

**CONTRACT AGREEMENT
FOR THE PROCUREMENT OF BCDA IT SOFTWARE ANNUAL
SUBSCRIPTION FOR CY 2024 - LOT 2**

This Contract is executed between:

BASES CONVERSION AND DEVELOPMENT AUTHORITY ("BCDA"), a government instrumentality vested with corporate powers under Republic Act (RA) 7227 (Bases Conversion and Development Act of 1992), with offices at BCDA Corporate Center, 2nd Floor, Bonifacio Technology Center, 31st St., corner 2nd Avenue, Bonifacio Global City, Taguig, Metro Manila 1634, represented by its Executive Vice President, **ATTY. GISELA Z. KALALO**, duly authorized for this purpose provided in Section V. 178, Page 27 of the BCDA's Revised Manual of Approval dated 22 November 2017, a copy of which is hereto attached as Annex "A" and made an integral part hereof and hereinafter referred to as "**BCDA**";

--and--

The **CIM TECHNOLOGIES, INC.**, with registered office at Elias Angeles Street Dinaga Naga City, Camarines Sur, represented herein by its Authorized Representative, **MARISOL F. RIO**, who is duly authorized for this purpose evidenced by its Secretary's Certificate dated 08 November 2024, a copy of which is hereto attached as Annex "B" and made an integral part hereof, hereinafter referred to as "**SUPPLIER**". BCDA and the Supplier may be individually referred to as "Party" or collectively as "Parties".

WHEREAS, the BCDA invited Bids for certain goods and ancillary services, particularly Procurement of **BCDA IT Software Annual Subscription for CY2024 - Lot 2**, and has accepted a Bid by the Supplier for the supply of those goods in the sum of One Million Eight Hundred Eight Thousand Pesos and 00/100 (Php1,808,000.00) inclusive of VAT and all applicable taxes and fees (hereinafter called "the Contract Price").

ACCORDINGLY, the Parties agree 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 an 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.**

3. In consideration for the sum of One Million Eight Hundred Eight Thousand Pesos and 00/100 (Php1,808,000.00) inclusive of VAT and all applicable taxes and fees or such other sums as may be ascertained, CIM TECHNOLOGIES, INC., agrees to Procurement of BCDA IT Software Annual Subscription for CY 2024 - Lot 2, in accordance with its Bid.
4. BCDA agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
5. Anti-Bribery. The Contractor has not made and will not make any offer, promise to pay, or authorization of the payment of any money, gift, or any other inducement to any official, political party, employee of Government, or any other person, in contravention with applicable laws in connection with the execution of this Contract and performance of its obligations thereunder. Violation of this provision shall be a ground for immediate termination of this Contract.
6. Assignment. Contractor shall not assign this Contract or subcontract any portion of it, without BCDA's prior written consent, subject to applicable rules and regulations on subcontracting. Prior to the assignment or subcontracting and the approval by BCDA thereof, Contractor must disclose to BCDA the name of its assignee/s or subcontractor who/which should have a written agreement/s with Contractor indicating: (i) that the assignee/s or subcontractor/s are aware and shall abide with all the terms and conditions of this Contract, as may be applicable, (ii) that the terms of the assignment/subcontract shall not exceed the term of this Contract, and (iii) the detailed terms of the assignment/subcontract.

7. To ensure continuing compliance with tax laws pursuant to Executive Order No.398:

- a. Contractor shall pay taxes in full and on time.
- b. Contractor is likewise required to regularly present, within the duration of the Contract, a tax clearance from the Bureau of Internal Revenue (BIR) as well as a copy of its income and business tax returns duly stamped and received by the BIR and duly validated with the tax payments made therein.

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 _____ in _____, Philippines.

BASES CONVERSION AND DEVELOPMENT AUTHORITY

CIM TECHNOLOGIES, INC.

By:


[REDACTED]
ATTY. GISELA Z. KALALO
Executive Vice President

By:



[REDACTED]
MARISOL F. RIO
Authorized Representative




Information and Communications Technology Department

AC2024-1366

WITNESSES


[REDACTED]
VIRGIL M. ALVAREZ
Vice President, ICTD


[REDACTED]
MARI JOYEL B. ELARIMO
CUSTOMER SUCCESS OFFICER



ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of Taguig City) S.S.

BEFORE ME, a Notary Public for and in the City of Taguig City, this ____
day of JAN 10 2025 2024, personally appeared the following:

NAME	GOVERNMENT-ISSUED ID	DATE	PLACE
1. Atty. Gisela Z. Kalalo	[REDACTED]		
2. Marisol F. Rio	<i>Passport</i> [REDACTED]		

They are known to me to be the same persons who executed the foregoing agreement.

POSITION

COMPANY

- | | |
|------------------------------|------------------------|
| 1. Executive Vice President | BCDA |
| 2. Authorized Representative | CIM Technologies, Inc. |

and they acknowledge to me that the signatures they affixed confirm their own free acts and the entities they represent.

SIGNED AND SEALED at the place and on the date stated above.

Doc. No. 126 ;
Page No. 27 ;
Book No. 1 ;
Series of 2025.

