

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

**CONTRACT AGREEMENT
FOR THE SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF
GENERATOR SETS (PHASE II)**

This Contract made and entered into this JAN 11 2021 day of _____ 2021 in Manila, Philippines, by and between:

MINDANAO LABORATORY SERVICES
BY :

Witness

YANG
International Partner

MANUEL B. RODAJE, JR.
General Manager

PHILIPPINE PORTS AUTHORITY (PPA), herein referred to as ENTITY, is a government instrumentality created under Presidential Decree No. 857, as amended, with principal office address at PPA Bldg., Bonifacio Drive, South Harbor, Port Area, Manila, represented by **JAY DANIEL R. SANTIAGO**, duly authorized for this purpose under Board Resolution No. 2466, as contained in Secretary's Certificate dated 02 November 2015, copy of which is hereto attached as **Annex A**.

and

MINDANAO LABORATORY SERVICES, duly organized and existing under the Philippine laws, with principal office address at Davao St., Aluba, Macasandig, Cagayan de Oro City, represented herein by its General Manager, **MANUEL B. RODAJE, JR.**, duly authorized for this purpose, as shown in Special Power of Attorney dated 8 July 2020, copy of which is hereto attached as **Annex B**.

Witness

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

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly the Supply, Delivery, Installation, Testing and Commissioning of Generator Sets (Phase II), with an approved Budget for the Contract (ABC) of Php **450,000,000.00** and has accepted a Bid by the Service Provider for the supply of those goods and services in the sum of **(FOUR HUNDRED FORTY SIX MILLION EIGHT HUNDRED FIFTY THOUSAND PESOS (Php 446,850,000.00))**;

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.:
 - i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any

PHILIPPINE PORTS AUTHORITY
BY :

JAY DANIEL R. SANTIAGO
General Manager

- ii. 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;

- iii. Performance Security;
- iv. Notice of Award of Contract; and the Bidder's conforme thereto; and
- v. 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 for the sum of **FOUR HUNDRED FORTY SIX MILLION EIGHT HUNDRED FIFTY THOUSAND PESOS (Php 446,850,000.00)** or such other sums as may be ascertained, Mindanao Laboratory Services agrees for the Supply, Delivery, Installation, Testing and Commissioning of Generator Sets (Phase II) 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.

IN WITNESS whereof the Parties have 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 PORTS AUTHORITY
TIN No. 000-352-232-000
By:


JAY DANIEL R. SANTIAGO
General Manager

MINDANAO LABORATORY SERVICES
(TIN No 921-809-275-000)
By:


MANUEL B. RODAJE, JR.
General Manager

WITNESSES


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


YANG HUANG
International Partner

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 :

JAN 11 2021

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE OF ISSUE OR EXPIRY DATE	PLACE OF ISSUE
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Jay Daniel R. Santiago	PPA ID No. 00102016		
Manuel B. Rodaje, Jr.	Passport No. P5041150A		

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
General Manager	Mindanao Laboratory Service.	08527293	1-31-20	CDO City

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.


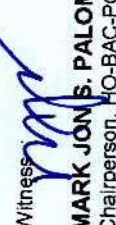
The foregoing instrument is a Contract for the Supply, Delivery, Installation, Testing and Commissioning of Generator Sets (Phase II), consisting of three (3) pages, including this page on which this Acknowledgment is written, signed by the parties and their instrumental witnesses on each and every page 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. ROSELIO J. SOLIVAR
 NOTARY PUBLIC IN QUEZON CITY
 AM Adm. Not. Com. No. 14-124 1-12-19 until 12-31-2020
 Commission Extended until June 30, 2021
 as per SC ENBANC S. RI No. 3795 12/1/2020
 IBP O.R. No. 132134 MD 2021 & IBP O.R. No. 133076 MD 2022
 PTR O.R. No. 0696112 D 1/4/21 / Roll No. 33832 / TIN# 129-871-009
 MGLE No. VI-0029583 valid from 12/16/19 valid until 04/14/22 Quezon City
 Address: 31-F Harvard St. Cubao, Q.C.

MINDANAO LABORATORY SERVICES
 BY: 
 MANUEL B. RODAJE, JR.
 General Manager
 Witness: 
 YANG HUANG
 International Partner

PHILIPPINE PORTS AUTHORITY
 BY: 
 JAY DANIEL R. SANTIAGO
 General Manager
 Witness: 
 MARK JON B. PALOMAR
 Chairperson, HO-BAC-PGCS