

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

CONTRACT
FOR THE EXPANSION OF BACK-UP AREA WITH RORO RAMP,
PORT OF LIPATA, SURIGAO CITY, SURIGAO DEL NORTE

This Contract made and entered into this 14 day of FEB 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. 2445, Series of 2015 as contained in Secretary's Certificate dated 10 August 2015, a copy of which is attached as **Annex A**.

- and -

EQUI-PARCO CONSTRUCTION COMPANY, a partnership duly organized and existing in accordance with Philippine laws, with principal office address at P-3, Ambangan, Ambago, Butuan City, represented herein by its Chief Executive Officer, **RUBEN A. JAVIER**, duly authorized for this purpose as shown in Partner's Certificate dated 29 June 2016, 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 Expansion of Back-Up Area with RoRo Ramp, Port of Lipata, Surigao City, Surigao del Norte, with an Approved Budget for the Contract (ABC) of Php **267,839,136.26**;

In response to the said advertisement, eight (8) bidders submitted their respective bids for the foregoing project;

After the opening of bids on 05 November 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by EQUI-PARCO CONSTRUCTION COMPANY at its unit and lump sum prices set forth in its proposal was found to be the Lowest Calculated Responsive Bid in the amount of **TWO HUNDRED FIFTY THREE MILLION THIRTY THOUSAND SEVEN HUNDRED TWENTY PESOS (Php 253,030,720.00)**, Philippine Currency;

Pursuant to Head Office BAC Resolution No. 056-2019 Series of 2019, award of contract was made to EQUI-PARCO CONSTRUCTION COMPANY in a Notice of Award dated 29 November 2019, in the amount of **TWO HUNDRED FIFTY THREE MILLION THIRTY THOUSAND SEVEN HUNDRED TWENTY PESOS (Php 253,030,720.00)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

Witness:
EQUI-PARCO CONSTRUCTION COMPANY
BY: **JESUS A. KAHAYON, JR.**
Liaison Officer

Witness:
MARK JONIS. PALOMAR
Chairperson, HO-BAC-EP

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

EQUI-PARCO CONSTRUCTION COMPANY 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 EQUI-PARCO CONSTRUCTION COMPANY 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 Specifications (Annex H)
- A.7 Drawings/Plans (Annex I)
- A.8 Addenda and/or Supplemental/Bid Bulletins, if any (Annex J)

B. Technical and Financial Proposals (Annex K)

C. Performance Security (Annex L)

D. Notice of Award of Contract with Equi-Parco Construction Company's Conforme thereto (Annex M) and

E. Other contract documents that may be required by existing laws and PPA.

- E.1 Construction Schedule and S-Curve (Annex N)
- E.2 Manpower Schedule (Annex O)
- E.3 Construction Methods (Annex P)
- E.4 Equipment Utilization Schedule (Annex Q)
- E.5 Construction Safety and Health Program approved by the DOLE (Annex R);
- E.6 Pert/CPM (Annex S)
- E.7 Duly Approved Program of Works and Cost Estimates (Annex T)
- E.8 Certificate of Availability of Funds (Annex U)
- E.9 Abstract of Bids (Annex V)
- E.10 Resolution of Award (Annex W)

3. In consideration of the payments to be made by PPA, EQUI-PARCO CONSTRUCTION COMPANY commits to undertake and complete the Works in accordance with the required specifications and remedy any defects therein in conformity with the provisions of this Contract and Contract Documents.

4. In consideration of the execution and completion of the Works and remedying any defects therein, PPA commits to pay the Contract Price or such other sum as may become payable under 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.

EQUI-PARCO CONSTRUCTION COMPANY

Witness:

JESUS A. KAYATON, JR.
Liaison Officer

RUBEN A. JAVIER
Chief Executive Officer

Witness:

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

JAY DANIEL R. SANTIAGO
General Manager

PHILIPPINE PORTS AUTHORITY

BY:

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

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

EQUIPARCO CONSTRUCTION COMPANY

TIN No. 000-385-535-000
By:

RUBEN A. JAVIER
Chief Executive Officer

WITNESSES

JESUS A. KAHAYON, JR.
Liaison Officer

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of Manila) S.S.

BEFORE ME, a Notary Public for and in the City of Manila, this **FEB 14 2020** day of _____, 2020, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No 00102016		
Ruben A. Javier	PRC No. 0024715		

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
Chief Executive Officer	Equi-Parco Construction Company	01889313	1-03-20	Butuan 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 Expansion of Back-Up Area, with RoRo Ramp, Port of Lipata, Surigao City, Surigao del Norte, 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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Book No. 721-p
Series of 2020;

ATTY. ROGELIO J. BOLIVAR
NOTARY PUBLIC IN QUEZON CITY
AM Adm. Not. Com. No. NP-124 1-12-19 until 12-31-2020
IBP O.R. No. 055255 Jan. 2019 & IBP O.R. No. 055256 Jan. 2020
PTR O.R. No. 9332194 C 1-3-2020 / Roll No. 33832 / TIN# 129-871-009
MCLE No. VI-0029583 valid from 12/16/19 Valid until 04/14/22 Quezon City
Address: 31-F Harvard St. Cubao, Q.C.