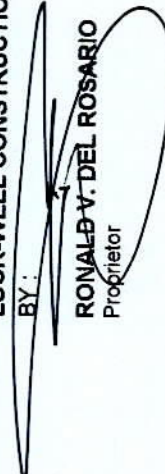


Republic of the Philippines
PHILIPPINE PORTS AUTHORITY
PPA Building, Bonifacio Drive, South Harbor,
Port Area, Manila, Philippines

CONTRACT
FOR THE CAPINPIN PORT EXPANSION PROJECT, PORT OF CAPINPIN,
BRGY. PUTING BUHANGIN, ORION, BATAAN

This Contract made and entered into this _____ day of **19 AUG 2019** in Manila, Philippines, by and between:

LUCK-WELL CONSTRUCTION
BY: 
RONALD V. DEL ROSARIO
Proprietor

PHILIPPINE PORTS AUTHORITY, 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 duly authorized General Manager, **JAY DANIEL R. SANTIAGO**, and hereinafter referred to as "PPA";

- and -

RONALD V. DEL ROSARIO (TIN No. 164-523-845-000), Filipino, married, of legal age, with office and business address at Don Manuel Banzon Ave., Doña Francisca, Balanga City, Bataan, doing business under the firm name/style of **LUCK-WELL CONSTRUCTION**, duly registered with the Department of Trade and Industry, under Certificate of Registration No. 05143372, a copy of which is hereto attached and made an integral part hereof as Annex "1", and hereinafter referred to as "**CONTRACTOR**."

WITNESSETH:

Witness: 
MARK J. PALOMAR
Chairperson, HO-BAC-EP

WHEREAS, 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 Capinpin Port Expansion Project, Port of Capinpin, Brgy. Puting Buhangin, Orion, Bataan;

WHEREAS, in response to the said advertisement, five (5) bidders submitted their respective bids for the foregoing project;

WHEREAS, after the opening of bids on 10 April 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by the CONTRACTOR 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 **TWO HUNDRED FORTY MILLION NINETY EIGHT THOUSAND FIVE HUNDRED SIXTY EIGHT AND 79/100 PESOS (Php 240,098,568.79)**, Philippine Currency;

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

WHEREAS, pursuant to Head Office BAC Resolution No. 025-2019 Series of 2019, award of contract was made to the CONTRACTOR in a Notice of Award dated 16 May 2019, in the amount of **TWO HUNDRED FORTY MILLION NINETY EIGHT THOUSAND FIVE HUNDRED SIXTY EIGHT AND 79/100 PESOS (Php 240,098,568.79)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

Witness
[Signature]
JUNED D. RAMBAGUD
Project Engineer for Special Projects

WHEREAS, the CONTRACTOR 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 the CONTRACTOR 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;
- A.2 Instructions to Bidders;
- A.3 Bid Data Sheet;
- A.4 General Conditions of Contract;
- A.5 Special Conditions of Contract;
- A.6 Specifications;
- A.7 Drawings/Plans;
- A.8 Addenda and/or Supplemental/Bid Bulletins, if any;

B. Technical and Financial Proposals;

C. Performance Security;

D. Notice of Award of Contract with the Contractor's Conforme thereto; and

E. Other contract documents that may be required by existing laws and PPA, such as:

- E.1 Construction Schedule and S-Curve;
- E.2 Manpower Schedule;
- E.3 Construction Methods;
- E.4 Equipment Utilization Schedule;
- E.5 Construction Safety and Health Program approved by the DOLE;
- E.6 Pert/CPM
- E.7 Duly Approved Program of Works and Cost Estimates;
- E.8 Certificate of Availability of Funds;
- E.9 Abstract of Bids; and
- E.10 Resolution of Award.

3. In consideration of the payments to be made by PPA, the CONTRACTOR commits to complete the Works 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.

LUCK-WELL CONSTRUCTION
BY: *[Signature]*
RONALD V. DEL ROSARIO
Proprietor

Witness
[Signature]
MARK JON S. PALOMAR
Chairperson, HO-BAC-EP

PHILIPPINE PORTS AUTHORITY
BY: *[Signature]*
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

LUCK-WELL CONSTRUCTION
TIN No. 164-523-845-000

JAY DANIEL R. SANTIAGO
General Manager

RONALD V. DEL ROSARIO
Proprietor

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

WITNESSES

JUNE D. RAMBACUD
Project Engineer for Special Projects

ACKNOWLEDGMENT

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

BEFORE ME, a Notary Public for and in the City of Manila, this 19 AUG 2019 day of 19 AUG 2019, 2019, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No 00102016		
Ronald V. Del Rosario	Passport No. EB9205462		

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	Luck-Well Construction			

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.

This foregoing instrument is a Contract for the Capinpin Port Expansion Project, Port of Capinpin, Brgy. Puting Buhangin, Orion, Bataan, 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. 19;
Page No. 1;
Book No. X;
Series of 2019;

ATTY. JOHN EDWARD TRINIDAD ANG
NOTARY PUBLIC FOR MANILA - UNTIL 12/31/2019
NOTARIAL COMMISSION NO. 2018-117
470 SAN FERNANDO ST. BINONDO MANILA
IBP NO. 058006 / 12-28-18 - PASIG CITY
PTR. NO. 8020772 / 12-27-18 - MANILA
ROLL NO. 58731 / MCLE EXEMPT. ADMITTED MAY 2011