

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

CONTRACT
FOR THE PROCUREMENT OF ADMINISTRATIVE SUPPORT MANPOWER SERVICES FOR
PPA HEAD OFFICE RESPONSIBILITY CENTERS AND PROJECTS

This Contract made and entered into this _____ 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 -

LBP SERVICE CORPORATION (TIN No. 004-983-987-000), a private corporation duly organized and existing in accordance with Philippine laws, with office and business address at Units C & D, 21st Floor, Petron Mega Plaza Bldg., Sen. Gil Puyat Ave., Makati City, represented in this act by its Chief Operating Officer, **JOSEPH V. ANGELES**, as evidenced by Secretary's Certificate dated 05 August 2019, a copy of which is hereto attached and made an integral part hereof as Annex "1", and hereinafter referred to as "**SERVICE PROVIDER**."

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 Procurement of Administrative Support Manpower Services for PPA Head Office Responsibility Centers and Projects;

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 13 August 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by the SERVICE PROVIDER 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 **TWO HUNDRED ONE MILLION TWO HUNDRED EIGHTY EIGHT THOUSAND SEVEN HUNDRED THIRTY ONE AND 28/100 PESOS (Php 201,288,731.28)**, Philippine Currency;

WHEREAS, pursuant to Head Office BAC Resolution No. 111-2019 Series of 2019, award of contract was made to the SERVICE PROVIDER in a Notice of Award dated 24 September 2019, in the amount of **TWO HUNDRED ONE MILLION TWO HUNDRED EIGHTY EIGHT THOUSAND SEVEN HUNDRED THIRTY ONE AND 28/100 PESOS (Php 201,288,731.28)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

Reviewed By:
OFFICE OF THE GENERAL COUNSEL
LSERV CORPORATION

Witness:
GENEROSO T. CANLAS, JR.
Assistant Vice President

LBP SERVICE CORPORATION
BY:
JOSEPH V. ANGELES
Chief Operating Officer

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

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

PHILIPPINE PORTS AUTHORITY
BY:

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General Manager

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

LBP SERVICE CORPORATION
BY:
JOSEPH V. ANGELES
Chief Operating Officer

Witness:
GENEROSO T. CANLAS, JR.
Assistant Vice President

WHEREAS, the SERVICE PROVIDER 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 SERVICE PROVIDER 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 Schedule of Requirements;
 - A.7 Terms of Reference/Technical Specifications; and
 - A.8 Addenda and/or Supplemental/Bid Bulletins.
 - B. Technical and Financial Proposals;
 - C. Performance Security;
 - D. Notice of Award of Contract with the Service Provider's Conforme thereto; and
 - E. Other contract documents that may be required by existing laws and PPA, such as:
 - E.1 Certificate of Availability of Funds;
 - E.2 Abstract of Bids; and
 - E.3 Resolution of Award.
3. In consideration of the payments to be made by PPA, the SERVICE PROVIDER 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.

Reviewed By:
OFFICE OF THE GENERAL COUNSEL
LSERV CORPORATION

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 JON S. PALOMAR
Chairperson, HO-BAC-PGCS

LBP SERVICE CORPORATION
(TIN No. 004-983-987-000)

By:

JOSEPH V. ANGELES
Chief Operating Officer

GENEROSO T. CANLAS, JR.
Assistant Vice President

WITNESSES

ACKNOWLEDGMENT

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

OCT 30 2019

BEFORE ME, a Notary Public for and in the Makati City this ___ day of _____, 2019, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No. 00102016		
Joseph V. Angeles	Driver's License No. N01-95-189658		

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
Chief Operating Officer	LBP Service Corporation	00103388	1-03-19	Makati City

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.

