

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

CONTRACT
FOR THE SUPPLY AND DELIVERY OF FIFTEEN (15) UNITS MANLIFT

JAN 04 2021 Quezon City

This Contract made and entered into this _____ day of _____ 2020, 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. 2466, Series of 2015 as contained in Secretary's Certificate dated 02 November 2015, a copy of which is attached as **Annex A**.

- and -

BT INDUSTRIES, INCORPORATED, a corporation duly organized and existing under Philippine laws, with principal office address at 118 Kanlaon St., Brgy. Lourdes, Quezon City, represented herein by its Authorized Representative, **ARIEL V. BASAS**, duly authorized for this purpose as shown in Secretary's Certificate dated 19 October 2020, a copy of which is attached as **Annex B**.

ANTECEDENTS:

In accordance with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations (IRR), PPA advertised and posted on the PPA website and PhilGEPS, as well as on its bulletin board, an Invitation to Bid for the Procurement for the Supply and Delivery of Fifteen (15) Units Manlift, with an Approved Budget for the Contract (ABC) of Php 225,000,000.00;

In response to the said advertisement only one (1) bidder submitted its bid for the foregoing project;

After the opening of bids on 15 September 2020 and the conduct of bid evaluation and post-qualification, the bid submitted by BT INDUSTRIES, INCORPORATED at its unit and lump sum prices set forth in its proposal was found to be the Single Calculated Responsive Bid in the amount of **TWO HUNDRED TWENTY FOUR MILLION FIVE HUNDRED FIFTYTHOUSAND PESOS (Php 224,550,000.00)**, Philippine Currency;

Pursuant to Head Office BAC Resolution No. 095-2020 Series of 2020, award of contract was made to BT INDUSTRIES, INCORPORATED in a Notice of Award dated 16 November 2020, in the amount of **TWO HUNDRED TWENTY FOUR MILLION FIVE HUNDRED FIFTYTHOUSAND PESOS (Php 224,550,000.00)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

Witness:
STEPHENIE AUDREY C. AGUAS
Administrative Assistant

BT INDUSTRIES, INCORPORATED
BY: **ARIEL V. BASAS**
Authorized Representative

Witness:
MARK JON S. PALOMAR
Chairperson, HO-BAC-PGCS

PHILIPPINE PORTS AUTHORITY
BY: **JAY DANIEL R. SANTIAGO**
General Manager

BT INDUSTRIES, INCORPORATED duly accepted the award by signing its Conforme on the said Notice of Award;

NOW, THEREFORE, for and in consideration of the foregoing premises and the mutual stipulations herein contained, PPA and BT INDUSTRIES, INCORPORATED have agreed, as follows:

1. In this Contract, words and expressions shall have the same meanings as are respectively assigned to them in the attached Contract Documents.
2. The following documents shall form part of this Contract:
 - A. Bid Documents consisting of the following:
 - A.1 Invitation to Bid (Annex C)
 - A.2 Instructions to Bidders (Annex D)
 - A.3 Bid Data Sheet (Annex E)
 - A.4 General Conditions of Contract (Annex F)
 - A.5 Special Conditions of Contract (Annex G)
 - A.6 Schedule of Requirements (Annex H)
 - A.7 Terms of Reference (Annex I)
 - A.8 Technical Specifications (Annex J)
 - A.9 Addenda and/or Supplemental/Bid Bulletins (Annex K)
 - B. Technical and Financial Proposals (Annex L)
 - C. Performance Security (Annex M)
 - D. Notice of Award of Contract with BT INDUSTRIES, INCORPORATED's Conforme thereto (Annex N)
 - E. Other contract documents that may be required by existing laws and PPA:
 - E.1 Certificate of Availability of Funds (Annex O)
 - E.2 Abstract of Bids (Annex P)
 - E.3 Resolution of Award (Annex Q)
3. In consideration of the payments to be made by PPA, BT INDUSTRIES, INCORPORATED commits to deliver the goods consisting of Fifteen (15) Units Manlift, in accordance with the required specifications stated in the Terms of Reference hereto attached as Annex "I" and to provide immediate remedy on any defects therein in conformity with the provisions of this Contract and Contract Documents.
4. In consideration of the execution and complete delivery of the goods and remedying any defects therein, PPA, commits to pay the contract price in accordance with the Terms of Reference and in conformity with the provisions of this Contract and Contract Documents.
5. This Contract shall become effective after the same shall have been signed by the Parties hereof.

BT INDUSTRIES, INCORPORATED

Witness :

STEPHENIE AUDREY C. AGUAS
Administrative Assistant

BY :

ARIEL V. BASAS
Authorized Representative

Witness

MARK JON B. PALOMAR
Chairperson, HO-BAC-PGCS

PHILIPPINE PORTS AUTHORITY

BY :

JAY DANIEL R. SANTIAGO
General Manager

IN WITNESS WHEREOF, the Parties have hereunto signed this Contract on the date and place first hereinabove written.

PHILIPPINE PORTS AUTHORITY

TIN No. 000-352-232-000

By:

JAY DANIEL R. SANTIAGO

General Manager

BT INDUSTRIES, INCORPORATED

(TIN No 241-006-795-000)

By:

ARIEL V. BASAS

Authorized Representative

WITNESSES

MARK JON S. PALOMAR

Chairperson, HO-BAC-PGCS

STEPHENIE AUDREY C. AGUAS

Administrative Assistant

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF MANILA

) S.S.

Quezon City

JAN 04 2021

BEFORE ME, a Notary Public for and in the City of Manila, this _____ day of _____, 2020, 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 | | |
| Ariel V. Basas | Driver's License No.H02-09-002597 | | |

known to me and to me known to be the same persons who executed the foregoing instrument as :

| POSITION | COMPANY | CTC No. | DATE | PLACE |
|---------------------------|-----------------------------|----------|---------|--------|
| General Manager | Phil. Ports Authority | 00008513 | 1-27-20 | Manila |
| Authorized Representative | BT Industries, Incorporated | 00255459 | 2-10-20 | Q. C. |

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 corporation they represent.

The foregoing instrument is a Contract for the Procurement for the Supply and Delivery of Fifteen (15) Units Manlift, 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 thereof.

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

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Series of 2021

ATTY. MA LUISA R. VALENZUELA
NOTARY PUBLIC
UNTIL DECEMBER 31, 2022
NO. 93 (285) NS AMORANTO STREET, LA LOMA, QC
IBP OR NO. 133058MD2021 11-19-2020
PTR NO. 6973828C 01-04-2021 QC
ROLL OF ATTY. 40864
ADM MATTER NO. NP-012 (2021-2022)
MCLE-VI-002338 APRIL 2 2019