

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

CONTRACT AGREEMENT
FOR THE PROCUREMENT OF SERVICES OF CERTIFYING BODY FOR PPA PORTS

MAR 18 2022

This Agreement made and entered into this _____ day of _____ 2022, in Manila, Philippines, by and between:

PHILIPPINE PORTS AUTHORITY (PPA), 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**, duly authorized for this purpose under Board Resolution No. 2466, Series of 2015 as contained in Secretary's Certificate dated 02 November 2015, a copy of which is attached as **Annex A**.

- and -

SOCOTEC CERTIFICATION PHILIPPINES, INC., duly organized and existing under Philippine laws, with principal office address at 2nd Floor, JD Tower, Commerce Avenue, Madrigal Business Park, Ayala Alabang, Muntinlupa City, represented herein by its Authorized Representative, **GILMORE A. RIVERA**, duly authorized for this purpose as shown in Secretary's Certificate dated 16 December 2021, a copy of which is attached as **Annex B**.

ANTECEDENTS:

In accordance with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations (IRR), PPA advertised and posted on the PPA website and PhilGEPS, as well as on its bulletin board and sent invitation letters to four (4) certifying bodies, a Request for Proposal (RFP) for the Procurement of Services of Certifying Body for PPA Ports (Under Negotiated Procurement (Two-Failed Biddings)), with an Approved Budget for the Contract (ABC) of Php 3,600,000.00;

In response to the invitation, only **SOCOTEC CERTIFICATION PHILIPPINES, INC.**, submitted its proposal for the foregoing project;

During the Negotiation held on 28 December 2021, **SOCOTEC CERTIFICATION PHILIPPINES, INC.** was given the opportunity to negotiate and discuss the technical and financial requirements of the project;

In the evaluation of the Technical and Financial requirements, **SOCOTEC CERTIFICATION PHILIPPINES, INC.** passed the Technical and Financial requirements;

Pursuant to Head Office BAC Resolution No. 005-2022 Series of 2022, award of contract was made to **SOCOTEC CERTIFICATION PHILIPPINES, INC.** in a Notice of Award dated 14 February 2022, in the amount of **THREE MILLION ONE HUNDRED SEVENTY THOUSAND FORTY EIGHT PESOS (Php 3,170,048.00)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

Witness:
KATHLEEN MAE S. MENDOZA
Business Devt. & Client Relations Officer

BY: **GILMORE A. RIVERA**
Authorized Representative

SOCOTEC CERTIFICATION PHILIPPINES, INC.

Witness:
MARK JON N. PALOMAR
Chairman, HO-BAC-PGCS

BY: **JAY DANIEL R. SANTIAGO**
General Manager

PHILIPPINE PORTS AUTHORITY

SOCOTEC CERTIFICATION PHILIPPINES, INC. duly accepted the award by signing its Conformance on the said Notice of Award;

