

**CONTRACT ON THE BIDDING FOR ONE (1) LOT VULNERABILITY ASSESSMENT AND PENETRATION TESTING (VAPT)
(IB No. VAPT 2020-001-GS)**

THIS AGREEMENT made and entered into this 12 APR 2021 day of _____ 2021, in the City of QUEZON CITY Metro Manila, by and between:

PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH), a government owned and controlled corporation duly created by virtue of R.A. 7875, as amended by R.A 9241 and R.A. No. 10606 or the "National Health Insurance Act of 2013", with principal office address at 17th Floor, City State Center Building, 709 Shaw Blvd corner Oranbo Drive, Pasig City. PHILHEALTH is represented in this Agreement by its President and Chief Executive Officer (CEO), **ATTY. DANTE A. GIERRAN, CPA** who is authorized to sign this agreement under Corporate Order No. 2018-0026 on the New Delegation and Signing Authority (DSA) in the Head Office and Regional Offices, copy attached hereto as Annex "J";

-and-

MYBUSYBEE INC., a stock corporation, organized and registered with the Securities and Exchange Commission and existing under the laws of the Republic of the Philippines, with business address at Unit 7 G/F Burgundy Place Condominium 174-B Gonzales St. Loyola Heights, Quezon City, represented herein by its **President and Chief Executive Officer, RICO M. HERNANDEZ**, (hereinafter called "**MYBUSYBEE**"), duly authorized for this purpose as evidenced by Mybusybee Inc. Secretary's Certificate, copy attached hereto as Annex "K";

WHEREAS, PHILHEALTH invited Bids on the Bidding for the **Procurement of One (1) Lot Vulnerability Assessment and Penetration Testing (VAPT)** and has accepted a Bid by **MYBUSYBEE, INC.** for the supply of those goods in the sum of, **ONE MILLION TWO HUNDRED NINETY FOUR THOUSAND PESOS (PhP1,294,000.00)** (hereinafter called "**the Contract Price**"),

On May 15, 2020, PhilHealth caused the publication of an Invitation to Bid for the procurement of One (1) Lot Vulnerability Assessment and Penetration Testing (VAPT) with an Approved Budget of the Contract (ABC) in the amount of One Million Four Hundred Fifty Five Thousand Pesos (PhP1,455,000.00) in accordance with its 2020 Annual Procurement Plan.

Four (4) bidders submitted their bids on or before July 11, 2020. After opening the bids, Mybusybee Inc. was declared eligible having submitted the Second Lowest Calculated Bid (2nd LCB).

Pursuant to the Bids & Awards Committee – Good and Services (BAC-GS) Resolution No. 08, s. 2020 declared the post-disqualification of the Lowest Calculated Bid (LCB) and the BAC-GS directed to proceed with the post-qualification of Mybusybee Inc. as the Second Lowest Calculated Bid.

After such proceedings, Mybusybee Inc.'s bid in the amount of One Million Two Hundred Ninety Four Thousand Pesos (PhP1,294,000.00) was found to be the Lowest Calculated and Responsive Bid.

PhilHealth subsequently issued the Notice of Award to Mybusybee Inc. which the latter accepted on December 29, 2020.

ATTY. DANTE A. GIERRAN, CPA
President and Chief Executive Officer
PhilHealth

RICO M. HERNANDEZ
President and CEO
Mybusybee Inc

ANNIE ROSE B. GAFFUD
Acting Senior Manager
Corporate Information Security Department

NOEMI L. ERGINO
Administrative Assistant
Mybusybee Inc

IRENE M. CAMACHO
Information Systems Analyst III
Corporate Information Security Department

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 shall be deemed to form and be read and construed as part of this Agreement, viz:
 - (a) Mybusybee's Schedule of Requirements (**Annex "A"**);
 - (b) Mybusybee's Bid Form (**Annex "B"**);
 - (c) Mybusybee's Technical Proposal and its Appendices (**Annex "C"**);
 - (d) Notice of Award (**Annex "D"**);
 - (e) BAC-GS Resolution No. 13, s. 2020 (**Annex "E"**);
 - (f) General Conditions of the Contract (GCC) (**Annex "F"**);
 - (g) Special Conditions of the Contract (SCC) (**Annex "G"**);
 - (h) Bid Bulletins No. 1 and 2 (**Annex "H"**);
 - (i) Performance Security (**Annex "I"**).
 - (j) Corporate Order No. 2018-0026 (**Annex "J"**);
 - (k) Mybusybee Inc. Secretary's Certificate (**Annex "K"**).
3. In consideration of the payments to be made by **PHILHEALTH** to **MYBUSYBEE** as hereinafter mentioned, **MYBUSYBEE** hereby covenants with **PHILHEALTH** to provide the goods and services and to remedy defects therein within the warranty period in conformity in all respects with the provisions of the Contract;
4. **PHILHEALTH** hereby covenants to pay **MYBUSYBEE** in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract;
5. The parties and any or all of their staff or representatives who will be involved in this project shall be required to sign a mutual Non-Disclosure Agreement and maintain strict confidentiality on any information accessed from the PhilHealth database or provided by PhilHealth in accordance with the provisions of Republic Act No. 10173 or the Data Privacy Act of 2012, its Implementing Rules and Regulations, and other rules and regulations relating to data privacy. This condition shall apply even after the contract ends. **MYBUSYBEE** shall not disclose any proprietary or confidential information relating to PhilHealth or to this agreement without prior written consent from the latter.
6. **MYBUSYBEE** holds **PHILHEALTH** free and harmless from any claim, obligation or liability that may be caused to any third party that may be injured or harmed due to the willful, unlawful or negligent act or omission of **MYBUSYBEE** or any of its personnel or representative, without prejudice to any other legal action that **PHILHEALTH** may have against **MYBUSYBEE** for, in relation to the implementation of the 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.

**PHILIPPINE HEALTH INSURANCE
CORP.**

MYBUSYBEE INC.


ATTY. DANTE A. GIERRAN, CPA
President and Chief Executive Officer


RICO M. HERNANDEZ
President and CEO

Recommending Approval:


ANNIE ROSE B. GAFFUD
Acting Senior Manager,
Corporate Information Security Department

Signed in the presence of:


IRENE M. CAMACHO
Information Systems Analyst III,
Corporate Information Security Department


NOEMIL ERGINO
Administrative Assistant,
Mybusybee Inc.

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF QUEZON CITY) S.S.

BEFORE ME, this 12 APR 2021 day of _____ 2021, personally appeared the following persons exhibiting to me their respective Government issued ID's, to wit:

ATTY. DANTE A. GIERRAN, CPA
Philippine Health Insurance Corp.

PHILHEALTH COMPANY ID NO. 20647820

RICO M. HERNANDEZ
Mybusybee Inc.

PASSPORT # PO 871951A

Known to me to be the same persons who executed the foregoing Contract Agreement consisting of seventy-nine (79) pages including the annexes and this page on which the acknowledgement is written and they acknowledged that the same is their free act and deed and that of the corporations being represented.

12 APR 2021

QUEZON CITY

WITNESS MY HAND AND SEAL on the date and place first above written.

Doc No. 304
Page No. 61
Book No. V
Series of 2021

ATTY. RUBEN M. AZANES, JR
Notary Public
Commission No. NP-004 (2021-2022),
Expired until December 31, 2021
Agora, Camp Crame, Quezon City
IBP No. 132791 Nov. 17, 2020/QC
PTR No. 0694960-01-04-2021/QC
MCL.E Compliance No. VI-0030360
Attorney's Roll No. 46420