Notary Public
ATTY. NOVEN B. CARINAN
Notary Public for and in the City of Taguig
Until December 31, 2025
Appointment No. 173 (2024-2025)
PTR No. A-6330452; July 15, 2024; Taguig City
IBP No. 422373; Jan. 15, 2024; Rizal / Roll No. 90401
MCLE No. : Admitted to the Philippine Bar
on December 22, 2023

<p>Republic of the Philippines Office of the President</p> <p>BCDA Bases Conversion and Development Authority</p>	<p>BASES CONVERSION AND DEVELOPMENT AUTHORITY</p>	<p>Page No. Page 27</p>
	<p>Manual of Approval</p>	<p>Issue No. 002</p>
		<p>BOD Approval Date 22 Nov. 2017</p>

No.	Item	Upon Recommendation of
171	Vacation/Sick/Privilege Leave, within the Philippines for 15 days or more for all positions	Concerned Department Head through ODMD and CSG Head
172	Vehicle assignment/deployment to a particular office; use of vehicle to an office or entity, government or private, internal or external	CSG Head
173	Rehabilitation Leave on job-related injuries for all positions	CSG Head
174	Conduct of seminars, trainings, team building, and physical fitness activities	CSG Head
175	Request for new provision of mobile data or wi-fi as well as post-paid line and cellcard for ranks SG 24 and below	Concerned Group Head
176	Filing/Submission of claims for Directors and Officers Liability Fund (DOLF)	DOLF Committee (based on DOLF policy)
177	Performance Ratings of Group Heads, subject to review by P/CEO	
178	<p>Procurement covered by R.A. 9184 and its revised IRR for Goods with an ABC of above ₱1 Million to ₱10 Million and below as well as for Consulting Services and Infrastructure with an ABC of ₱10 Million and below:</p> <ol style="list-style-type: none"> Authority to procure Approved budget for the contract (ABC) Terms of Reference (TOR) Award of Contract BAC Resolution on re-bidding, authority to enter into negotiated procurement, use of alternative methods of procurement and delegation of authority to the concerned end-user or to the Procurement Division (involving goods) to process procurement using the allowed alternative methods of procurement, if applicable BAC Resolution on the ranking of shortlisted bidder/s and declaration of highest rated bid (HRB) for the procurement of Consulting Services with an ABC of ₱10 Million and below Contract Cancellation/termination of procurement, award, or contract Amendment to Order above ₱1 Million to ₱10 Million and below for Goods 	<p>Group Head of end-user (a, b, c, g, h, i, and j)</p> <p>BAC (d, e, f, and h)</p>

REPUBLIC OF THE PHILIPPINES)
MAKATI CITY, METRO MANILA) S.S.

SECRETARY'S CERTIFICATE

I, Justin Brendan L Yu, a duly elected/appointed and qualified Assistant Corporate Secretary of CIM TECHNOLOGIES, INC., a corporation duly organized and existing under and by virtue of the law of the Republic of the Philippines, with principal address at 706 SEDCCO 1 Bldg., 120 Rada St., Legazpi Village, Makati City, Philippines, do hereby certify that:

I am familiar with the facts herein certified and duly authorized to certify the same;

At the special meeting of the Board of Directors of the said corporation duly convened and held on November 6, 2024, at which meeting a quorum was present and acting throughout, the following resolutions were approved:

"RESOLVED, that authority is hereby granted for CIM TECHNOLOGIES, INC. to participate in Bidding for BCDA IT Software Annual Subscription 2024 (Lot 2 Autodesk) with Bases Conversion and Development Authority-Main, Bonifacio Technology Center, 31st Street Bonifacio Global City, Taguig City.

"RESOLVED, FURTHER, Marisol F. Rio, Business Development Officer, is hereby designated as the Corporation's duly authorized representative in the Bidding for BCDA IT Software Annual Subscription 2024 (Lot 2 Autodesk) with Bases Conversion and Development Authority-Main, Bonifacio Technology Center, 31st Street Bonifacio Global City, Taguig City, is hereby granted full power and authority to perform any and all acts necessary or required in the said bidding and including the execution, signing and delivery of all documents;

"RESOLVED, FINALLY, that in case the Corporation is awarded the bidding, Marisol F. Rio, Business Development Officer, is hereby authorized to execute, sign, and deliver, for and on behalf of the Corporation.

That the above-quoted resolutions have not been amended, revoked, or annulled in any manner whatsoever and are in full force and affect as of the date hereof.

That the specimen signatures of the above-mentioned authorized representative and authorized signatory are as follows:

Name	Signature
Marisol F. Rio	

IN WITNESS WHEREOF, I hereby affix my signature on 7th November 2024.


Justin Brendan L. Yu
(Assistant Corporate Secretary)

NOV 08 2024

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20__ affiant exhibited to me his Philippine Passport No. P9485455A issued on November 10, 2018, valid until November 9, 2028, at DFA NCR East.

Notary Public

NAME OF NOTARY PUBLIC _____
Serial No. of Commission _____
Notary Public for _____ until _____
Roll of Attorneys No. _____
PTR No. ___[date issued]___, [place issued]___
IBP No. ___[date issued]___, [place issued]___

ATTY. JOHN EDWARD TRINIDAD ANG
Notary Public for City of Manila-Until Dec. 31, 2024
Notarial Commission No. 2023-0911
2nd Floor Mifflin Plaza Hotel, Adriatico St., Ermita, Mla.
I.B.P. NO. 393541-Jan 3, 2024
PTR. NO. 4535522 Jan 3, 2024 at Manila
ROLL No. 180731/MCLE Compliance No. VI-B011575-DMM/2023

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