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

CONTRACT AGREEMENT
FOR THE PROCUREMENT OF APPLICATION PROGRAM SCRIPTS AND TECHNICAL SUPPORT MAINTENANCE OF THE PHILIPPINE PORTS AUTHORITY'S CORE APPLICATION SYSTEM

SEP 04 2024

This Agreement made and entered into this _____ day of _____ 2024 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

DIVERSIFIED INFRASTRUCTURE AND ARCHITECTURAL DEVELOPMENT WORKS CORPORATION, herein referred to as SUPPLIER and/or WINNING BIDDER, duly organized and existing under Philippine laws, with principal office address at 8th Floor, Richbelt Tower Condominium, Annapolis St., Greenhills, San Juan City, Metro Manila, represented herein by its Authorized Representative, **GERALD C. BOBADILLA**, duly authorized for this purpose, as shown in Secretary's Certificate dated0, copy of which is hereto attached as **Annex B**.

WHEREAS, the Entity invited Bids for certain goods and services, particularly the Procurement of Application Program Scripts and Technical Support Maintenance of the Philippine Ports Authority's Core Application System, with an approved Budget for the Contract (ABC) of Php **21,000,000.00** and has accepted a Bid by **DIVERSIFIED INFRASTRUCTURE AND ARCHITECTURAL DEVELOPMENT WORKS CORPORATION** for those goods and services in the sum of **TWENTY ONE MILLION PESOS (Php 21,000,000.00);.**

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*:

   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

DIVERSIFIED INFRASTRUCTURE AND ARCHITECTURAL DEVELOPMENT CORPORATION
BY :
GERALD C. BOBADILLA
Authorized Representative

Witness :
JANVIER T. RUABURO
General Manager

Witness
MARK JON S. PALOMAR
Chairperson, HD-BAC-PGCS

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

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 **TWENTY ONE MILLION PESOS (Php 21,000,000.00)** or such other sums as may be ascertained, **DIVERSIFIED INFRASTRUCTURE AND ARCHITECTURAL DEVELOPMENT WORKS CORPORATION** agrees to the Procurement of Application Program Scripts and Technical Support Maintenance of the Philippine Ports Authority's Core Application System, 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, **DIVERSIFIED INFRASTRUCTURE AND ARCHITECTURAL DEVELOPMENT WORKS 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 **DIVERSIFIED INFRASTRUCTURE AND ARCHITECTURAL DEVELOPMENT WORKS 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.

DIVERSIFIED INFRASTRUCTURE AND ARCHITECTURAL DEVELOPMENT CORPORATION
BY :
GERALD C. BOBADILLA
Authorized Representative

Witness :
JANVIER T. RUABURO
General Manager

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

DIVERSIFIED INFRASTRUCTURE AND ARCHITECTURAL DEVELOPMENT WORKS CORPORATION
TIN No. 009-788-882-000

GERALD C. BOBADILLA
Authorized Representative

WITNESSES

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

JANVIER T. RUABURO
General Manager

ACKNOWLEDGMENT

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

SEP 04 2024

BEFORE ME, a Notary Public for and in the City of Manila, this ____ day of _____, 2024, 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. 00792022		
Gerald C. Bobadilla	TIN No. 904-613-724-000		

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	00531834	1-17-24	Manila
Authorized Representative	DIADWC			

The foregoing instrument is a Contract Agreement for the Procurement of Application Program Scripts and Technical Support Maintenance of the Philippine Ports Authority's Core Application System, 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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ATTY. EMILLO A. AGREGADO
NOTARY PUBLIC
UNTIL DEC. 31, 2024
PTR NO. 3823024-1/3/24
IBP NO. 293006 ROLL NO. 54236
MCLE COMPLIANCE NO. VII-[illegible]