The foregoing instrument is a Contract for the Procurement of Administrative Support Manpower Services for PPA Head Office Responsibility Centers and Projects, 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. 84 ;
Page No. 13 ;
Book No. 8 ;
Series of 2019;

ATTY. RUTH FRANCIS A. DY KAM
NOTARY PUBLIC FOR MAKATI CITY
APPOINTMENT NO. M-428
UNTIL DECEMBER 31, 2019
ROLL OF ATTORNEY NO. 69146
MCLE COMPLIANCE NO. VI-0003034
IBP NO. 69146/LIFETIME MEMBER/MANILA IV
PTR NO. 7345452/1-2-2019/MAKATI CITY
21/F PETRON MEGAPLAZA BLDG., MAKATI CITY

Reviewed By:
OFFICE OF THE GENERAL COUNSEL
LSERV CORPORATION

AUTHORITY OF SIGNATORY

SECRETARY'S CERTIFICATE

I, **FELTON JOY S. SUTINGCO**, a duly elected and qualified Assistant Corporate Secretary of **LBP SERVICE CORPORATION**, a corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with office or place of business at **Units C & D, 21/F Petron Mega Plaza Bldg., 358 Sen. Gil Puyat Ave., Makati City**, DO HEREBY CERTIFY, that:

I am familiar with the facts herein certified and duly authorized to certify the same;

At the **SPECIAL MEETING** of the Board of Directors of the said Corporation duly convened and held on **July 26, 2019** at which meeting a quorum was present and acting throughout, the following resolutions were unanimously approved and adopted, and the same have not been annulled, revoked and amended in any way whatever and are in full force and effect on the date hereof:

RESOLVED, that **LBP SERVICE CORPORATION** be authorized, as it hereby is, authorized to participate in the bidding for **PROCUREMENT OF ADMINISTRATIVE SUPPORT MANPOWER SERVICES FOR PPA HEAD OFFICE RESPONSIBILITY CENTERS AND PROJECTS (BAC-PGCS-192-2019)** conducted by the **PHILIPPINE PORTS AUTHORITY - BIDS AND AWARDS COMMITTEE (BAC)** and that if awarded the project shall enter into a contract with **PHILIPPINE PORTS AUTHORITY**; and in connection therewith hereby appoint **MR. JOSEPH V. ANGELES, CHIEF OPERATING OFFICER**, acting as duly authorized and designated representative of **LBP SERVICE CORPORATION** are granted full power and authority to do, execute and perform any and all acts necessary and/or to represent **LBP SERVICE CORPORATION** in the bidding as fully and effectively as the **LBP SERVICE CORPORATION** might do if personally present with full power of substitution and revocation and hereby satisfying and confirming all that my said representative shall lawfully do or cause to be done by virtue hereof;

RESOLVED FURTHER THAT, the **LBP SERVICE CORPORATION** hereby authorizes **MR. JOSEPH V. ANGELES, CHIEF OPERATING OFFICER** to:

- (1) Execute a waiver of jurisdiction whereby the **LBP SERVICE CORPORATION** hereby submits itself to the jurisdiction of the Philippine government and hereby waives its right to question the jurisdiction of the Philippine courts;
- (2) Execute a waiver that the **LBP SERVICE CORPORATION** shall not seek and obtain writ of injunctions or prohibition or restraining order against **PHILIPPINE PORTS AUTHORITY** or any other agency in connection with this project to prevent and restrain the bidding procedures related thereto, the negotiating of and award of a contract to a successful bidder, and the carrying out of the awarded contract.

WITNESS the signature of the undersigned as such officer of the said corporation this AUG 05 2019 day of August, 2019 at Makati City, Philippines.



FELTON JOY S. SUTINGCO
Assistant Corporate Secretary

ACKNOWLEDGMENT

SUBSCRIBED AND SWORN to before me this ___ day of AUG 05 2019 at Makati City, Philippines. Affiant is personally known to me and was identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant exhibited to me his Unified Multi-Purpose Identification Card (UMID) with his photograph and signature appearing thereon, with No. 33-4637544-1

Witnessed my hand and seal this ___ day of AUG 05 2019.

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ATTY. RUTH FRANCIS A. DY KAM
NOTARY PUBLIC FOR MAKATI CITY
APPOINTMENT NO. M-428
UNTIL DECEMBER 31, 2019
ROLL OF ATTORNEY NO. 59146
MCLE COMPLIANCE NO. VI 0033034
IBP NO. 831208 (PRACTICE PERMIT) MANILA IV
PTD NO. 13151027-E-001500 MAKATI CITY
21/F PETRON MEGAPLAZA BLDG., MAKATI CITY

Reviewed By:
OFFICE OF THE GENERAL COUNSEL
LSERV CORPORATION



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