

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

CONTRACT
FOR THE COBO PORT DEVELOPMENT PROJECT,
PORT OF COBO, PANDAN, CATANDUANES

This Contract made and entered into this 11 SEP 2019 day of _____ 2019, in 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 -

EDSON M. GENILO (TIN No. 919-630-069-000), Filipino, married, of legal age, with office and business address at 4K Bldg., Central Plaza Complex, Lag-on, Daet, Camarines Norte, doing business under the firm name/style of **BEMKAR CONSTRUCTION AND SUPPLY**, duly registered with the Department of Trade and Industry, under Certificate of Registration No. 05888380, 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 Cobo Port Development Project, Port of Cobo, Pandan, Catanduanes;

WHEREAS, in response to the said advertisement, only one (1) bidder submitted its bid 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 **FORTY NINE MILLION FOUR HUNDRED TEN THOUSAND SEVEN HUNDRED FORTY TWO PESOS (Php 49,410,742.00)**, Philippine Currency;

WHEREAS, pursuant to Head Office BAC Resolution No. 027-2019 Series of 2019, award of contract was made to the CONTRACTOR in a Notice of Award dated 16 May 2019, in the amount of **FORTY NINE MILLION FOUR HUNDRED TEN THOUSAND SEVEN HUNDRED FORTY TWO PESOS (Php 49,410,742.00)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

BEMKAR CONSTRUCTION AND SUPPLY

Witness:
Antonio B. Saluten
SEO ANTONIO B. SALUTEN
Liaison Officer

BY: *Edson M. Genilo*
EDSON M. GENILO
Proprietor

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

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.
 - 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.

BEMKAR CONSTRUCTION AND SUPPLY

Witness:
[Signature]
SEO ANTONIO B. SALUTEN
Liaison Officer

BY:
[Signature]
EDSON M. GENILO
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


BEMKAR CONSTRUCTION AND SUPPLY
TIN No. 919-630-069-000


JAY DANIEL R. SANTIAGO
General Manager


EDSON M. GENILO
Proprietor

WITNESSES


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


SEO ANTONIO B. SALUTEM
Liaison Officer

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 11 SEP 2019 day of ~~MANILA PHILIPPINES~~, 2019, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No. 00102016		
Edson M. Genilo	TIN No. 919-630-069-000		

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	00143578	1-15-18	Manila
Proprietor	Bemkar Construction and Supply			

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 Cobo Port Development Project, Port of Cobo, Pandan, Catanduanes, 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. 076 ;
Page No. 48 ;
Book No. 111 ;
Series of 2019;


ATTY. EDITHA P. TALABOC
NOTARY PUBLIC UNTIL DEC. 31, 2019
PTR NO. 8021603 - JAN. 25, 2019
IBP NO. 855468 - ROLL NO. 43136
ISSUED AT CITY OF MANILA
COMMISSION NO. 2017-219
MCLE NO. V-100130