

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

**CONTRACT  
FOR THE CONSTRUCTION OF BACK-UP AREA,  
PORT OF GETAFE, BOHOL**

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. 2445, Series of 2015, attached herein as "**Annex 'A'**".

- and -

**MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION/JFAP CONSTRUCTION/JOINT VENTURE**, duly organized and existing in accordance with Philippine laws, with principal office address at Brgy. Doña Feliza Mejia, Ormoc City, represented herein by its Authorized Managing Officer, **JOSEPH FREDERICK A. PEPITO**, duly authorized for this purpose as shown in Joint Venture Agreement dated 25 November 2019, attached herein 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 Construction of Back-Up Area, Port of Getafe, Bohol, with an Approved Budget for the Contract (ABC) of Php **163,296,490.50**;

In response to the said advertisement, four (4) bidders submitted their respective bids for the foregoing project;

After the opening of bids on 03 December 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION/JFAP CONSTRUCTION/JOINT VENTURE 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 **ONE HUNDRED SIXTY ONE MILLION EIGHT HUNDRED NINETY NINE THOUSAND SEVENTY FOUR AND 84/100 PESOS (Php 161,899,074.84)**, Philippine Currency;

Pursuant to Head Office BAC Resolution No. 001-2020 Series of 2020, award of contract was made to MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION/JFAP CONSTRUCTION /JOINT VENTURE in a Notice of Award dated 24 January 2020, in the amount of **ONE HUNDRED SIXTY ONE MILLION EIGHT HUNDRED NINETY NINE THOUSAND SEVENTY FOUR AND 84/100 PESOS (Php 161,899,074.84)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION  
JFAP CONSTRUCTION/JV  
BY :  
Witness:  
ALNITA DASMARINAS-BARUG  
Authorized Managing Officer  
JOSEPH FREDERICK A. PEPITO  
Authorized Managing Officer

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


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

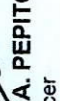
MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION/JFAP CONSTRUCTION/Joint Venture duly accepted the award by signing its Conforme on the said Notice of Award;

NOW, THEREFORE, for and in consideration of the foregoing premises and the mutual stipulations herein contained, PPA and MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION/JFAP CONSTRUCTION/Joint Venture 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 Mamsar Construction and Industrial Corporation/JFAP Construction's/Joint Venture 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 (Annex V)
    - E.10 Resolution of Award (Annex W)
3. In consideration of the payments to be made by PPA, MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION/JFAP CONSTRUCTION/Joint Venture 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.

MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION

JFAP CONSTRUCTION/JV  
BY:   
ALMITA DASMARINAS-BARUG  
Authorized Managing Officer

BY:   
JOSEPH FREDERICK A. PEPITO  
Authorized Managing Officer

Witness  
  
MARK JOS. PALOMAR  
Chairperson, HO-BAC-EP

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

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

**MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION** (TIN No. 000-273-578-000)/**JFAP CONSTRUCTION /JV**(TIN No. 180-490-416-000)

By:

**JOSEPH FREDERICK A. PEPITO**  
Authorized Managing Officer

**ALMITA DASMARIÑAS-BARUG**  
Authorized Managing Officer

WITNESSES

**ACKNOWLEDGMENT**

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

BEFORE ME, a Notary Public for and in the City of Manila, this MAR 02 2020 day of \_\_\_\_\_, 2020, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No 00102016		
Joseph Frederick A. Pepito	PRC No. 0075675		

POSITION	COMPANY	CTC No.	DATE	PLACE
General Manager	Phil. Ports Authority	00158522	1-15-19	Manila
Authorized Managing Officer	Mamsar Construction and Industrial Corporation/ JFAP Construction/Joint Venture			

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 Construction of Back-Up Area, Port of Getafe, Bohol, 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. 251 ;  
Page No. 52 ;  
Book No. 627 ;  
Series of 2020;

**ATTY. JOSE E. YANER**  
NOTARY PUBLIC COMMISSION No. 2020-013  
Issued on 01/20/2020 until 12/31/2021 MANILA  
UNIT 237 TMR 2 TAFT AVE., MALATE, MANILA  
Roll No. 44009 \*IBP Lifetime No. 2022/15-12-00  
PTR No. 9120231/01-02-2020 MANILA / TIN 104063310  
MCLE COMPLIANCE No. VI-0013321/04-14-2022