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

CONTRACT AGREEMENT
FOR THE PROCUREMENT OF SERVICE PROVIDER FOR THE MAINTENANCE AND SUPPLY OF CONSUMABLES FOR 1500 UNITS LED SOLAR STREET LIGHTS (PHASE I)

This Agreement made and entered into this 06 SEP 2024 day of _____ 2024 in Manila, Philippines, by and between:

PHILIPPINE PORTS AUTHORITY (PPA), herein referred to as ENTITY, is a government instrumentality created under Presidential Decree No. 857, as amended, with principal office address at PPA Bldg., Bonifacio Drive, South Harbor, Port Area, Manila, represented by **JAY DANIEL R. SANTIAGO,** duly authorized for this purpose under Board Resolution No. 2466, as contained in Secretary's Certificate dated 02 November 2015, copy of which is hereto attached as **Annex A.**

and

JIOPROVIDER CORPORATION/JIANGSU BOYA LIGHTING ELECTRIC APPLIANCE CO.,LTD/JV, herein referred to as SUPPLIER and/or WINNING BIDDER, duly organized and existing under Philippine laws, with principal office address at 4th Flr. Unit No. 1, Gonzaga Bldg. Block 4, Lot 11, Regatta Square, Pueblo de Oro, Business Park, Upper Carmen. Cagayan de Oro, represented herein by its Authorized Representative, **EARL DANN REY E. GUTIERREZ**, duly authorized for this purpose, as shown in Joint Venture Agreement dated 24 July 2024, copy of which is hereto attached as **Annex B**.

WHEREAS, the Entity invited Bids for certain goods and services, particularly Procurement of Service Provider for the Maintenance and Supply of Consumables for 1500 Units LED Solar Street Lights (Phase I), with an approved Budget for the Contract (ABC) of Php **126,150,000.00** and has accepted a Bid by **JIOPROVIDER CORPORATION/JIANGSU BOYA LIGHTING ELECTRIC APPLIANCE CO.,LTD/JV** for those goods and services in the sum of **ONE HUNDRED TWENTY SIX MILLION SEVENTY THOUSAND PESOS (Php 126,070,000.00);.**

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meaning as are respectively assigned to them in the Conditions of Contract referred to.

2. The following documents as required by the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, *viz*:

   i. Philippine Bidding Documents (PBDs);
      i. Schedule of Requirements;
      ii. Technical Specifications;
      iii. General and Special Conditions of Contract; and
      iv. Supplemental or Bid Bulletins, if any

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

Witness :
MARK JON S. PALOMAR
Chairperson, HOBAC-PGCS

JIOPROVIDER CORPORATION/JIANGSU BOYA LIGHTING ELECTRIC APPLIANCE CO., LTD/JV
BY :
EARL DANN REY E. GUTIERREZ
Authorized Representative

Witness :
DANIELLE ANTONETTE S. BULOSA
Project Manager

ii. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;

iii. Performance Security;

iv. Notice of Award of Contract and the Bidder's conforme thereto; and

v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.

3. In consideration of the sum of **ONE HUNDRED TWENTY SIX MILLION SEVENTY THOUSAND PESOS (Php 126,070,000.00)** or such other sums as may be ascertained, **JIOPROVIDER CORPORATION/JIANGSU BOYA LIGHTING ELECTRIC APPLIANCE CO.,LTD/JV** agrees to the Procurement of Service Provider for the Maintenance and Supply of Consumables for 1500 Units LED Solar Street Lights (Phase I), in accordance with its Bid.

4. The Philippine Ports Authority agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

5. In execution of its Works, **JIOPROVIDER CORPORATION/JIANGSU BOYA LIGHTING ELECTRIC APPLIANCE CO.,LTD/JV** shall likewise hold PPA free and harmless from any liability due to actions, damages, or accident it may cause in the course thereof.

6. The failure of PPA to insist upon a strict performance of any of the terms, conditions and covenants hereof shall not be deemed a relinquishment or waiver of any of the rights or remedies that it may have, nor shall it be construed as a waiver of any subsequent breach or default of its terms, conditions and covenants which shall continue to be in full force and effect. Silence on the part of PPA shall not be considered as condonation or waiver of any breach or default by **JIOPROVIDER CORPORATION/JIANGSU BOYA LIGHTING ELECTRIC APPLIANCE CO.,LTD/JV** of any covenant or condition herein provided. No waiver by PPA of its rights under this Contract shall be deemed to have been made unless expressly made in writing and signed by its duly authorized representative.

IN WITNESS whereof, the Parties have hereto caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines, on the day and year first above written.

JIOPROVIDER CORPORATION/JIANGSU BOYA LIGHTING ELECTRIC APPLIANCE CO., LTD/JV
BY :
EARL DANN REY E. GUTIERREZ
Authorized Representative

Witness :
DANIELLE ANTONETTE S. BULOSA
Project Manager

Witness :
MARK JON S. PALOMAR
Chairperson, HOBAC-PGCS

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

PHILIPPINE PORTS AUTHORITY
TIN No. 000-352-232-000
By:

JAY DANIEL R. SANTIAGO
General Manager

JIOPROVIDER CORPORATION (TIN No. 104-073-066-00000)**/JIANGSU BOYA LIGHTING ELECTRIC APPLIANCE CO.,LTD/JV**

EARL DANN REY E. GUTIERREZ
Authorized Representative

WITNESSES

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

DANIELLE ANTONETTE S. BULOSAN
Project Manager

ACKNOWLEDGMENT

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

06 SEP 2024

BEFORE ME, a Notary Public for and in the City of Manila, this ____ day of _____, 2024, personally appeared the following :

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE OF ISSUE OR EXPIRY DATE	PLACE OF ISSUE
Jay Daniel R. Santiago	PPA ID No. 00792022		
Earl Dann Rey E. Gutierrez	Driver's License No. M02-21-009162		

known to me and to me known to be the same persons who executed the foregoing instrument 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 entities they represent.

POSITION	COMPANY	CTC No.	DATE	PLACE
General Manager	Phil. Ports Authority	00531834	1-17-24	Manila
Authorized Representative	Jioprovider Corporation/Jiangsu Boya Lighting Electric Appliance Co., LTD/JV			

The foregoing instrument is a Contract Agreement for the Procurement of Service Provider for the Maintenance and Supply of Consumables for 1500 Units LED Solar Street Lights (Phase I), 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 hereof.

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. 371;
Page No. 4;
Book No. I;
Series of 2024

ATTY. JOHN EDWARD TRINIDAD ANG
Notary Public for City of Manila Until Dec. 31, 2024
Notarial Commission No. 2023 091
2nd Floor Midland Plaza Hotel, Adriatico St. Ermita Mla.
IBP No. 329709- Jan. 3, 2024
P.T.R. No. 1535522 - Jan. 3, 2024
Roll No. 68731 / MCLE No. VII-0011675 - 04/4/2025
TIN NO: 252-273-193-00000