

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

**CONTRACT AGREEMENT**  
**FOR THE SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING OF SEISMIC ACCELEROGRAPH WITH EARLY WARNING DEVICES FOR THE INTEGRATED ACCELEROGRAPH SYSTEM (PHASE III) AND SUPPLY AND INSTALLATION OF EARLY WARNING LIGHT & AUDIO SIGNALS/CABLES/WIRING FOR THE SEISMIC ACCELEROGRAPH (PHASE I AND PHASE II)**

This Agreement made and entered into this 03 JUN 2022 day of QUEZON CITY DE MAKATI 2022 in Manila, Philippines, by and between:

**PHILIPPINE PORTS AUTHORITY (PPA)**, herein referred to as ENTITY, is a government instrumentality created under Presidential Decree No. 857, as amended, with principal office address at PPA Bldg., Bonifacio Drive, South Harbor, Port Area, Manila, represented by **JAY DANIEL R. SANTIAGO**, duly authorized for this purpose under Board Resolution No. 2466, as contained in Secretary's Certificate dated 02 November 2015, copy of which is hereto attached as **Annex A**.

and

**FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION** duly organized and existing under Philippine laws, with principal office address at Unit 7E, PDCP Bank Centre, VA Rufino St., Salcedo Village, Makati City, represented herein by its Authorized Representative, **CARL JASON T. VIRAY**, duly authorized for this purpose, as shown in Board Resolution No. 2022-03 dated 20 April 2022, copy of which is hereto attached as **Annex B**.

WHEREAS, the Entity invited Bids for certain goods and services, particularly the Supply, Delivery, Installation and Commissioning of Seismic Accelerograph with Early Warning Devices for the Integrated Accelerograph Systems (Phase III) and Supply and Installation of Early Warning Light & Audio Signals/Cables/Wiring for the Seismic Accelerograph (Phase I and Phase II), with an approved Budget for the Contract (ABC) of Php **118,000,000.00** and has accepted a Bid by **FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION** for those goods and services in the sum of **ONE HUNDRED FIFTEEN MILLION PESOS AND 08/100 (Php 115,000,000.08)**;

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meaning as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents as required by the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, viz:

FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION

Witness:  
**EDEL GRACE AMORO**  
Assistant General Manager

BY: **CARL JASON T. VIRAY**  
Authorized Representative

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

PHILIPPINE PORTS AUTHORITY

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

- i. Philippine Bidding Documents (PBDs);
  - i. Schedule of Requirements;
  - ii. Technical Specifications;
  - iii. General and Special Conditions of Contract; and
  - iv. Supplemental or Bid Bulletins, if any
- ii. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents 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;

- iii. Performance Security;
- iv. Notice of Award of Contract and the Bidder's conforme thereto; and
- v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.

3. In consideration of the sum of **ONE HUNDRED FIFTEEN MILLION PESOS AND 08/100 (Php 115,000,000.08)** or such other sums as may be ascertained, **FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION** agrees to the Supply, Delivery, Installation and Commissioning of Seismic Accelerograph with Early Warning Devices for the Integrated Accelerograph Systems (Phase III) and Supply and Installation of Early Warning Light & Audio Signals/Cables/Wiring for the Seismic Accelerograph (Phase I and Phase II), 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, **FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION** 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 **FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION** 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.

IN WITNESS whereof, the Parties have hereto caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines, on the day and year first above written.

FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION

Witness:  
  
**EDEL GRACE AMOROSO**  
 Assistant General Manager

BY:  
  
**CARL JASON T. MIRAY**  
 Authorized Representative

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

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

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

**JAY DANIEL R. SANTIAGO**  
General Manager

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

**FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION**  
TIN No. 008-977-968-000  
By:

**CARL JASON T. VIRAY**  
Authorized Representative

**EDEL GRACE AMORO**  
Assistant General Manager

**WITNESSES**

**ACKNOWLEDGMENT**

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

**CITY OF MAKATI**

BEFORE ME, a Notary Public for and in the City of Manila, this 03 JUN 2022 day of 03 JUN 2022, 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		
Carl Jason T. Viray	TIN No. 319-739-654-000		

known to me and to me known to be the same persons who executed the foregoing instrument 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 entities they represent.

POSITION	COMPANY	CTC No.	DATE	PLACE
General Manager	Phil. Ports Authority	00372460	1-21-22	Manila
Authorized Representative	Filipinas Tectonic Safety Systems Corporation	00132589	2-16-22	Makati City

The foregoing instrument is a Contract for the Supply, Delivery, Installation and Commissioning of Seismic Accelerograph with Early Warning Devices for the Integrated Accelerograph Systems (Phase III) and Supply and Installation of Early Warning Light & Audio Signals/Cables/Wiring for the Seismic Accelerograph (Phase I and Phase II), 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 hereof.

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

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Book No. VII;  
Series of 2022

**RONALD D. LOZADA**  
Notary Public for the City of Makati  
Until 31 December 2022  
Suite 93, 9/F Legaspi Suites,  
178 Salcedo St., Makati City  
PTR No. 8860314 1/10/22  
IBP No. 170279, 12/14/21  
MCLE Compliance No. VII-0001172