

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 CUSTOMIZED  
ASSET STATUS AND PERFORMANCE AUTOMATION SYSTEM (HARDWARE &  
SOFTWARE)**

This Agreement made and entered into this SEP 3 0 2021 2021 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

**BT INDUSTRIES, INC.**, duly organized and existing under Philippine  
laws, with principal office address at 118 Kanlaon St., Brgy. Lourdes, Quezon  
City, represented herein by its Authorized Representative, **ARIEL V. BASAS**,  
duly authorized for this purpose, as shown in Secretary's Certificate dated 4  
August 2021, 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 Customized Asset Status and Performance  
Automation System (Hardware & Software), with an approved Budget for the Contract (ABC) of  
Php 70,000,000.00 and has accepted a Bid by **BT INDUSTRIES, INC.** for the supply of those  
goods and services in the sum of **SIXTY EIGHT MILLION SEVEN HUNDRED EIGHTY  
THOUSAND PESOS (Php 68,780,000.00)**;

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

Witness:  
**ZANDINO LAPIRA**  
Admin. Assistant

**BT INDUSTRIES, INC.**  
BY: **ARIEL V. BASAS**  
Authorized Representative

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

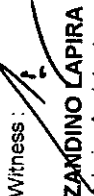
3. In consideration for the sum **SIXTY EIGHT MILLION SEVEN HUNDRED EIGHTY THOUSAND PESOS (Php 68,780,000.00)** or such other sums as may be ascertained, **BT INDUSTRIES, INC.** agrees for the Supply, Delivery, Installation and Commissioning of Customized Asset Status and Performance Automation System (Hardware & Software) in accordance with its Bid.

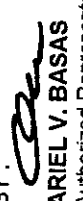
4. The Philippine Ports Authority agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

5. In execution of its Works, **BT INDUSTRIES, 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 **BT INDUSTRIES, 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.

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.

Witness:  
  
**ZANDINO LAPIRO**  
Admin. Assistant

**BT INDUSTRIES, INC.**  
BY:   
**ARIEL V. BASAS**  
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:

BT INDUSTRIES, INC.  
TIN No. 241-006-795-000  
By:

  
JAY DANIEL R. SANTIAGO  
General Manager

  
ARIEL V. BASAS  
Authorized Representative

WITNESSES

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

  
ZANDINO LAPIRA  
Admin. Assistant

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)  
City of ~~Manila~~ **QUEZON CITY** ) S.S.

BEFORE ME, a Notary Public for and in the City of ~~Manila~~ **QUEZON CITY**, this SEP 30 2021 day of 2021, 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                |                              |                |
| Ariel V. Basas         | Driver's License No. H02-09-002597 |                              |                |


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 | 00367765 | 2-02-21 | Manila |
| Authorized Representative | BT Industries, Inc.   | 00271016 | 1-18-21 | Q.C.   |

The foregoing instrument is a Contract for the Supply, Delivery, Installation and Commissioning of Customized Asset Status and Performance Automation System (Hardware & Software, 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

Doc. No. 152 ;  
Page No. 31 ;  
Book No. 63 ;  
Series of 2021

  
ATTY. MA. LUISA R. VALENZUELA  
Notary Public  
Until December 31, 2022  
No. 93 (285) NS Amoranto Street, La Loma, QC  
IBP OR NO. 133038MD2021 11-19-2020  
PTR No. 6973828C 01-04-2021 QC  
Roll of Atty. 40864  
Adm Matter no. NO-012 (2021-2022)  
MCLE-VI-0024350 APRIL 8, 2019