

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

CONTRACT
FOR THE PUERTO PRINCESA PORT EXPANSION PROJECT,
PORT OF PUERTO PRINCESA, PALAWAN

This Contract made and entered into this DEC 06 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 -

HG-III CONSTRUCTION AND DEVELOPMENT CORPORATION (TIN No. 227-349-940-000), a corporation duly organized and existing in accordance with Philippine laws, with office and business address at 3368 Harvard St., Pinagkaisahan, Makati City, represented in this act by its President, **ELMER S. CEGUERRA**, as evidenced by Secretary's Certificate dated 28 August 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 Puerto Princesa Port Expansion Project, Port of Puerto Princesa, Palawan;

WHEREAS, in response to the said advertisement, ten (10) bidders submitted their respective bids for the foregoing project;

WHEREAS, after the opening of bids on 02 September 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 Lowest Calculated Responsive Bid in the amount of **THREE HUNDRED TWENTY SIX MILLION THREE HUNDRED EIGHTY EIGHT THOUSAND SEVEN HUNDRED EIGHTY EIGHT AND 53/100 PESOS (Php 326,388,788.53)**, Philippine Currency;

WHEREAS, pursuant to Head Office BAC Resolution No. 042-2019 Series of 2019, award of contract was made to the CONTRACTOR in a Notice of Award dated 24 September 2019, in the amount of **THREE HUNDRED TWENTY SIX MILLION THREE HUNDRED EIGHTY EIGHT THOUSAND SEVEN HUNDRED EIGHTY EIGHT AND 53/100 PESOS (Php 326,388,788.53)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

HG-III CONSTRUCTION AND DEVELOPMENT CORPORATION

Witness:
LAILANI D. PANESA
Operations Manager

BY: **ELMER S. CEGUERRA**
President

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

PHILIPPINE PORTS AUTHORITY

BY: **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, 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.

HG-III CONSTRUCTION AND DEVELOPMENT CORPORATION

Witness:
LAILAN D. PANESA
Operations Manager

BY: 
ELMER S. CEGUERRA
President

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

PHILIPPINE PORTS AUTHORITY

BY: 
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

By:

JAY DANIEL R. SANTIAGO
General Manager

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

HG-III CONSTRUCTION AND DEVELOPMENT CORPORATION

TIN No. 227-349-940-000

By:

ELMER S. CEGUERRA
President

WITNESSES

LAILANI D. PANESA
Operations Manager

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of ~~Manila~~ **MAKATI CITY**) S.S.

DEC 06 2019

BEFORE ME, a Notary Public for and in the City of ~~Manila~~ **MAKATI CITY**, this ____ day of _____, 2019, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No 00102016		
Elmer S. Ceguerra	PRC No. 47292		

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
President	HG-III Construction and Development Corporation	00107919	1-12-19	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 Puerto Princesa Port Expansion Project, Port of Puerto Princesa, Palawan, 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. 92;
Page No. 21;
Book No. 309;
Series of 2019;


ATTY. JOSHUA P. LAPUZ
Notary Public Makati City
Until Dec. 31, 2019
Appointment No. M-82-(2019-2020),
PTR No. 7333096 Jan. 3, 2019/ Makati
IBP Lifetime No. 04897 Roll No. 45790
MCLE Compliance No. VI-0016565
G/F Fedman Bldg., 199 Salcedo St.
Legaspi Village, Makati City