

Republic of the Philippines  
PHILIPPINE PORTS AUTHORITY  
PPA Building, Bonifacio Drive, South Harbor,  
Port Area, Manila, Philippines

**AMENDMENT TO THE CONTRACT  
FOR THE PROCUREMENT OF INTEGRATED SEISMIC ACCELEROGRAPH**

KNOW ALL MEN BY THESE PRESENTS:

This Amendment to Contract made and entered into this \_\_\_\_\_, in Manila Philippines, by and between:

**PHILIPPINE PORTS AUTHORITY**, a government instrumentality created under Presidential Decree No. 857, as amended, with principal office at PPA Building, Bonifacio Drive, South Harbor, Port Area, Manila, represented herein by its General Manager, **JAY DANIEL R. SANTIAGO**, and hereinafter referred to as "PPA";

- and -

**FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION**, (TIN No. 008-977-968-000)/**MIRAIT PHILIPPINES, INCORPORATED**, (TIN No. 005-213-865-000)/**JV**, private corporations duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with office address at Unit 206, FCC Building, 119 Rada St., Legaspi Village, Makati City, represented in this act by its Authorized Managing Officer, **MYLA B. MESTIOLA**, as evidenced by the Joint Venture Agreement, dated, 08 December 2017, copy of which is hereto attached as Annex "A," and made an integral part of this Contract, and hereinafter referred to as "SUPPLIER".

**WITNESSETH:**

WHEREAS, on 06 March 2018, PPA and the SUPPLIER executed a Contract for the Procurement of Integrated Seismic Accelerograph (contract), a copy of which is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, Section 3.03 of the contract provides that payment shall be released to the SUPPLIER after completion of each activity: a. Delivery and installation of all Seismic Accelerograph Units with Global Positioning System to 22 PMOs – P 53,447,520.00; b. Delivery and Installation of Web/Database Server, Software and Monitoring Computer - P 32,068,512.00; c. Integration/Interconnectivity of all Seismic Accelerograph Units with Global Positioning System - P 21,379,008.00, for a total of P 106,895.040.00;


WHEREAS, Item IV of the Terms of Reference of the Bid Documents states that the delivery of all Seismic Accelerograph Units with Global Positioning System shall be at the Head Office, and 50% payment thereof shall be made correspondingly, the delivery and installation of Web/Database Server, Software, and Monitoring Computer System shall be at the Head Office, and 30% payment thereof shall be made correspondingly, and the Integration/ Interconnectivity of all units for central monitoring shall be delivered at designated ports and the last 20% payment thereof shall be made correspondingly;


WHEREAS, the Financial Bid of the SUPPLIER indicated the following costs:

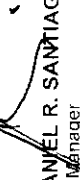
1. GP-888 Halex By Takamisawa Accelerograph (22 units)	P 48,935,040.00
2. Interconnectivity and Installation	P 17,460,000.00
3. Database Server	<u>P 40,500,000.00</u>
	<b>Total P 106,895,040.00</b>

WHEREAS, there is a need for PPA and SUPPLIER to amend Section 3.03 of the

FILIPINAS TECTONIC SAFETY SYSTEMS CORP./MIRAIT PHILIPPINES, INC./JV  
BY:   
WITNESS:  
**BELLA GRACIA SANPHELAN**  
Director-Business General Affairs  
Mirait Philippines, Inc.

FILIPINAS TECTONIC SAFETY SYSTEMS CORP./MIRAIT PHILIPPINES, INC./JV  
BY:   
WITNESS:  
**MYLA B. MESTIOLA**  
Authorized Managing Officer

FILIPINAS TECTONIC SAFETY SYSTEMS CORP./MIRAIT PHILIPPINES, INC./JV  
BY:   
WITNESS:  
**ADRIAN FERDINAND S. SUGAY**  
Chairperson, MO-BAC-EP-PGCS

PHILIPPINE PORTS AUTHORITY  
BY:   
WITNESS:  
**JAY DANIEL R. SANTIAGO**  
General Manager

contract to clarify the obligations of the parties regarding delivery and payment of the Seismic Accelerograph Units with Global Positioning System to conform with the existing government accounting and auditing rules and regulations;

NOW, THEREFORE, for and in consideration of the foregoing, **Section 3.03** of the contract is hereby amended to read as:

"Payment shall be released to the SUPPLIER after completion of each activity, as indicated below:

a. Delivery of all Seismic Accelerograph Units with Global Positioning System at Head Office	-	P 48,935,040.00
b. Delivery and Installation of Web/Database Server, Software and Monitoring Computer at Head Office	-	P 40,500,000.00
c. Integration/Interconnectivity of all Seismic Accelerograph Units with Global Positioning System at Designated Ports	-	P 17,460,000.00
	Total	<u>P 106,895,040.00</u>

All costs pertaining to the delivery of the Seismic Accelerograph Units with Global Positioning System to the Designated Ports shall be for the sole account of the SUPPLIER."

