

CONTRACT AGREEMENT
SUPPLY, DELIVERY AND INSTALLATION INTO OPERATIONAL STATE OF
FILE TRANSFER PROTOCOL (FTP) SOLUTION
(RE-ADVERTISEMENT)
ITB-SSS-Goods-2022-076

THIS AGREEMENT made between:

SOCIAL SECURITY SYSTEM, a government-owned and -controlled corporation created pursuant to Republic Act No. 11199, with principal office address at SSS Building, East Avenue, Diliman, Quezon City, represented herein by its Executive Vice President, Branch Operations Sector, **VOLTAIRE P. AGAS**, and its Vice President and Acting Head, Information Technology Management Group, **ALAN GENE O. PADILLA**, duly authorized pursuant to Administrative Order No. 2022-089 dated 16 November 2022 (Annex "A") and Office Order No. 2022-026-b dated 16 December 2022, (Annex "B"), hereinafter referred to as the "**SSS**";

- a n d -

The **JOINT VENTURE** of **COMCLARK NETWORK AND TECHNOLOGY CORPORATION**, a corporation duly created and existing pursuant to the laws of the Republic of the Philippines, with principal office address at Manuel A. Roxas Hi-way, Clarkfield, Pampanga, and **FORTIS TECHNOLOGIES CORPORATION**, a corporation duly created and existing pursuant to the laws of the Republic of the Philippines, with principal office address at 99 E. Rodriguez Jr. Avenue, Ugong, Pasig City, represented herein by the Official Representative of the **JOINT VENTURE, COMCLARK NETWORK AND TECHNOLOGY CORPORATION's** Bid Manager, **MARIA SOPHIA T. NARAG**, duly authorized pursuant to **COMCLARK NETWORK AND TECHNOLOGY CORPORATION's** Secretary's Certificate dated 10 November 2022 (Annex "C") and Joint Venture Agreement dated 10 November 2022 (Annex "D"), hereinafter referred to as the "**SUPPLIER**".

WHEREAS, the **SSS** invited Bids for certain goods and ancillary services, particularly the **Supply, Delivery and Installation into Operational State of File Transfer Protocol (FTP) Solution (Re-Advertisement)** and has accepted a Bid by the **SUPPLIER** for the supply of those goods and services in the sum of **PESOS: TWENTY-FOUR MILLION EIGHT HUNDRED EIGHTY-EIGHT THOUSAND, EIGHT HUNDRED EIGHTY-EIGHT and 00/100 (P24,888,888.00)**, Philippine currency, (hereinafter called "the Contract Price").

NOW, THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this **AGREEMENT** words and expressions shall have the same meanings 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.:
 - a. Philippine Bidding Documents including
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General; and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any.
 - b. **SUPPLIER's** Bid, including –
Eligibility Requirements
 - i. PhilGeps Registration;
 - ii. Statement of Ongoing/Completed Contracts;
 - iii. Omnibus Sworn Statement;

Technical and Financial Proposals

- iv. Single Largest Completed Contract;
 - v. Bid Security;
 - vi. Net Financial Contracting Capacity;
 - vii. Schedule of Requirements and Statement of Compliance;
 - viii. Bid Form and Bid Breakdown;
 - ix. Additional Documents (SEC Registration, Mayor's Permit, Audited Financial Statement, Income Tax Return, Tax Clearance, Quarterly VAT).
- c. Performance Security;
- d. BAC I Recommendation for Award under Resolution No. 2022-090-1 dated 28 December 2022, approved on 28 December 2022; Notice of Award of Contract dated 29 December 2022 and the **SUPPLIER's** conforme thereto; and
- e. Other contract documents that may be required by existing laws and/or the SSS concerned in the PBDs. **SUPPLIER 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 of **PESOS: TWENTY-FOUR MILLION EIGHT HUNDRED EIGHTY-EIGHT THOUSAND EIGHT HUNDRED EIGHTY-EIGHT and 00/100 (P24,888,888.00)**, Philippine currency, or such other sums as may be ascertained, **SUPPLIER** agrees to Supply, Deliver, and Install into Operational State the File Transfer Protocol (FTP) Solution in accordance with its Bid.
4. **SSS** agrees to pay the above-mentioned sum in accordance with the terms and conditions of the Bidding.

