

CONTRACT AGREEMENT

THIS AGREEMENT, made this 28th day of September 2024 between between **SECURITIES AND EXCHANGE COMMISSION** (hereinafter called "the Entity"), with office address at The SEC Headquarters, 7907 Makati Avenue, Salcedo Village, Brgy. Bel-Air, Makati City, represented herein by **CHAIRPERSON EMILIO B. AQUINO**, of the one part, and **JOINT VENTURE OF COMCLARK NETWORK AND TECHNOLOGY CORP. AND FORTIS TECHNOLOGIES CORP.**, herein represented by **MR. GELMER PALO**, with office address at Manuel Roxas Ave., CSEZ Clarkfield, Angeles City, Pampanga (hereinafter called "the Consultant), of the other part;

WHEREAS, the Entity is desirous that the Consultant execute ***Supply, Delivery, Installation, Configuration and Implementation of the Fully Functional Document Management System, and Workflow Management System for the Securities and Exchange Commission (Public Bidding No. 2024-025)*** (hereinafter called "the Works") and the Entity has accepted the bid for **One Hundred Sixty-Five Million Pesos (Php165,000,000.00)** by the Consultant for the execution and completion of such Consulting Services and the remedying of any defects therein.

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 hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:
 - a) General and Special Conditions of Contract;
 - b) Terms of Reference
 - c) Request for Expression of Interest;
 - d) Instructions to Bidders;
 - e) Bid Data Sheet;
 - f) Addenda and/or Supplemental/Bid Bulletins, if any;
 - g) Bid forms, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents/ statements 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;
 - h) Eligibility requirements, documents and/or statements;
 - i) Performance Security;
 - j) Notice of Award of Contract and the Bidder's conforme thereto;

- k) Other contract documents that may be required by existing laws and/or the Entity.
3. In consideration of the payments to be made by the Entity to the Consultant as hereinafter mentioned, the Consultant hereby covenants with the Entity to execute and complete the Consulting Services and remedy any defects therein in conformity with the provisions of this Consultant in all respects.
 4. The Entity hereby covenants to pay the Consultant in consideration of the execution and completion of the Consulting Services, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.


EMILIO B. AQUINO

Emilio V. Aquino
Head of the Procuring Entity

for:

**SECURITIES AND EXCHANGE
COMMISSION**


GELMER PALO

Authorized Representative

for:

**JOINT VENTURE OF COMCLARK
NETWORK AND TECHNOLOGY CORP.
AND FORTIS TECHNOLOGIES CORP.**

CERTIFIED FUNDS AVAILABLE


DONDIE Q. ESGUERRA

Director, Financial Management Department

Funds Available:

Burs No. 06-206442-2024-09-063468

Date: 9-23-2024

ACKNOWLEDGMENT

Republic of the Philippines)
Makati City) SS

01 OCT 2024

BEFORE ME, a Notary Public for and in above jurisdiction, on this ___ day of September 2024 personally appeared the following:

| Name | Competent Evidence of Identity |
|------------------|--------------------------------------|
| Emilio B. Aquino | <u>SEC ID No. 1419</u> |
| Gelmer Palo | <u>Drivers License: 04-12-003869</u> |

known to me and to be known to be the same persons who executed the foregoing instrument consisting of 3 pages including the page on which this Acknowledgment is written and duly signed by them and their witnesses on each and every page hereof, and that the same is their free and voluntary act, as well as that of the corporations/agencies which they represent.

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

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2024.


ATTY. JENNY LOU F. DECANO
 Administering Officer
 SEC Chief Counsel
Securities and Exchange Commission
Republic of the Philippines