of Technical Components on September 8, 2017;

Whereas, Dastur International Inc., being the remaining eligible prospective consultant shall automatically be the lone shortlisted consultant;

Whereas, the result of the Opening of Technical Components is as follows:

Consultant	Average	Rank
Dastur International Inc.	85%	1

Whereas, on September 20, 2017, the BAC Secretariat invited Dastur to the opening of its Financial proposal and conduct of negotiations held on the same date.

Whereas, Dastur submitted a financial proposal in the amount of Two Million Pesos

(Php2,000,000.00) which is within the approved budget for the contract (ABC) advertised for the Project.

Whereas, the BAC and Dastur concluded the negotiations successfully:

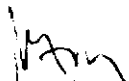
Whereas, upon careful examination, validation and verification of all the eligibility, technical and financial requirements submitted by Dastur, it is found to have been responsive; thus post-qualified;

NOW, THEREFORE, We the Members of the Bids and Awards Committee, hereby RESOLVE as it is hereby RESOLVED:

- a. To declare Dastur International Inc. as the Consultant with the Highest Rated and Responsive bid for the Consultancy Service for the Conduct of Pre-Feasibility Study on the Setting Up of a PH Ironmaking Facility Project.
- b. To recommend for approval by the Head of Procurement Entity of MIRDC the foregoing findings.
- c. To issue the Notice of Award to Dastur International Inc. for the aforementioned consultancy services.

SIGNED in Bicutan, Taguig City this 20th of November, 2017


  
**AUREA T. MOTAS**  
BAC Chairman


  
**MERCEDITA G. ABUTAL**  
BAC Vice Chairperson

  
**GINA A. CATALAN**  
BAC Member

  
**TRIXIE HAZEL C. VELUZ**  
BAC Member

  
**ISIDRO D. MILLO**  
BAC Member

  
**AGUSTIN M. FUDOLIG**  
End-User

  
**BERNARDO V. BITANGGA**  
TWG

Approved (  ) / Disapproved (  )

  
**ROBERT O. DIZON**  
Executive Director

Approved on 23 November 2017



CERTIFICATE OF AUTHENTICATION

I, D.K. KHEMKA, Consul General a.h. of the Republic of the Philippines duly commissioned and qualified do hereby certify that Diladitya Halder, Consular Officer, was at the time he signed and affixed his official seal to the document hereto annexed, Branch Secretariat, Ministry of External Affairs, Kolkata is authorised to authenticate legal documents and verily believe that his signature affixed hereto is genuine.

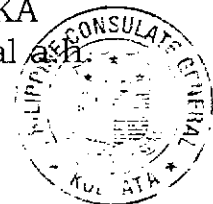
The Consulate General Republic of the Philippines, Kolkata, India, assumes no responsibility whatsoever with regard to the contents of the instruments referred to above.

THE WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Consulate General of the Philippines, Kolkata, India, this 29<sup>th</sup> Jan 2018.

Annexed document was submitted by  
D L N Murthy, Addl. GM - Commercial &  
Accounts, M. N. Dastur & Company (P) Ltd.  
P-17 Mission Row Extension,  
Kolkata - 700 013, India.

*D.K. Khemka*

D.K. KHEMKA  
Consul General a.h.



Fee : Rs.5325/-  
Service No.: A 035/2018  
R. No. : 7923228  
Date : 29<sup>th</sup> Jan 2018

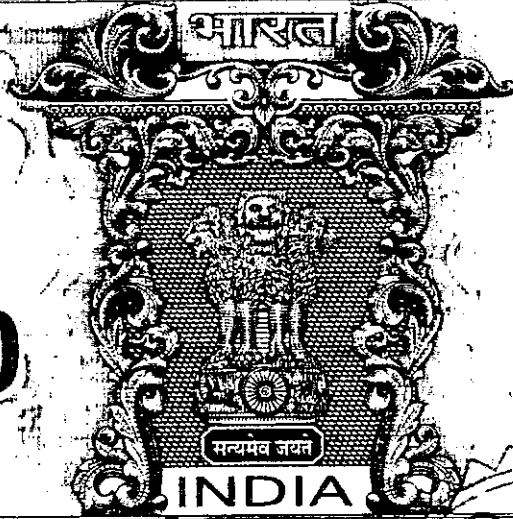
भारतीय गैर न्यायिक

दस  
रुपये

TEN  
RUPEES

₹.10

Rs.10



INDIA NON JUDICIAL

पश्चिम बंगाल पश्चिम बंगाल WEST BENGAL

F418 441971

Non-Judicial Stamp Paper (₹.10) (Ten)  
annexed herewith

नं० 90/18 दिनांक 23/11/2018  
No. .... Date. ....

