

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

**CONTRACT**  
**FOR THE MINDORO CLUSTERED PROJECT: DREDGING OF PORTS OF SAN JOSE (OLD AND NEW), OCCIDENTAL MINDORO AND CALAPAN, ORIENTAL MINDORO, PROVINCE OF MINDORO**

This Contract made and entered into this **FEB 21 2020** 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. 2445, Series of 2015 as contained in Secretary's Certificate dated 10 August 2015, a copy of which is attached as **Annex A**.

- and -

**EDSON M. GENILO**, Filipino, married, of legal age, with office address at 4K Bldg., Central Plaza Complex, Lag-on, Daet, Camarines Norte, doing business under the firm name/style of **BEMKAR CONSTRUCTION AND SUPPLY**, duly registered with the Department of Trade and Industry, under Certificate of Registration No. 05888380, 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 Mindoro Clustered Project: Dredging of Ports of San Jose (Old and New), Occidental Mindoro and Calapan, Oriental Mindoro, Province of Mindoro, with an Approved Budget for the Contract (ABC) of Php **149,780,155.37**;

In response to the said advertisement, two (2) bidders submitted their respective bids for the foregoing project;

After the opening of bids on 16 December 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by BEMKAR CONSTRUCTION AND SUPPLY 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 **ONE HUNDRED FORTY SIX MILLION SEVEN HUNDRED SEVENTY ONE THOUSAND TWO HUNDRED THIRTY EIGHT PESOS (Php 146,471,238.00)**, Philippine Currency;

Pursuant to Head Office BAC Resolution No. 005-2020 Series of 2020, award of contract was made to BEMKAR CONSTRUCTION AND SUPPLY in a Notice of Award dated 24 January 2020, in the amount of **ONE HUNDRED FORTY SIX MILLION SEVEN HUNDRED SEVENTY ONE THOUSAND TWO HUNDRED THIRTY EIGHT PESOS (Php 146,471,238.00)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

BEMKAR CONSTRUCTION AND SUPPLY

Witness:

*SEO ANTONIO B. SALUTEM*  
SEO ANTONIO B. SALUTEM  
Liaison Officer

BY: *EDSON M. GENILO*  
EDSON M. GENILO  
Proprietor

Witness:

*MARK JOMS. PALOMAR*  
MARK JOMS. PALOMAR  
Chairperson, HO-BAC-EP

PHILIPPINE PORTS AUTHORITY

BY:

*JAY DANIEL R. SANTIAGO*  
JAY DANIEL R. SANTIAGO  
General Manager



BEMKAR CONSTRUCTION AND SUPPLY

BY :

Witness  
*Seo Antonio B. Salutem*  
SEO ANTONIO B. SALUTEM  
Liaison Officer

*Edson M. Genilo*  
EDSON M. GENILO  
Proprietor

Witness  
*Mark Jon S. Palomar*  
MARK JON S. PALOMAR  
Chairperson, HO-BAC-EP

PHILIPPINE PORTS AUTHORITY

BY :

*Jay Daniel R. Santiago*  
JAY DANIEL R. SANTIAGO  
General Manager

BEMKAR CONSTRUCTION AND SUPPLY duly accepted the award by signing its Conformance on the said Notice of Award;

NOW, THEREFORE, the parties agree 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 Bemkar Construction and Supply's Conformance 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 (Annex V)
    - E.10 Resolution of Award (Annex W)
3. In consideration of the payments to be made by PPA, BEMKAR CONSTRUCTION AND SUPPLY 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.

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

**BEMKAR CONSTRUCTION AND SUPPLY**  
TIN No. 919-630-069-000  
By:

**EDSON M. GENILO**  
Proprietor

WITNESSES

**SEO ANTONIO B. SALUTEM**  
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 \_\_\_\_\_ day of \_\_\_\_\_, 2020, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No 00102016		
Edson M. Genilo	TIN No. 919-630-069-000		

**FEB 21 2020**

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	00158522	1-15-19	Manila
Proprietor	Bemkar Construction and Supply			

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 juridical person they represent.

The foregoing instrument is a Contract for the Mindoro Clustered Project: Dredging of Ports of San Jose (Old and New), Occidental Mindoro and Calapan, Oriental Mindoro, Province of Mindoro, 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

Doc. No. 57  
Page No. 30  
Book No. 21  
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. 055275 Jan. 2019 & IBP O.R. No. 055256 Jan. 2020  
PTR O.R. No. 0332194 C 1-3-2020 / Roll No. 33832 / TIN# 129-871-009  
MCLE No. VI-0029563 valid from 12/16/19 Valid until 04/14/22 Quezon City  
Address: 31-F Harvard St. Cubao, Q.C.