NOW, THEREFORE, for and in consideration of the foregoing premises and the mutual stipulations herein contained, PPA and **SOCOTEC CERTIFICATION PHILIPPINES, INC.** have agreed, as follows:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the attached Contract Documents.
2. The following documents shall form part of this Contract:
 - A. Bid Documents consisting of the following:
 - A.1 Request for Proposal (Annex C)
 - A.2 Terms of Reference (Annex D)
 - A.3 Technical Specifications (Annex E)
 - B. Technical and Financial Proposals (Annex F)
 - C. Performance Security (Annex G)
 - D. Notice of Award of Contract with **SOCOTEC CERTIFICATION PHILIPPINES, INC.** Conformance thereto (Annex H)
 - E. Other contract documents that may be required by existing laws and PPA:
 - E.1 Certificate of Availability of Funds (Annex I)
 - E.2 Summary of Evaluation of Technical and Financial Documents (Annex J)
 - E.3 Resolution of Award (Annex K)
3. In consideration of the sum of **THREE MILLION ONE HUNDRED SEVENTY THOUSAND FORTY EIGHT PESOS (Php 3,170,048.00)** or such other sums as may be ascertained, **SOCOTEC CERTIFICATION PHILIPPINES, INC.** agrees to the Procurement of Services of Certifying Body for PPA Ports, in accordance with its Bid.
4. The Philippine Ports Authority agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
5. In execution of its Works, **SOCOTEC CERTIFICATION PHILIPPINES, INC.** shall likewise hold PPA free and harmless from any liability due to actions, damages, or accident it may cause in the course thereof.
6. The failure of PPA to insist upon a strict performance of any of the terms, conditions and covenants hereof shall not be deemed a relinquishment or waiver of any of the rights or remedies that it may have, nor shall it be construed as a waiver of any subsequent breach or default of its terms, conditions and covenants which shall continue to be in full force and effect. Silence on the part of PPA shall not be considered as condonation or waiver of any breach or default by **SOCOTEC CERTIFICATION PHILIPPINES, INC.** of any covenant or condition herein provided. No waiver by PPA of its rights under this Contract shall be deemed to have been made unless expressly made in writing and signed by its duly authorized representative.

SOCOTEC CERTIFICATION PHILIPPINES, INC.

Witness:
KATHIEEN MAE S. MENDOZA
Business Devt. & Client Relations Officer

BY:
GILMORE A. RIVERA
Authorized Representative

Witness:
MARK JON S. PALOMAR
Chairperson, HO-BAC-PGCB

PHILIPPINE PORTS AUTHORITY

BY:
JAY DANIEL R. SANTAGO
General Manager

IN WITNESS WHEREOF, the Parties have hereunto signed this Agreement on the date and place first hereinabove written.

PHILIPPINE PORTS AUTHORITY
TIN No. 000-352-232-000
By:


JAY DANIEL R. SANTIAGO
General Manager


MARK JON S. PALOMAR
Chairperson, HO-BAC-PGCS

SOCOTEC CERTIFICATION
PHILIPPINES, INC.
(TIN No 292-470-247-000)

By: 
GILMORE A. RIVERA
Authorized Representative

WITNESSES


KATHLEEN MAE S. MENDOZA
Business Dev't. and Client Relations Officer

ACKNOWLEDGMENT

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

BEFORE ME, a Notary Public for and in the City of Manila, this 18 day of MARCH, 2022, personally appeared the following:

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE OF ISSUE OR EXPIRY DATE	PLACE OF ISSUE
Jay Daniel R. Santiago	PPA ID No. 00102016		
Gilmore A. Rivera	Driver's License No. D12-94-030354		

known to me and to me known to be the same persons who executed the foregoing instrument as:

POSITION	COMPANY	CTC No.	DATE	PLACE
General Manager	Phil. Ports Authority	00372460	1-21-22	Manila
Authorized Representative	Socotec Certification Philippines, Inc.	00182588	1-07-22	Muntinlupa City

and they acknowledged to me that the same is their own free act and deed as well as the free and voluntary act of the corporation they represent.

The foregoing instrument is a Contract for the Procurement of Services of Certifying Body for PPA Ports, consisting of three (3) pages, including this page on which this Acknowledgment is written, signed by the parties and their instrumental witnesses on each and every page thereof.

IN WITNESS WHEREOF, I have hereunto affixed my hand and notarial seal on these presents at the place and on the date first above written

Doc. No. 314;
Page No. 66;
Book No. 21;
Series of 2022;


ERNESTO C. PEREZ II
Notary Public for Muntinlupa City
Notarial Commission No. 20-018
Valid until June 30, 2022
Roll of Attorney No. 44982
IBP Lifetime Member No. 02637 Cavite 11 26 01
MCLE Compliance No. VI-0024580
Valid until 04 14 2024
PTR No. 5504580 01 17 22 Indang Cavite
Unit 703 Richville Corporate Center
1314 Commerce Avenue, E.ris, Madrigal Business Park
Ayala Alabang, Muntinlupa City