IN WITNESS whereof, the parties hereto have caused this **AGREEMENT** to be executed in accordance with the laws of the Republic of the Philippines on the date and place indicated in their respective Acknowledgements.

SOCIAL SECURITY SYSTEM


**JOINT VENTURE of COMCLARK
NETWORK AND TECHNOLOGY
CORPORATION and FORTIS
TECHNOLOGIES CORPORATION**

By:

By:


VOLTAIRE P. AGAS
Executive Vice President
Branch Operations Sector


MARIA SOPHIA T. NARAG
Official Representative and
Bid Manager


ALAN GENE O. PADILLA
Vice President and Acting Head
Information Technology Management Group

SIGNED IN THE PRESENCE OF:

ROGELIO V. LANUZA

ROBERTO WERRA

2/7/23

BELINDA B. ELLA
Department Manager III
General Accounting Department

FUNDS AVAILABLE: CAPEX
APP No.: 2022-046

FIRST ACKNOWLEDGEMENT

Republic of the Philippines)
Quezon City.....) S.S.

BEFORE ME, a Notary Public for and in Quezon City, Philippines, on this _____ day of
FEB 15 2023 personally appeared:

| Name | Competent Evidence of Identity | Date/Place of Issue |
|----------------------|--------------------------------|---------------------|
| VOLTAIRE P. AGAS | UMID CRN-0003-6563394-7 | |
| ALAN GENE O. PADILLA | UMID CRN-0111-8106529-3 | |

known to me to be the same persons who executed the foregoing Agreement, consisting of four (4) pages, including this page and excluding annexes, and they acknowledged to me that the same is their free and voluntary act and deed as well as the free and voluntary act and deed of the principal they represent in this instance.

WITNESS MY HAND AND SEAL on the date and place first above written.

Doc. No. 211 :
Page No. 44 :
Book No. 1 :
Series of 2023

Delma A. Tolentino
DELMA A. TOLENTINO
Notary Public for Quezon City
Notarial Commission No. NP-296 (2022-2023)
4F SSS Bldg., East Ave., Diliman, Quezon City
PTR No. 4054853D/1-05-2023/Quezon City
IBP No. 212604/Roll No. 80004
MCLE Compliance: Admitted to the Bar 05-18-2022
TIN 912-643-182-000

SIGNED IN THE PRESENCE OF:

MELINDA DAVID

JONNA MARIE B. CARRAN

SECOND ACKNOWLEDGMENT

Republic of the Philippines)
QUEZON CITY) S.S.

BEFORE ME, a Notary Public for and in QUEZON CITY, Philippines, on this FEB 01 2023 day of _____ personally appeared:

| Name | Competent Evidence of Identity | Date/Place of Issue |
|-----------------------|--------------------------------|------------------------------|
| MARIA SOPHIA T. NARAG | Passport No. P95500858 | April 7, 2022 / OFA NCR West |

known to me to be the same person who executed the foregoing Agreement, consisting of four (4) pages, including this page and excluding annexes, and she acknowledged to me that the same is her free and voluntary act and deed well as the free and voluntary act and deed of the principal she represents in this instance.

WITNESS MY HAND AND SEAL on the date and place first above written.

Doc. No. 367;
Page No. 15;
Book No. D;
Series of 2023

Atty. Ayesha Hania Guiling-Matanog
Notary Public for and in Quezon City
Adm. Matter No. NP-061
Roll of Attorneys No. 63174
MCLE Compliance No. WH-0010611, 02.18.22
IBP Lifetime Member No. 019012, Lanao del Sur
PTR No. 4008542, 01.09.2023, Quezon City
My Commission Expires on December 31, 2024

Handwritten notes on the left margin:
H
M
D
P
J

Handwritten notes on the right margin:
J
J
J