बाणिज्य मण्डल के सहायक सचिव/उप सचिव/  
सचिव के हस्ताक्षर राख्यपत्र किए जाते हैं।  
The Signature of Asstt. Secretary/  
Deputy Secretary/Secretary  
Chamber of Commerce Attached

SHILADITYA HALDER  
CONSULAR OFFICER  
MINISTRY OF EXTERNAL AFFAIRS  
BRANCH SECRETARIAT  
KOLKATA

₹.10/19900

Attested by me

W. Cui

Nivedita Sen

In-charge (C) Services  
INDIAN CHAMBER OF COMMERCE



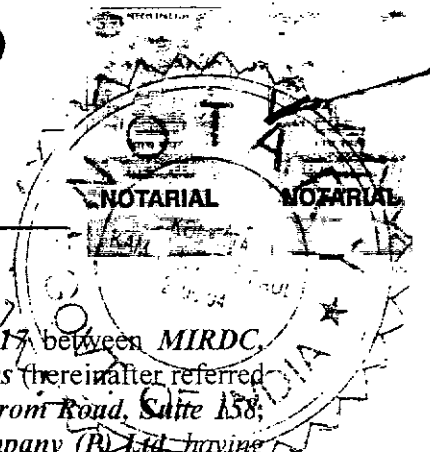
The Ministry of External Affairs  
does not Take any responsibility  
for the contents of the  
document.

KAMAL KUMAR PAUL  
NOTARY GOVT. OF INDIA  
Regd. No. 2700/04  
C.M.A. Court  
2 & 3 Bankshall Street  
Kolkata-700 001

27 NOV 2017

27 NOV 2017

FORM OF CONTRACT AGREEMENT



THIS AGREEMENT, made this 27th day of November, 2017 between MIRDC, having its office at Gen. Santos Ave., Bicutan, Taguig City, Philippines (hereinafter referred to as Entity) and Dastur International Inc., having its office at 650 Front Road, Suite 158, Paramus, NJ 07652, U.S.A. in association with M.N. Dastur & Company (P) Ltd. having its registered office at P-17 Mission Row Extension, Kolkata-700 013, India (hereinafter jointly referred to as "Consultant").

WHEREAS, the Entity is desirous that the Consultant execute "Consultancy Service for the Conduct of Pre-Feasibility Study on the Setting Up of a PH Ironmaking Facility" (hereinafter called "the Works") and the Entity has accepted the bid for Philippine Pesos Two Million (PHP2,000,000.00) only by the Consultant for the execution and completion of such Consulting Services and the remedying of any defects therein.

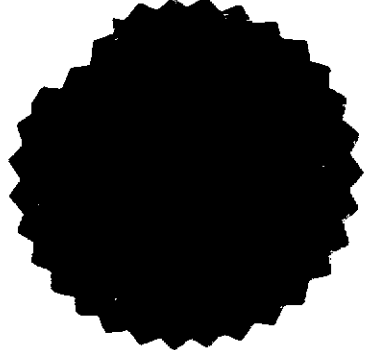
NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:

9/1/18 दिनांक 23/11/2018  
Date

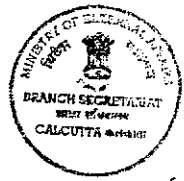
एज्य मण्डल के सहायक सचिव/उप सचिव/चेव के हस्ताक्षर सत्यापित किये जाते हैं।  
Signature of Asstt. Secretary/Deputy Secretary/Secretary of Chamber of Commerce Attested

- (a) General and Special Conditions of Contract;
- (b) Terms of Reference
- (c) Request for Expression of Interest;
- (d) Instructions to Bidders;
- (e) Bid Data Sheet;
- (f) Addenda and/or Supplemental/Bid Bulletins, if any;
- (g) Bid forms, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents/statements 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;
- (h) Eligibility requirements, documents and/or statements;
- (i) Performance Security;
- (j) Notice of Award of Contract and the Bidder's conforme thereto;
- (k) Other contract documents that may be required by existing laws and/or the Entity.



