

Mary Ann B. Hernandez
MARY ANN B. HERNANDEZ
Liaison Officer

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

Witness:

CONTRACT
FOR THE CAWAYAN PORT IMPROVEMENT PROJECT,
PORT OF CAWAYAN, MASBATE

This Contract made and entered into this JUN 18 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 -

GRACE B. CHAN, of legal age, Filipino, with office address at 142 Florentino Da Jose St., Brgy. 1, Quezon, Nueva Ecija, doing business under the firm name/style of **MGB Construction and Trading**, duly registered with the Department of Trade and Industry, under Certificate of Registration No. 4058947, a copy of which is attached as **Annex B**.

MGB CONSTRUCTION AND TRADING
BY: *Grace B. Chan*
GRACE B. CHAN
Proprietor

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 Cawayan Port Improvement Project, Port of Cawayan, Masbate, with an Approved Budget for the Contract (ABC) of Php **149,138,830.31**;

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

After the opening of bids on 11 December 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by MGB CONSTRUCTION AND TRADING 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 NINE HUNDRED NINETY EIGHT THOUSAND AND 58/100 PESOS (Php 146,998,000.58)**, Philippine Currency;

Pursuant to Head Office BAC Resolution No. 003-2020 Series of 2020, award of contract was made to MGB CONSTRUCTION AND TRADING in a Notice of Award dated 24 January 2020, in the amount of **ONE HUNDRED FORTY SIX MILLION NINE HUNDRED NINETY EIGHT THOUSAND AND 58/100 PESOS (Php 146,998,000.58)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

Witness:
Mark Jones Palomar
MARK JONES PALOMAR
Chairperson, HO-BAC-EP

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

MGB CONSTRUCTION AND TRADING duly accepted the award by signing its Conformed on the said Notice of Award;

NOW, THEREFORE, for and in consideration of the foregoing premises and the mutual stipulations herein contained, PPA and MGB CONSTRUCTION AND TRADING 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 MGB Construction and Trading's Conformed 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, MGB CONSTRUCTION AND TRADING 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.

Witness:

MGB CONSTRUCTION AND TRADING

BY:

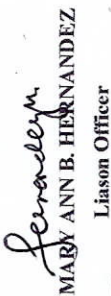

GRACE B. CHAN
Proprietor

Witness:

PHILIPPINE PORTS AUTHORITY

BY:


JAY DANIEL R. SANTIAGO
General Manager


MARY ANN B. HERNANDEZ
Liason Officer

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

MGB CONSTRUCTION AND TRADING

TIN No. 222-847-779-000

By:

GRACE B. CHAN

Proprietor

WITNESSES

MARY ANN B. FERNANDEZ

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 18 day of JUN 18 2020, 2020, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No 00102016		
Grace B. Chan	Driver's License No. N03-90-084834		

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	MGB Construction and Trading			

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 Cawayan Port Improvement Project, Port of Cawayan, Masbate, 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. 886;
Page No. 137;
Book No. 24;
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.