

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

CONTRACT
FOR THE CONSTRUCTION OF BACK-UP AREA AND PORT OPERATIONS BUILDING,
PORT OF TALAGA, MABINI, BATANGAS

This Contract made and entered into this 29 AUG 2019 day of MANILA PHILIPPINES, Manila, Philippines, by and between:

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 -

GREAT SWISS METAL BUILDERS CORPORATION (TIN No. 008-336-196-000), duly organized and existing in accordance with Philippine laws, with office and business address at Brgy. Sta. Cruz, Agoncillo, Batangas, represented in this act by its Authorized Managing Officer, **VICENTE I. CANTOS**, as evidenced by Secretary's Certificate dated 28 March 2019, a copy of which is hereto attached and made an integral part hereof as Annex "1", and hereinafter referred to as "CONTRACTOR."

WITNESSETH:

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 Construction of Back-Up Area and Port Operations Building, Port of Talaga, Mabini, Batangas;

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

WHEREAS, after the opening of bids on 15 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 Single Calculated Responsive Bid in the amount of **SIXTY SEVEN MILLION FOUR HUNDRED FORTY FIVE THOUSAND SIX HUNDRED AND 58/100 PESOS (Php 67,445,600.58)**, Philippine Currency;

WHEREAS, pursuant to Head Office BAC Resolution No. 026-2019 Series of 2019, award of contract was made to the CONTRACTOR in a Notice of Award dated 16 May 2019, in the amount of **SIXTY SEVEN MILLION FOUR HUNDRED FORTY FIVE THOUSAND SIX HUNDRED AND 58/100 PESOS (Php 67,445,600.58)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

Witness
MELCHOR SUTERREZ
Vice President
GREAT SWISS METAL BUILDERS CORPORATION

BY: VICENTE I. CANTOS
Authorized Managing Officer
GREAT SWISS METAL BUILDERS CORPORATION

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

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

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.

Witness
MELCHOR GUTIERREZ
Vice President

Witness
VICENTE T. CANTOS
Authorized Managing Officer

Witness
MARK JONAS. PALOMAR
Chairperson, HO-BAC-EP

Witness
JAY DANIEL R. SANTIAGO
General Manager

PHILIPPINE PORTS AUTHORITY
BY :

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

JAY DANIEL R. SANTIAGO
General Manager

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

GREAT SWISS METAL BUILDERS CORPORATION

TIN No. 000-336-196-000

VICENTE I. CANTOS
Authorized Managing Officer

WITNESSES

MELCHOR GUTIERREZ
Vice President

ACKNOWLEDGMENT

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

BEFORE ME, a Notary Public for and in the City of Manila, this 9 AUG 2019 of **MANILA PHILIPPINES**, 2019, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No 00102016		
Vicente I. Cantos	PRC No. 0000216		

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
Authorized Managing Officer	Great Swiss Metal Builders Corporation	22103846	1-23-19	Batangas

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.

This foregoing instrument is a Contract for the Construction of Back-Up Area and Port Operations Building, Port of Talaga, Mabini, Batangas, 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. 678 ;
Page No. 42 ;
Book No. 171 ;
Series of 2019;

ATTY. EDITHA M. TALABOC
NOTARY PUBLIC UNTIL DEC. 31, 2019
PTR NO. 8081633 - JAN. 25, 2019
IBP NO. 855468 - ROLL NO. 43138
ISSUED AT CITY OF MANILA
COMMISSION NO. 2017-219
MCLE NO. V-100160