



Contract Agreement

For

PROCUREMENT OF DISASTER RECOVERY SYSTEM (DRS) FOR THALES TOPSKY-HE AIR
TRAFFIC MANAGEMENT SYSTEM (ATMS) FOR THE PHILIPPINE AIR TRAFFIC
MANAGEMENT CENTER (ATMC)

THIS AGREEMENT entered this 03 June 2025 between **CIVIL AVIATION AUTHORITY OF THE PHILIPPINES** with office address at Old MIA Road corner Ninoy Aquino Avenue, Pasay City 1300 created under Republic Act 9497 hereinafter called "CAAP" and represented herein by **LTGEN RAUL L DEL ROSARIO AFP (RET)** in his capacity as Director General of the one part:

and

THALES AUSTRALIA LIMITED, a corporation organized and existing by virtue of law and with office address at 11/F, Philamlife Tower, Paseo De Roxas Bel-Air, Makati City, 12009, Philippines hereinafter called "the Supplier" and represented herein by **BERTRAND MIRAS** in his capacity as Head of Services Sector of the other part.

WHEREAS, CAAP requested quotation for certain good and ancillary services, particularly the **Procurement of Disaster Recovery System (DRS) for Thales Topsky-HE Air Traffic Management System (ATMS) for the Philippine Air Traffic Management Center (ATMC)** and has accepted the Bids by the Supplier for the supply of those goods and services in the sum of **ONE HUNDRED NINETY-SEVEN MILLION PESOS ONLY (Php197,000,000.00)** hereinafter called "the Contract Price".

NOW THIS AGREEMENT WITNESSTH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively as 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:

- (2.1) CBA (CO) No. 25-02-249 dated 17 February 2025
- (2.2) Notice of Meeting of Change/Determination of Mode dated 12 March 2025
- (2.3) Notice letter of Direct Contracting & Request for Quotation dated 12 March 2025
- (2.4) Bid Bulletin No. 1 dated 19 March 2025
- (2.5) Financial Component and other attachments from the Supplier
- (2.6) Opening of Bids dated 28 March 2025
- (2.7) BAC TWG (Bravo) Bid Evaluation Report dated 02 April 2025
- (2.8) BAC Resolution No. 2025-0311-16 (Bravo) dated 02 June 2025
- (2.9) Notice of Award dated 02 June 2025

3. In consideration of the payments to be made by the Entity to the Supplier as herein mentioned, the Supplier hereby covenants with the Entity to provide the goods and services

OSCAR B. DEMETILLO, JR.

KEVIN D. ALMERIDO

ENGR. GARY M. JADIE

BERTRAND MIRAS

LTGEN RAUL L DEL ROSARIO AFP (RET)

within **Twenty-Four (24) Months** from receipt of the *Notice to Proceed* and to remedy defects therein in conformity in all respects with the provisions of the Contract.

4. The CAAP covenants to pay the Supplier 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 *Agreement*.

5. In case of failure to make the full delivery within the time specified above, a penalty of one-tenth (1/10) of one percent (0.001) for unperformed portion for every day of delay. Once the cumulative number of liquidated damages reaches ten percent (10%) of the amount of the contract, the Procuring Entity may rescind or terminate the Contract, without prejudice to other courses of action and remedies available under the circumstances.

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.

SIGNED:

**CIVIL AVIATION AUTHORITY OF THE
PHILIPPINES**

BY:

LTGEN RAUL L DEL ROSARIO AFP (RET)
Director General

THALES AUSTRALIA LIMITED

BY:

BERTRAND MIRAS
Head of Services Sector

WITNESSES

OSCAR B. DEMETILLO, JR.
Chief, Procurement Division

KEVIN D. ALMERIDO
Chief, Accountant

ENGR. GARY M. JADIE
Acting Chief, Air Navigation Service

ACKNOWLEDGEMENT

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

BEFORE ME, a Notary Public for and in, CITY OF MAKATI this JUN 24 2025
day of appeared the following person presenting to me their
respective identifications, to wit:

Name	Competent Evidence of Identity	Date and Place of Issue
LTGEN RAUL L DEL ROSARIO AFP (RET) Civil Aviation Authority of the Philippines		
BERTRAND MIRAS Thales Australia Limited		

Known to me known to be the same persons who executed and voluntarily signed the foregoing Contract which they acknowledge before me as their own free and voluntary act and deed and with full authority to sign in that capacity.

This instrument refers to the Contract entitled Procurement of Disaster Recovery System (DRS) for Thales Topsky-HE Air Traffic Management System (ATMS) for the Philippine Air Traffic Management Center (ATMC) with Reference No. C.A. No. G-2025-013 and consisting of three (3) pages including this page where the acknowledgement is written, duly signed by the parties and their instrumental witnesses thereof.

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

ATTY CERVACIO B. ORTIZ JR.
Notary Public City of Makati
Until December 31, 2026
IBP No. 05729-Lifetime Member
MCLE Compliance No. VII-0022734
Until 31 December 2025
Appointment No. M-007 (2025-2026)
PTR No. 10466005 Jan. 2, 2025/Makati
Makati City Roll No. 40091
Issued at: 101 Urban Ave. Campos Rueda Bldg.
Issued on: Purok Bin Del Pilar, Makati City
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