

**CONTRACT FOR THE SUPPLY, DELIVERY, SETUP, CONFIGURATION AND
COMMISSIONING OF AUDIO VIDEO EQUIPMENT IN THE DEPARTMENT OF
FINANCE
IB No. 2023-10-G**

THIS AGREEMENT made the _____ day of 05 OCT 2023 2023 between **DEPARTMENT OF FINANCE** of the Philippines (hereinafter called "the DOF") of the one part and **THE BRAIN COMPUTER CORPORATION** of #150 F. Blumentritt St., Brgy. Batis, San Juan City, Metro Manila (hereinafter called "the Supplier") of the other part;

WHEREAS, the DOF invited Bids for the **Supply, Delivery, Setup, Configuration and Commissioning of Audio Video Equipment** and has accepted a Bid by the Supplier for the supply of those goods in the sum of **Two Million Four Hundred Thirty-Six Thousand Nine Hundred Eighty-Two Pesos (P2,436,982.00)** (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.:
 - A. Philippine Bidding Documents (PBDs);
 - a. Schedule of Requirements;
 - b. Technical Specifications;
 - c. General and Special Conditions of Contract; and
 - d. Supplemental or Bid Bulletins, if any
 - B. Supplier's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;
 - C. Bid form, including all the documents/statements contained in the Supplier's bidding envelopes, as annexes, and all other documents submitted (e.g., Supplier's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from DOF's bid evaluation;
 - D. Performance Security;
 - E. Notice of Award of Contract; and the Supplier's conforme thereto; and
 - F. Other contract documents that may be required by existing laws and/or the DOF in the PBDs. The Supplier 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 **Two Million Four Hundred Thirty-Six Thousand Nine Hundred Eighty-Two Pesos (P2,436,982.00)**, **THE BRAIN COMPUTER CORPORATION** shall supply, deliver, setup, configure and commission audio video equipment in the DOF in accordance with its Bid.

4. The **DEPARTMENT OF FINANCE** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

5. **Data Privacy Compliance**

The PARTIES shall comply with the provisions of Republic Act (RA) No. 10173, otherwise known as the "Data Privacy Act of 2012", its Implementing Rules and Regulations (IRR), issuances of the National Privacy Commission (NPC), and other applicable laws on processing of personal information. These shall include compliance with all relevant data protection policies of the Entity and other measures reasonably necessary to prevent any use or disclosure of personal data other than as allowed under this contract.

The PARTIES shall implement security measures aimed at maintaining the availability, integrity, and confidentiality of personal data including the protection of personal data against any accidental or unlawful destruction, alteration, and disclosure, as well as against any other unlawful processing.

6. **Consent to the Processing of Personal Information**

As part of the data privacy compliance, the Supplier hereby grants its consent to the DOF's processing of its personal information collected under this contract, which may include the disclosure of such information to third parties, to comply with requirements of law in relation to the implementation of this contract.

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.

DEPARTMENT OF FINANCE

THE BRAIN COMPUTER CORPORATION

BY:

BY:


BAYANI H. AGABIN
Undersecretary


JANICE L. BAUTISTA
Authorized Representative

SIGNED IN THE PRESENCE OF

ACKNOWLEDGMENT

Republic of the Philippines}
City of Manila } S.S

BEFORE ME, this OCT 05 2023 day of CITY OF MANILA, personally appeared Undersecretary Bayani H. Agabin with TIN 172-571-956 issued at _____ on _____ in his capacity as the authorized signatory of the DEPARTMENT OF FINANCE, and Ms. Janice L. Bautista with ID No. _____ issued at _____ on _____ in her capacity as the authorized signatory of The Brain Computer Corporation, known to me and to me known to be the same persons who executed the foregoing Contract (with attachments and appendices), consisting of three (3) pages, including the page on which this acknowledgment is written, and who acknowledge to me that the same is their free and voluntary act and deed, and the free and voluntary act and deed of the government entity and company which they represent, respectively.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at the place and on the day first above written.


ATTY. BENVENIDO N. QUIÑONES
NOTARY PUBLIC

UNTIL DECEMBER 31, 2023
NOTARIAL COMMISSION NO. 2022-060
PTR: 5105304 01.03.23 Mand. City
ROLL OF ATTORNEY 28685
IBP/LRN NO. 02038 12.29.00-MLA. III
MCLE Compliance VII-0027097 / 3.17.23
#1760 Paz M. Guazon St., Paco, Manila

Doc. No. 347
Page No. 70
Book No. LV
Series of 2023