

**Procurement of Supply, Delivery, Installation, Commissioning,
Testing and Power Up of MWSS Regulatory Office Data Center and
Wireless Connections Contract No.
RO-PG2021-003**

CONTRACT AGREEMENT

THIS AGREEMENT made the ____ day of JAN 31 2022 20____ between **MWSS Regulatory Office** of the Philippines (hereinafter called "the Entity") of the one part and **EGM Systems Global Technologies Inc.** of Pasig City, Philippines (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly Procurement of Supply, Delivery, Installation, Commissioning, Testing and Power Up of MWSS Regulatory Office Data Center and Wireless Connections Contract No. RO-PG2021-003 and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of *Six Million Nine Hundred Eighty-Eight Thousand Two Hundred Eighteen Pesos (Php 6,988,218.00)* (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.:
 - i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - ii. Supplemental or Bid Bulletin.
 - iii. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;
 - iv. 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;
 - v. Performance Security;
 - vi. Notice of Award of Contract; and the Bidder's conforme thereto; and

- vii. 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 of Six Million Nine Hundred Eighty-Eight Thousand Two Hundred Eighteen Pesos (Php 6,988,218.00) or such other sums as may be ascertained, EGM Systems Global Technologies Inc. agrees to Supply, Deliver, Install, Commission, Testing and Power Up of MWSS Regulatory Office Data Center and Wireless Connections in accordance with his/her/its Bid.
4. The Entity agrees to pay the above-mentioned sum in accordance with the terms of the Philippine Bidding Documents, RA No. 9184, its implementing rules and regulations, and other laws and issuances.
5. Any dispute arising from or in connection with the implementation of this Contract shall be submitted to arbitration in the Philippines in accordance with RA No. 876, the *Arbitration Law*, and RA No. 9285, the *Alternative Dispute Resolution Act of 2004*.
6. Should the Entity be constrained to resort to court action for any dispute in connection with or arising from arbitration to protect its rights and interests, the Supplier shall pay the Entity attorney's fees equivalent to 20% of the total sum claimed in the complaint, plus litigation expenses after judgment is issued and has become final and executory. The attorney's fees shall in no case be less than Fifty Thousand Pesos (Php50,000.00). Venue of all court actions shall be laid exclusively in the proper court of Quezon City.

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 day and year first above written.


MWSS REGULATORY OFFICE

By:


ATTY. PATRICK LESTER N. TY
Chief Regulator

EGM SYSTEMS GLOBAL TECHNOLOGIES,
INC.


By:


MS. LIL ABBY N. CACELA
Authorized Representative



WITNESSES:


For MWSS Regulatory Office


For EGM System Global Technologies, Inc.

ACKNOWLEDGEMENT

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


JAN 31 2022
BEFORE ME, this _____ day of _____ 2021 at Quezon City, Philippines,
personally appeared and exhibited to me their respective Community Tax Certificate/Identification
Card as shown hereunder:

Name	Valid Proof of Identification	Date/Place of Issued
Patrick Lester N. Ty Representing MWSS Regulatory Office	Driver's License No.: N04-95-333952	03/05/2019 - Q.C.
Lil Abby N. Cacela Representing EGM Systems Global Technologies Inc.		

Known to me to be the same persons who executed the foregoing Contract Agreement consisting of
three (3) pages including this acknowledgement and they acknowledged to me that the same is their
own and free voluntary acts and deeds and the principal represented herein.

JAN 31 2022
IN WITNESS HEREOF, I have hereunto set my hand and seal this _____ day of _____ 2021 at
Quezon City, Philippines.

Doc. No. 511
Page No. 104
Book No. I
Series of 2021


Socorro Mancel N. Nepomuceno
Notary Public for Quezon City
NP 238 until December 31, 2022
Roll No. 50756
IBP No. 157733;02.17.2021
PTR No. 2430516; 01.04.2022
MCLE No VI-0018197
35 Matalino Street, Barangay Central
Quezon City, Metro Manila 1100
Contact Number 09985510287

P. 7