20-11-1990

SHILADITYA HALDER  
CONSULAR OFFICER  
MINISTRY OF EXTERNAL AFFAIRS  
BRANCH SECRETARIAT  
KOLKATA



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3. In consideration of the payments to be made by the Entity to the Consultant as hereinafter mentioned, the Consultant hereby covenants with the Entity to execute and complete the Consulting Services and remedy any defects therein in conformity with the provisions of this Consultant in all respects.

Attested by me

W See

Nivedita Sen  
In-charge ICC Services

INDIAN CHAMBER OF COMMERCE

KAMAL KUMAR PAUL  
NOTARY GOVT. OF INDIA  
Regd. No. 2700/04  
C.M.M's. Court  
2 & 3 Bankshall Street  
Kolkata-700 001

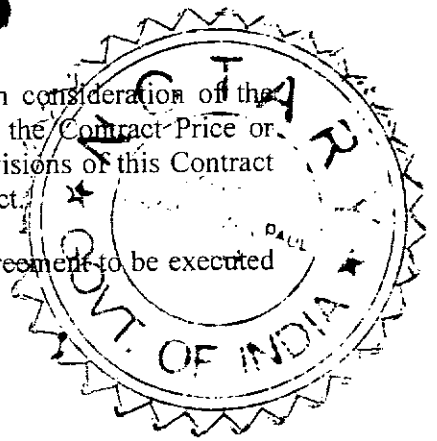
*[Handwritten signature]*

19 NOV 2018

27 NOV 2017

4. The Entity hereby covenants to pay the Consultant in consideration of the execution and completion of the Consulting Services, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.



Binding Signature of Procuring Entity

*[Signature]*  
**AGUSTIN M. FUDOLIG**  
 Project Leader

*[Signature]* No. 92/18 Date 23/1/2018  
**ROBERT O. DIZON** नवाणज्य मण्डल के सहायक सचिव/उप सचिव,  
 Executive Director सचिव के हस्ताक्षर सत्यापित किये जाते हैं।  
 The Signature of Asstt. Secretary/  
 Deputy Secretary/Secretary of  
 Chamber of Commerce Attested

Binding Signature of Consultant

*[Signature]*  
**LUDWIG JOHN H. PASCUAL**  
 Witness

*[Signature]* **SHILADITYA HALDEI**  
 CONSULAR OFFICER  
 MINISTRY OF EXTERNAL AFFAIRS  
**RUSTAM M. DASTUR** BRANCH SECRETARIAT  
 President, Dastur International Inc. KOLKATA  
 Chairman & Managing Director of  
 M.N. Dastur & Company (P) Ltd  
**KAMAL KUMAR PAUL**  
 NOTARY GOVT. OF INDIA  
 Regd. No. 2700/04  
 G.M.'s. Court  
 2 & C Bankshall Street,  
 Kolkata-700 001

Signature Attested Only  
 on Identification of L.A. Advocate  
*[Signature]*  
**KAMAL KUMAR PAUL**  
 NOTARY GOVT. OF INDIA  
 Kolkata, West Bengal

27 NOV 2017

Identified by me  
*[Signature]*  
**P. G. Shaw**  
 Advocate

CERTIFIED FUNDS AVAILABLE:

*[Signature]*  
**JOHNNY G. QUINCO**  
 Accountant IV

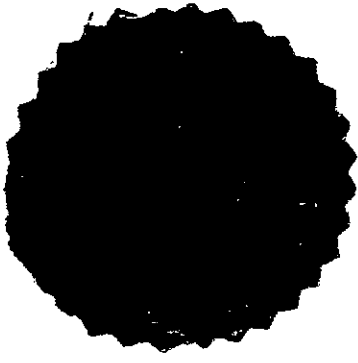
Attested by me  
*[Signature]*  
**Nivedita Sen**  
 in-charge of services  
 CHAMBER OF COMMERCE

19 JAN 2018

NO-9/19500



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NO. 750  
 PAGE: 72  
 BOOK: 3  
 SERIES OF: 2018

**ATTY. JESUS F. APUYOD**  
 Appointment No. (2018-2019)  
 Notary Public for Taguig,  
 Until September 30, 2019  
 4140 Gen. Santos Avenue, Taguig City  
 Re: [Signature]  
 PTR No. A-2018-001 / Taguig City  
 IBP Lifetime No. 00134 / RSM Chapter  
 MCLE Compliance No. V-0021570 / 16 May 2016