

Republic of the Philippines
PHILIPPINE PORTS AUTHORITY
PPA Building, Bonifacio Drive, South Harbor,
Port Area, Manila, Philippines

CONTRACT AGREEMENT
FOR THE CONSULTANCY SERVICES FOR THE CONDUCT OF FEASIBILITY STUDIES
AND FORMULATION OF MASTER PLANS AT SELECTED PORTS

This Agreement made and entered into this DEC 28 2021 day of _____ 2021, in
Manila, Philippines, by and between:

PHILIPPINE PORTS AUTHORITY (PPA), a government instrumentality
created under Presidential Decree No. 857, as amended, with principal office at
PPA Building, Bonifacio Drive, South Harbor, Port Area Manila, represented
herein by its General Manager, **JAY DANIEL R. SANTIAGO**, duly authorized for
this purpose under Board Resolution No. 2445, Series of 2015, attached herein
as **Annex A**.

- and -

GAMMACON BUILDERS INC., (GBI), duly organized and existing in
accordance with Philippine laws, with principal office address at Lot 5 Blk 11,
Sta. Clara Estates, Sta. Rita, Guiguinto, Bulacan, represented herein by its
Authorized Managing Officer, **CELEDONIA B. ACLAO**, duly authorized for this
purpose as shown in Secretary's Certificate dated 16 July 2021, attached herein
as **Annex B**.

WHEREAS, the Entity is desirous that the Consultant execute the Consultancy Services
for the Conduct of Feasibility Studies and Formulation of Master Plans at Selected Ports, with
an approved Budget for the Contract (ABC) of Php **26,371,062.81** and the Entity has accepted
the Bid for **TWENTY FOUR MILLION FIVE HUNDRED TWENTY FOUR THOUSAND ONE**
HUNDRED PESOS AND 05/100 (Php 24,524,100.05) by the Consultant for the execution and
completion of such Services and the remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meaning as are
respectively assigned to them in the Conditions of Contract hereinafter 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 part of this Agreement, viz:
 - a. Philippine Bidding Documents (PBDs);
 - i. Development Plans;
 - ii. General and Special Conditions of Contract;
 - iii. Supplemental or Bid Bulletins, if any

GAMMACON BUILDERS INC., (GBI)

BY :

CELEDONIA B. ACLAO
Authorized Managing Officer

Witness :

MA. LOURDES M. MANATAD
Vice President of Engineering & Operation

- b. 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;

- c. Performance Security;
- d. Notice of Award of Contract and the Bidder's conforme thereto; and
- e. 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 of the sum of **TWENTY FOUR MILLION FIVE HUNDRED TWENTY FOUR THOUSAND ONE HUNDRED PESOS AND 05/100 (Php 24,524,100.05)** or such other sums as may be ascertained, **GAMMACON BUILDERS INC., (GBI)** agrees to execute the Consultancy Services for the Conduct of Feasibility Studies and Formulation of Master Plans at Selected Ports in accordance with its Bid.

4. The Philippine Ports Authority agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

5. In execution of the Services, **GAMMACON BUILDERS INC., (GBI)** shall likewise hold PPA free and harmless from any liability due to actions, damages, or accident it may cause in the course thereof.

6. The failure of PPA to insist upon a strict performance of any of the terms, conditions and covenants hereof shall not be deemed a relinquishment or waiver of any of the rights or remedies that it may have, nor shall it be construed as a waiver of any subsequent breach or default of its terms, conditions and covenants which shall continue to be in full force and effect. Silence on the part of PPA shall not be considered as condonation or waiver of any breach or default by **GAMMACON BUILDERS INC., (GBI)** of any covenant or condition herein provided. No waiver by PPA of its rights under this Contract shall be deemed to have been made unless expressly made in writing and signed by its duly authorized representative.

IN WITNESS whereof, the Parties have hereto 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 PORTS AUTHORITY

BY :

JAY DANIEL R. SANTIAGO
General Manager

Witness :

MARK JON S. PALOMAR
Chairperson, HO-BAC-EP

PHILIPPINE PORTS AUTHORITY
TIN No. 000-352-232-000
By:

JAY DANIEL R. SANTIAGO
General Manager

MARK JON S. PALOMAR
Chairperson, HO-BAC-EP

GAMMACON BUILDERS INC., (GBI)
TIN No. 009-903-732-000
By:

CELEDONIA B. ACLAO
Authorized Managing Officer

WITNESSES

MA. LOURDES M. MANATAD
Vice President of Engineering & Operations

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of Manila) 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
Jay Daniel R. Santiago	PPA ID No. 00102016		
Celedonia B. Aclao	TIN No. 455-897-258-000		

known to me and to me known to be the same persons who executed the foregoing instrument 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 entities they represent.

POSITION	COMPANY	CTC No.	DATE	PLACE
General Manager	Phil. Ports Authority	00367765	2-02-21	Manila
Authorized Managing Officer	Gammacon Builders Inc., (GBI)	00094596	1-08-21	Bulacan

The foregoing instrument is a Contract for the Consultancy Services for the Conduct of Feasibility Studies and Formulation of Master Plans at Selected Ports, consisting of three (3) pages, including this page on which this Acknowledgment is written, signed by the parties and their instrumental witnesses on each and every page hereof.

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. 138;
Page No. 28;
Book No. 87;
Series of 2021

ROSALINDA A. MONTENEGRO
Notary Public
Until December 31, 2021
PTR No. 9296384 - 1/04/2021 - Q.C.
IBP No. AR40998326 - 1/04/2021
Roll No. 68465
MCLE Compliance No. VI-005347
Unit 312 Acre Bldg., 137 Malakas St
Brgy. Central, Quezon City