

Republic of the Philippines
PHILIPPINE PORTS AUTHORITY
Port Management for SOCSARGEN
Makar Wharf, General Santos City

CONTRACT
FOR THE PROCUREMENT OF NEW BRANDED
DESKTOP COMPUTER SETS

This Contract made and entered into this 14th day of December 2021, in General Santos City, Philippines, by and between:

The **PHILIPPINE PORTS AUTHORITY (PPA), PORT MANAGEMENT OFFICE (PMO)-SOCSARGEN**, a government instrumentality with principal office at Makar Wharf, General Santos City, represented by its Port Manager **CESAR M. DATAYA**.

- and -

NUTNULL IT SOLUTIONS, a duly organized business entity and existing in accordance with Philippine laws, with principal office address at # 002 Salvani Street, Soriano Subdivision, General Santos City, owned by **BRETCH GUIRE CACERES GARCINEZ**.

ANTECEDENTS:

In accordance with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations (IRR), the Bids and Awards Committee advertised and posted in the PPA website and PhilGEPS, as well as on its bulletin board, an Invitation to Bid for the Procurement of New Branded Desktop Computer Sets with an Approved Budget for the Contract (ABC) of One Million Seven Hundred Fifty Thousand Pesos (Php 1,750,000.00) inclusive of 12 % VAT. The procurement is for fifty (50) sets of computers with its Technical Specifications enumerated in the Terms of Reference, among other things;

A first bidding was conducted on September 15, 2021 but was declared to be a failed bidding because no bidder dropped a bid and participated in the said bidding. Resolution No. 014 series of 2021 dated September 15, 2021 was issued by the BAC declaring the first bidding as a failed bidding and recommended the conduct of the re-bidding;

On October 18, 2021, a second bidding was conducted. The same was declared a failed bidding by the BAC per Resolution No. 020 series of 2021 for the reason that the lone bidder failed in its Financial Proposal. The BAC recommended the conduct of Negotiated Procurement;

A Negotiated Procurement was conducted on November 11, 2021 which was participated by the two (2) offerors. The offer submitted by **NUTNULL IT SOLUTIONS** at its unit and lump sum prices set forth in its proposal was found to be the best offer in the amount of **ONE MILLION SIX HUNDRED THIRTY TWO THOUSAND TWO HUNDRED PESOS (Php 1,632,200.00.00)** inclusive of 12% VAT, Philippine Currency;

Pursuant to BAC Resolution No.024 Series of 2021, award of contract was made to **NUTNULL IT SOLUTIONS** in a Notice of Award dated November 29, 2021, in the amount **ONE MILLION SIX HUNDRED THIRTY TWO THOUSAND TWO HUNDRED PESOS (Php 1,632,200.00.00)** Inclusive of 12 % VAT, Philippine Currency, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

NUTNULL IT SOLUTIONS duly accepted the award by signing its Conforme on the said Notice of Award;

NOW, THEREFORE, the parties agree as follows:

1. In this Contract, words and expressions shall have the same meanings as are respectively assigned to them in the attached Contract Documents.
2. The following documents shall form part of this Contract:
 - A. Bid Documents consisting of the following:
 - A.1 Invitation to Bid
 - A.2 Instructions to Bidders
 - A.3 Bid Data Sheet
 - A.4 General Conditions of the Contract
 - A.5 Special Conditions of the Contract
 - A.6 Schedule of Requirements
 - A.7 Terms of Reference
 - A.8 Technical Specifications
 - A.9 Re-invitation to Bid and Instructions to Bidders
 - A-10 Letter Invitation to Participate in Negotiated Procurement
 - A-11 BAC Resolutions
 - B. Technical and Financial Proposals
 - C. Performance Security
 - D. Notice of Award of Contract with Conforme thereto
 - E. Other contract documents that may be required by existing laws and PPA:
 - E.1 Certificate of Availability of Funds
 - E.2 Abstract of Bids
 - E.3 Proof of Posting
 - E.4 BAC Resolutions
3. In consideration of the payments to be made by PPA, **NUTNULL IT SOLUTIONS** commits to supply and deliver the goods and remedy any defects therein in conformity with the provisions of this Contract and Contract Documents.

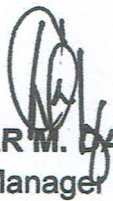
4. NUTNULL IT SOLUTIONS shall observe the Covid 19 protocols of PPA in its deliver of the goods.
5. In consideration of the supply and delivery of the goods and remedying any defects therein, PPA commits to pay the Contract Price or such other sum as may become payable under the provisions of this Contract and Contract Documents.
6. This Contract shall become effective after the same shall have been signed by the Parties hereof.

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

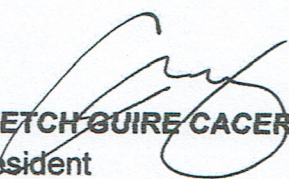
PHILIPPINE PORTS AUTHORITY
TIN No. 000352232157

NUTNULL IT SOLUTIONS

By:

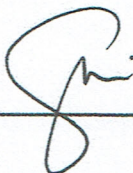

CESAR M. DATAYA
Port Manager

By:


BRETCH GUIRE CACERES GARCINEZ
President

WITNESSES





ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of General Santos) S.S.

BEFORE ME, a Notary Public for and in the City of Manila, this ____ day of _____ 2021, personally appeared the following:

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE OF ISSUE OR EXPIRY DATE	PLACE OF ISSUE
CESAR M. DATAYA	PPA ID No. 00702016		
BRETCH GUIRE CACERES GARCINEZ	Drivers License	June 1, 2024	

known to me and to me known to be the same persons who executed the foregoing instrument as :


POSITION	COMPANY	CTC No.	DATE	PLACE
Port Manager	Philippine Ports Authority	27048563	2/18/2021	GSC
Proprietor	Nutnull IT Solutions	26987688		

and they acknowledged to me that the same is their own free act and deed as well as the free and voluntary act of the corporation they represent.

The foregoing instrument is a contract for the **Procurement of New Branded Desktop Computer Sets** consisting of four (4) pages, including this page on which this Acknowledgment is written, signed by the parties and their instrumental witnesses on each and every page thereof.

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

Doc. No. 275
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Book No. LV
Series of 2021


ATTY. ALMA I. GOROSPE-ARAYA
NOTARY PUBLIC FOR GENERAL SANTOS CITY
UNTIL DECEMBER 31, 2021
ROLL OF ATTORNEY'S NO. 00002
PTR CS NO. 9500592 12/29/2020 GSC
ICP O.R NO. 121113: 12/28/2020
TIN NO. 931-039-632: BIR
MCLE COMP. NO. VI-002609 TO EXPIRE ON 04/14/2022