

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

CONTRACT
FOR THE DREDGING OF THE PORTS OF NAVAL, BAYBAY, HILONGOS AND
GUADALUPE, PROVINCE OF BILIRAN, LEYTE AND SOUTHERN LEYTE

This Contract made and entered into this 08 SEP 2020 day of _____ 2020, in Manila, Philippines, by and between:

Witness:

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 -

MANUEL A. CHUA, Filipino, married, of legal age, with office address at Purok 8, Brgy. Linao, Ormoc City, doing business under the firm name/style of **MAC BUILDERS**, duly registered with the Department of Trade and Industry, under Certificate of Registration No. 04904810, a copy of which is attached as **Annex B**.

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 Dredging of the Ports of Naval, Baybay, Hilongos and Guadalupe, Province of Biliran, Leyte and Southern Leyte, with an Approved Budget for the Contract (ABC) of Php 160,825,645.64;

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

After the opening of bids on 17 December 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by MAC BUILDERS 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 **ONE HUNDRED FIFTY SEVEN MILLION ONE HUNDRED TWENTY SEVEN THOUSAND EIGHTEEN AND 80/100 PESOS (Php 157,127,018.80)**, Philippine Currency;

Pursuant to Head Office BAC Resolution No. 007-2020 Series of 2020, award of contract was made to MAC BUILDERS in a Notice of Award dated 24 January 2020, in the amount of **ONE HUNDRED FIFTY SEVEN MILLION ONE HUNDRED TWENTY SEVEN THOUSAND EIGHTEEN AND 80/100 PESOS (Php 157,127,018.80)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

MECHEL L. MANATAD
Account Supervisor

MAC BUILDERS
BY:

MANUEL A. CHUA
General Manager

Witness:

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

PHILIPPINE PORTS AUTHORITY
BY:

JAY DANIEL R. SANTIAGO
General Manager

MAC BUILDERS 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 MAC Builders 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 Mac Builder's Conforme 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 Per/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 V)

E.10 Resolution of Award (Annex W)

3. In consideration of the payments to be made by PPA, MAC BUILDERS 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:

MECHELL E. MANATAD
Account Supervisor

MAC BUILDERS

BY :

MANUELA A. CHUA
General Manager

Witness :

MARK JOSE S. PALOMAR
Chairperson, BAC-HO-PGCCS

PHILIPPINE PORTS AUTHORITY

BY :

JAY DANIEL A. 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

By:

JAY DANIEL R. SANTIAGO

General Manager

MARK JOH S. PALOMAR

Chairperson, HO-BAC-EP

MAC BUILDERS

TIN No. 101-720-135-000

By:

MANUEL A. CHUA

General Manager

WITNESSES

MEHELL E. MANATAD

Account Supervisor

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)

City of Manila

) S.S.

08 SEP 2020

BEFORE ME, a Notary Public for and in the City of Manila, this ____ day of _____, 2020, personally appeared the following :

| NAME | PROOF OF IDENTITY | DATE | PLACE |
|------------------------|-------------------------|------|-------|
| Jay Daniel R. Santiago | PPA ID No 00102016 | | |
| Manuel A. Chua | TIN No. 101-720-135-000 | | |

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 | 00158522 | 1-15-19 | Manila |
| General Manager | MAC Builders | | | |

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 Dredging of the Ports of Naval, Baybay, Hilongos and Guadalupe, Province of Biliran, Leyte and Southern Leyte, 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. 331;
Page No. 68;
Book No. 10;
Series of 2020;

RUBEN T.M. RAMIREZ
NOTARY PUBLIC
UNTIL DEC. 31, 2021
IBP NO. 097071 1-3-20 CY-2020
ROLL NO. 28947 MCLEVI/04-14-22
PTR NO. MKT/811704/01-02-20 APPT. NO. M-168
1754 DIAN ST. PALANAN, MAKATI CITY