IN WITNESS WHEREOF, the parties have hereunto signed this Amendment to Contract on the date and place first hereinabove written.

**PHILIPPINE PORTS AUTHORITY**  
(TIN 000-352-232-000)

By:

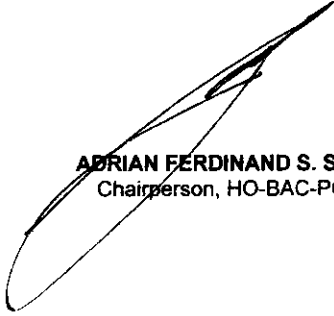
  
**JAY DANIEL R. SANTIAGO**  
General Manager

**FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION** (TIN 008-977-968-000)/  
**MIRAIT PHILIPPINES, INC.** (TIN 005-213-865-000)/JV


By:

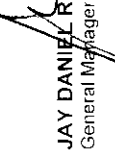
  
**MYLA B. MESTIOLA**  
Authorized Managing Officer

WITNESSES:

  
**ADRIAN FERDINAND S. SUGAY**  
Chairperson, HO-BAC-PGCS

  
**BELLA GRACIA SANTILLAN**  
Directress-Business General Affairs  
Mirait Philippines, Inc.

FILIPINAS TECTONIC SAFETY SYSTEMS CORP./MIRAIT PHILIPPINES, INC./JV  
 BY:  MYLA B. MESTIOLA  
 Witness:  MYLA B. MESTIOLA  
 Authorized Managing Officer

PHILIPPINE PORTS AUTHORITY  
 BY:  JAY DANIEL R. SANTIAGO  
 General Manager

**ACKNOWLEDGMENT**

REPUBLIC OF THE PHILIPPINES)  
 CITY OF City of Manila ) S.S.

BEFORE ME a Notary Public for and in the City of City of Manila, Philippines,  
 this APR 04 2018, personally appeared:

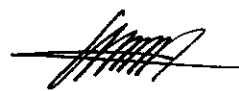
<u>Name</u>	<u>Proof of Identity</u>	<u>Date /Place</u>
Jay Daniel R. Santiago	Passport No. EB8969214	
Myla B. Mestiola	UMID No. 0111-1327686-9	
<u>Position</u>	<u>Company</u>	<u>CTC No.</u> <u>Date</u> <u>Place</u>
General Manager	Phil. Ports Authority	00143578    1-15-18    Manila
Authorized Managing Officer	Filipinas Tectonic Safety Systems Corporation/ Mirait Philippines, Inc./JV	

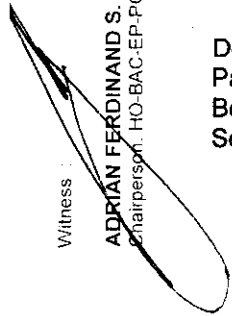
Known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free act and that they are the respective representatives of the legal entities they represent.

The foregoing instrument refers to Amendment to Contract for the Procurement of Integrated Seismic Accelerograph consisting of three (3) pages including the page on which this acknowledgement is written, signed by the parties and their witnesses on all pages.

WITNESS MY HAND AND NOTARIAL SEAL.

Doc. No. 44 ;  
 Page No. 83 ;  
 Book No. XVII ;  
 Series of 2018.

  
**RONALD D. LOZANO**  
 Notary Public for the City of Manila  
 Until 31 December 2019  
 Suite 1017 Espana Tower  
 2103 Calle Espana Manila  
 Roll No. 40302 05/05/04  
 PTR No. 6948180, 12/13/10  
 IBP No. 10211 10/19/10

Witness:  ADRIAN FERDINAND S. SUGAY  
 Chairperson, HO-BAC-EP-PGCC