

CONTRACT AGREEMENT
SC-06-12-23-0008

NOV 24 2023

This **CONTRACT AGREEMENT** is made on the ____ day of _____, 2023 by and between:

- (1) **THE CITY GOVERNMENT OF PASIG**, a local government unit (LGU) existing under Philippine laws, with postal address at Pasig City Hall, Caruncho Avenue, Brgy. San Nicolas, Pasig City, Metro Manila, herein represented in this Act by its City Mayor, Hon. Victor Ma. Regis N. Sotto (the "**Procuring Entity**"); and
- (2) **PINNACLE TECHNOLOGIES INC.**, a corporation duly organized in accordance with and registered under the laws of the Philippines, and with business address at 52 8TH Ave., West Grace Park, Caloocan City, represented in this Act by its Authorized Representative, Ms. Sharmaine Tajantajan (hereinafter referred to as the "**Supplier**").

WHEREAS, the Procuring Entity invited Bids for the **CUSTOMIZATION AND CONSULTING SERVICES FOR THE WEB-BASED UNIVERSITY INFORMATION SYSTEM OF PAMANTASAN NG LUNGSOD NG PASIG (REBID)** under **ITB NO. BAC-23-0818B** and has accepted the Bid by the Supplier for the supply of those services in the sum of **FOUR MILLION ONE HUNDRED THIRTY-EIGHT THOUSAND PESOS (PhP4,138,000.00)** (hereinafter called "**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/s of this Agreement, *viz.*:
 - i. Winning bidder's bid, including the Time Schedule for Professional Personnel (Annex "A"), Activity Work Schedule (Annex "B"), Curriculum Vitae of Proposed Personnel (Annex "C"), Financial Proposal Submission Form and Breakdown of Remuneration per Activity (Annex "D"), Bid Bulletin (Annex "E") and Terms of Reference (Annex "F");
 - ii. Performance Security (Annex "G");
 - iii. Notice of Award of Contract, and the Bidder's conforme thereto (Annex "H"); and
 - iv. 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. Supplier shall complete the project within **one hundred eighty (180) calendar days, upon receipt of the Notice to Proceed, following the Contract Delivery Period in the Terms of Reference.**

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4. In consideration for the sum of **FOUR MILLION ONE HUNDRED THIRTY-EIGHT THOUSAND PESOS (Php4,138,000.00)**, the Supplier agrees to deliver the goods and/or perform the services of the contract in accordance with its Bid.
5. The Supplier grants the Procuring Entity a perpetual, non-exclusive, and non-transferrable license to use and to make necessary or desirable modifications, alterations, and customizations on the said system and its source code at its expense; *Provided*, that the same shall only be allowed for the proper use of the system and the purposes over which this Agreement was made.
6. The Supplier agrees that all information disclosed by the Procuring Entity during the procurement process and the implementation of this Agreement shall remain the sole and exclusive property of the Procuring Entity.
7. In the exercise of their rights and compliance with the obligations under this Agreement, the Parties shall observe and comply with Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012", its implementing rules and regulations, as well as all issuances of the National Privacy Commission.

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 first written above.

CITY GOVERNMENT OF PASIG

PINNACLE TECHNOLOGIES, INC.

By:

By:

HON. VICTOR MA. REGIS N. SOTTO
City Mayor

SHARMAINE TAJANTAJAN
Authorized Representative

Signed in the presence of:

Funds Appropriated:

MA. THERESA B. HERNANDEZ
OIC - City Budget Officer

Funds Obligated:

MS. JUVY A. CUENCO
City Accountant

100-2022-11-0109-1121

Funds Available:

MS. MARITA A. CALAJE
City Treasurer

Recommending Approval:

GLICERIO M. MANINGAS
Associate Professor II

ACKNOWLEDGMENT

BEFORE ME a Notary Public, for and in the CALOCAN CITY, this NOV 24 2023, personally appeared **SHARMAINE TAJANTAJAN**, exhibiting to me her TR# 342845370, known to me and to me known to be the same person who executed the foregoing instrument and who acknowledged to me that the same is the free voluntary corporate act and deed of the corporation she represents.

This instrument refers to the Contract Agreement for the **CUSTOMIZATION AND CONSULTING SERVICES FOR THE WEB-BASED UNIVERSITY INFORMATION SYSTEM OF PAMANTASAN NG LUNGSOD NG PASIG (REBID)** consisting of three (3) pages, including the page whereon this Acknowledgement is written and duly signed by the Parties.

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

Doc. No. 420;
Page No. 85;
Book No. 06;
Series of 2023.



[Signature]
ATTY ARSENIO P. ALILAM
NOTARY PUBLIC NO. 417
UNTIL DEC 31, 2023
PTR #: 1260585 / CAL CITY / 1-3-2023
IBP #: 250620 / 02-19-2022 / PASIG CITY
MCLE #: VII-0015492 / COM 4-2-27 / 04-14-2025
IN PASIG CITY ROLL#: 36261
UNIT 8, 2ND FLR. MLA BULLETIN BLDG.
10TH AVE CAL CITY / TEL#: 8425-33-41

ACKNOWLEDGEMENT

BEFORE ME a Notary Public, for and in the City of Pasig this NOV 24 2023, personally appeared **HON. VICTOR MA. REGIS N. SOTTO**, exhibiting to me her _____, known to me and to me known to be the same person who executed the foregoing instrument and who acknowledged to me that the same is the free voluntary corporate act and deed of the corporation she represents.

This instrument refers to the Contract Agreement for the **CUSTOMIZATION AND CONSULTING SERVICES FOR THE WEB-BASED UNIVERSITY INFORMATION SYSTEM OF PAMANTASAN NG LUNGSOD NG PASIG (REBID)** consisting of three (3) pages, including the page whereon this Acknowledgement is written and duly signed by the Parties.

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

Doc. No. 44;
Page No. 94;
Book No. XIV;
Series of 2023.

[Signature]
ATTY. GERALD P. RUBIO
Notary Public-Pasig City, San Juan and Pateros
Until December 31, 2024
ROLL NO 84093
IBP NO 384109
PTR NO 1501028
APPOINTMENT NO 2019-0373-20241
MULTI-PURPOSE REGISTRATION NO 0002249
REG NO 210913-745