

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

CONTRACT
FOR THE BASIAO PORT DEVELOPMENT PROJECT,
PORT OF BASIAO, IVISAN, CAPIZ

This Contract made and entered into this MAY 26 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 -

J.S. LAYSON & CO., INC., a corporation duly organized and existing under Philippine laws, with principal office address at 113-B Saint Elizabeth Center, Valeria Street, Iloilo City, represented herein by its Executive Vice President, **JOSE V. LAYSON, JR.**, duly authorized for this purpose as shown in Secretary's Certificate dated 11 December 2019, 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 Basiao Port Development Project, Port of Basiao, Ivisan, Capiz, with an Approved Budget for the Contract (ABC) of Php **61,647,135.01**;

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

After the opening of bids on 18 December 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by J.S. LAYSON & CO., INC. 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 **SIXTY MILLION FOUR HUNDRED THOUSAND PESOS (Php 60,400,000.00)**, Philippine Currency;

Pursuant to Head Office BAC Resolution No. 009-2020 Series of 2020, award of contract was made to J.S. LAYSON & CO., INC. in a Notice of Award dated 24 January 2020, in the amount of **SIXTY MILLION FOUR HUNDRED THOUSAND PESOS (Php 60,400,000.00)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

Witness
Mary Suzanne Fadullon
MARY SUZANNE FADULLON
Administrative Officer

J.S. LAYSON & CO., INC.
BY: *Jose V. Layson, Jr.*
JOSE V. LAYSON, JR.
Executive Vice President

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

J.S. LAYSON & CO., INC. 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 J.S. LAYSON & CO., INC. 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 J.S. Layson & Co., Inc.'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, J.S. LAYSON & CO., INC. commits to complete the Civil Works stated in the Project Feature, Program of Works and other Civil Works mentioned in the bid contract documents attached hereto and to 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 Civil Works and remedying any defects therein, PPA, commits to pay the Contract Price in accordance with provisions of this Contract and Contract Documents.
5. This Contract shall become effective after the same shall have been signed by the Parties hereof.

Witness:

MARY SUZANNE RADULLON
Administrative Officer

J.S. LAYSON & CO., INC.
BY: 
JOSE V. LAYSON, JR.
Executive Vice President

Witness:

MARK JON S. 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

J.S. LAYSON & CO., INC.

TIN No. 004-230-244-000

By:

JOSE V. LAYSON, JR.

Executive Vice President

WITNESSES

MARY SUZANNE FADULLON

Administrative Officer

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)

City of Manila) S.S.

BEFORE ME, a Notary Public for and in the City of Manila, this MAY 26 2020 day of _____, 2020, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No 00102016		
Jose V. Layson, Jr.	TIN No. 004-230-244-000		

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
Executive Vice President	J.S. Layson & Co., Inc.	00167457	1-23-20	Iloilo 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 Basiao Port Development Project, Port of Basiao, Ivisan, Capiz, 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. 355;
Page No. 31;
Book No. 23;
Series of 2020;

ATTY. ROGELIO J. BOLIVAR
NOTARY PUBLIC IN QUEZON CITY
AM Adm. Not. Com. No. NF-424-1-12-19 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.