

CONTRACT AGREEMENT

THIS AGREEMENT made this **22nd** day of **December 2022** between the **SECURITIES AND EXCHANGE COMMISSION** (hereinafter called "the Entity"), with office address at The SEC Headquarters, Makati Avenue, Salcedo Village, Makati City, represented herein by its Chairperson, EMILIO B. AQUINO, of the one part, and **COMCLARK NETWORK & TECHNOLOGY CORP. JOINT VENTURE WITH FORTIS TECHNOLOGIES CORP.**, herein represented by its authorized representative, MARIA SOPHIA NARAG, with office address at Manuel Roxas Ave., CSEZ, Clarkfield, Angeles City, Pampanga, Philippines (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **Subscription of In-Country Public Cloud and Associated Components of Company Investment Financial Statistical System (CIFFS)** ("the Project") and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Forty Million Eighty-Eight Thousand Eight Hundred Pesos (Php 40,088,800.00)** (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
 - iv. Supplemental or Bid Bulletins, if any.
 - 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.**



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3. In consideration for the sum of the Contract Price or such other sums as may be ascertained, the Supplier agrees to provide the Project in accordance with his/her/its Bid.
4. The Entity agrees to pay the above-mentioned sum in accordance with the terms 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 day and year first above written.


EMILIO B. AQUINO
Chairperson
for: 

**SECURITIES AND EXCHANGE
COMMISSION**


MARIA SOPHIA NARAG
Authorized Representative
for:

**COMCLARK NETWORK &
TECHNOLOGY CORP. JOINT
VENTURE WITH FORTIS
TECHNOLOGIES CORP.,**

Signed in the Presence of:


OLIVER V. CHATO
Director, Information and Communications Technology Department
SECURITIES AND EXCHANGE COMMISSION

Certified Funds Available:


DONDIE Q. ESGUERRA ✓
Director, Financial Management Department
SECURITIES AND EXCHANGE COMMISSION



ACKNOWLEDGMENT

Republic of the Philippines)
Makati City) SS

BEFORE ME, a Notary Public for and in above jurisdiction, on this _____ personally appeared the following:

Name	Competent Evidence of Identity
EMILIO B. AQUINO	<u>SEC ID no. 1419</u>
MARIA SOPHIA NARAG	<u>Passport no. P9550085B</u>

known to me and to be known to be the same persons who executed the foregoing instrument consisting of ___ 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 _____.


Atty. JASMINE CHARO L. CALAYCAY-ATIENZA
Administering Officer
Securities Counsel II
Securities and Exchange Commission
Republic of the Philippines

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