

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

CONTRACT
FOR THE DREDGING OF PORTS OF TAGBILARAN,
LOAY AND CLARIN, BOHOL

This Contract made and entered into this MAR 02 2020 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 29 November 2019, attached herein as "**Annex B'**".

A N T E C E D E N T S :

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 Dredging of the Ports of Tagbilaran, Loay and Clarin, Bohol, with an Approved Budget for the Contract (ABC) of Php **103,592,137.39**;

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

After the opening of bids on 17 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 ONE MILLION FOUR HUNDRED SEVENTY FOUR THOUSAND THREE HUNDRED EIGHTY FIVE AND 92/100 PESOS (Php 101,474,385.92)**, Philippine Currency;

Pursuant to Head Office BAC Resolution No. 006-2020 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 ONE MILLION FOUR HUNDRED SEVENTY FOUR THOUSAND THREE HUNDRED EIGHTY FIVE AND 92/100 PESOS (Php 101,474,385.92)**, 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/JOINT VENTURE
BY: **JOSEPH FREDERICK A. PEPITO**
Authorized Managing Officer

Witness:
ALMITA DAS MARINAS-BARUG
Authorized Managing Officer

PHILIPPINE PORTS AUTHORITY
BY:


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

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 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: 
Witness: **ALMITA DASMARINAS-BARUG**
Authorized Managing Officer

MAMSAR CONSTRUCTION AND INDUSTRIAL CORPORATION/
JFAP CONSTRUCTION/JV
BY: 
Witness: **JOSEPH FREDERICK A. PEPITO**
Authorized Managing Officer

PHILIPPINE PORTS AUTHORITY
BY: 
Witness: **MARK JON S. PALOMAR**
Chairperson, HO-BAC-EP

PHILIPPINE PORTS AUTHORITY
BY: 
Witness: **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		

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 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 Dredging of the Ports of Tagbilaran, Loay and Clarin, 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. 252 ;
Page No. 52 ;
Book No. CXY ;
Series of 2020;

ATTY. JOSE S. PANER
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