

Witness:
JANVIER T. RUABURO
General Manager

Republic of the Philippines
PHILIPPINE PORTS AUTHORITY
PPA Building, Bonifacio Drive, South Harbor
Port Area, Manila, Philippines

**AMENDED CONTRACT AGREEMENT
FOR THE PROCUREMENT OF TECHNICAL SUPPORT AND MAINTENANCE
OF THE PHILIPPINE PORTS AUTHORITY'S CORE APPLICATION SYSTEM**

KNOW ALL MEN BY THESE PRESENTS:

This Amended Contract Agreement is executed this 29 SEP 2023 day of 2023, in Manila, Philippines, by and between:

PHILIPPINE PORTS AUTHORITY (PPA), a government instrumentality with corporate powers created under Presidential Decree No. 857, as amended, with principal office at PPA Corporate Building, Bonifacio Drive, South Harbor, Port Area, Manila, represented herein by its General Manager, **JAY DANIEL R. SANTIAGO**, duly authorized for this purpose under Board Resolution No. 2466, as contained in Secretary's Certificate dated 02 November 2015, copy of which is hereto attached as **Annex "A"**;

-and-

DIVERSIFIED INFRASTRUCTURAL DEVELOPMENT WORKS CORPORATION (DIADWC) (TIN No. 009-788-882-000), a private corporation organized and existing in accordance with Philippine laws, with principal office address at 8th Floor Richbelt Tower Condominium, Annapolis Street, Greenhills, San Juan City, represented herein by its Authorized Representative, **GERALD C. BOBADILLA**, as evidenced by Secretary's Certificate dated 13 December 2022, copy of which is hereto attached as **Annex "B"**.

WITNESSETH:

WHEREAS, a Contract Agreement for the Procurement of Technical Support and Maintenance of the Philippine Port Authority's Core Application System (herein referred to as the "Original Contract") with a duration from 21 March 2023 to 20 March 2024 was executed by and between the herein parties on 21 March 2023 and entered in the Notarial Register of Atty. Emilio A. Agregado as Doc. No. 411, Page No. 41, Book No. 9, Series of 2023, a copy of which is hereto attached as **Annex "C"** and made an integral part hereof.

WHEREAS, in the Original Contract, provision of technical solution and/or support specifically those issues and incidents which are beyond the expertise of PPA's 2nd level of support for software systems such as the Accounting and Financial Management System (AFMS) and Internet-based Port Operations and Receipting System (IPTS) are outlined in the scope of works in the Terms of Reference (TOR) of the project.

DIVERSIFIED INFRASTRUCTURE AND ARCHITECTURAL DEVELOPMENT WORKS CORPORATION (DIADWC)
BY:

GERALD C. BOBADILLA
Authorized Representative

Witness:
MARK JON S. PALOMAR
Chairperson HBAC-PGCS

PHILIPPINE PORTS AUTHORITY
BY:
JAY DANIEL R. SANTIAGO
General Manager

WHEREAS, there is a need to add to the scope of works of the project the Development, Installation, Configuration and Implementation of the Electronic Official Receipt (eOR) System for the PPA, for the correction and protection of PPA's Accounting and financial Management System (AFMS) and the Internet-based Port Operations and Receipting for Terminal System (IPOINTS), which if not corrected prior to 1 October 2023 will result in systems inoperability and non-compliance with Bureau of Internal Revenue (BIR) Regulation No. 8-2022 and Executive Order No. 170, Series of 2022; consisting of the following applications:

1. Development and Implementation of an Application Program Interface (API) between Internet-based Port Operations and Receipting System (IPOINTS) and Accounting and Financial Management System (AFMS) for the Electronic Official Receipting (eOR) in accordance with the Bureau of Internal Revenue Regulation No. 8-2022;
2. Setup and Configuration of the module and database for the Electronic Official Receipting (eOR) System for IPOINTS and AFMS;
3. Automatic data transfer and availability in the Tax Data Warehouse of all transactions raised in IPOINTS; and
4. Report analysis of Remittance Advice (RA), Daily Abstract of Collection (DAC), Monthly Report of Collection and all tax-related reports based on the new system requirements and analysis and modification of affected report, if necessary.

WHEREAS, the total cost of above additional applications is valued at Php1,699.906.01, which does not exceed ten percent (10%) of the original contract price.

WHEREAS, Annex "D" of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 allows the issuance of an Amendment to Order by the Head of the Procuring Entity where there are additional items needed and necessary to fully meet the requirements of the project and for the protection of the goods, which were not included in the original contract.

WHEREAS, to avoid several critical consequences such as disruption to the day-to-day financial operations and interruption of PPA operations, the PPA General Manager as the Head of the Procuring Entity approved the Amendment to Order dated 12 September 2023 for the Development, Installation, Configuration and Implementation of the Electronic Official Receipt (eOR) System for the PPA. A copy of which is hereto attached as **Annex "D"** and made an integral part hereof.

NOW, THEREFORE, for and in consideration of the foregoing, the parties hereby agree as follows:

1. **SCOPE OF WORK** – in addition to the scope of works in the original contract, DIADWC shall likewise undertake the Development, Installation, Configuration and Implementation of the Electronic Official Receipt (eOR) System for the PPA.
2. **APPLICABILITY OF THE ORIGINAL CONTRACT** – the foregoing Amended Contract Agreement shall be subject to the same terms and conditions of the original contract, except as herein modified.

IN WITNESS WHEREOF, the parties have hereunto signed this Amended Contract Agreement on the date and place first hereinabove written.

PHILIPPINE PORTS AUTHORITY
TIN No. 000-352-232-000

DIVERSIFIED INFRASTRUCTURAL
DEVELOPMENT WORKS
CORPORATION (DIADWC)
TIN No. 009-788-882-000
By:

By:

JAY DANIEL R. SANTIAGO
General Manager

GERALD C. BOBADILLA
Authorized Representative

Signed in the Presence of:

MARK JON S. PALOMAR
Chairperson, HO-BAC-PGCS

JANVIER T. RUABURO
General Manager

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of Manila) s.s.

29 SEP 2023

BEFORE ME, a Notary Public for and in the City of Manila, this ____ day of
____ 2023, personally appeared the following:

NAME	PROOF OF IDENTITY	DATE/PLACE OF ISSUANCE
Jay Daniel R. Santiago		
Gerald C. Bobadilla		

known to me and to me known to be the same persons who executed the foregoing
instrument and they acknowledged to me that the same is their free act and deed
as well as the free and voluntary act of the entities they represent.

The foregoing instrument is an Amended Contract Agreement for the
Procurement of Technical Support and Maintenance of the Philippine Ports
Authority's Core Application Systems, consisting of three (3) pages, including this
page on which this Acknowledgment is written, signed by the parties and their
instrumental witnesses on each and every page hereof.

IN WITNESS WHEREOF, I have affixed my hand and notarial seal on these
presents at the place and on the date first above written.

Doc No.: 195
Page No.: 39
Book No.: 11
Series of 2023 73

ATTY. ROLAND E. LAS PIÑAS
Notary Public for City of Manila
Notarial Commission No. 2023/016
Until Dec. 31-2024
240-C A.H. Lacson St., Samp. Mla.
Roll of Attorney No. 84035
PTR NO. 0822024/JAN. 3, 2023/MLA.
IBP. Membership No. 243549 /06 /20/2022
MCLE Exempted G.B.O. 1, s.2008