Contract Agreement

WITNESS: FRANZ AXL L. GACUS, Authorized Representative

KNOW ALL MEN BY THESE PRESENTS:

This Contract Agreement, made this SEP 11 2024 day of _____, 2024, by and between:

Philippine Ports Authority, Port Management Office of Bohol, with an office address located at PPA Administration Building, Port Area, Cogon, Tagbilaran City, Bohol, Philippines, represented herein by the Acting Port Manager **Francis A. Peñaranda**, hereinafter referred as ***"PROCURING ENTITY"***

and

MARKBUILT ENTERPRISES — OMAR A. BAUNTO, Proprietor/Chief Executive Officer

Markbuilt Enterprises, a sole proprietorship organized and existing under and by virtue of the Republic of the Philippines with main office address at Fisheries, MSU, Marawi City, Lanao Del Sur, represented herein by **Omar A. Baunto**, hereinafter referred as ***"SUPPLIER/CONTRACTOR".***

WITNESSETH:

WHEREAS, the Procuring Entity is desirous that the SUPPLIER/CONTRACTOR shall execute the **MAINTENANCE OF PHYSICAL FACILITIES CY2024 (MOORING SYSTEM), PORTS OF ALBURQUERQUE, MARIBOJOC, LOON, TUBIGON AND CLARIN, BOHOL** at PPA, PMO-Bohol (hereinafter called "the Works") and the Procuring Entity has accepted the Calculated Bid of the Supplier/Contractor for the execution and completion of the Works at the calculated unit bid prices shown in the attached Bill of Quantities, or total Contract price of **One Hundred Eight Thousand Four Hundred Seventy Nine Pesos and 36/100 (Php 108,479.36) only**.

NOW, THEREFORE, for and consideration of the foregoing premises, the parties hereto agree as follows:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of the Contract hereinafter referred to.

2. The following documents shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:

    a. Invitation for Submission of Quotation;
    b. Request for Price Quotation form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes;
    c. Eligibility requirements, documents and/or statements:
       Valid Mayor's/Business Permit
       Valid PhilGEPS Registration Number
       Duly Notarized Omnibus Sworn Statement
       Income/Business Tax Returns
       PCAB License;
    d. Performance Security;
    e. Resolution No. AMP-2024-08-133 re Recommending Award of Contract;

WITNESS: MARLOU T. BACHOCO, Chairperson, PMO-Bohol BAC

PHILIPPINE PORTS AUTHORITY — FRANCIS A. PEÑARANDA, Acting Port Manager

f. Notice of Award of Contract dated August 12, 2024 and the SUPPLIER's "Conforme" thereto;
g. Notice to Proceed; and
h. Other pertinent documents as may be required by existing laws and/or by PPA.

3. In consideration of the payment to be made by the Procuring Entity to the Supplier/Contractor as hereinafter mentioned, the Supplier/Contractor hereby covenants with the Entity to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract.

4. The Entity hereby covenants to pay the Supplier in consideration of the provision of the goods and services and the remedying defects therein, in Contract Price or such other sum as may become payable under the provisions of the Contract at the time and in the manner prescribed by the Contract.

5. The Contractor shall complete the works in accordance with the Drawings and the Bid Documents within FIFTEEN (15) Calendar Days, with the following Scope of Works:

	ITEM	TOTAL AMOUNT	
1.01	Preventive maintenance/repainting of existing mooring bollard system to include cleaning and derusting for the Ports of Alburquerque (5 units), Maribojoc (4 units), Loon (4 units), Tubigon (48 units), and Clarin (3 units) (Total: 64.00 units)	P	108,479.36
	TOTAL AMOUNT	**P**	**108,479.36**

6. Should the Contractor refuses or fails to satisfactorily complete the works within the specified completion period inclusive of granted time extension, if any, the Contractor shall be liable for damaged for the delay and shall pay the PPA Liquidated Damages in accordance with the Annex "D" Section 3 of the Revised Implementing Rules and Regulations of R.A. 9184.

IN WITNESS WHEREOF, the parties thereto have caused this Agreement to be executed the day and year first before written.

Signed, sealed, and delivered by FRANCIS A. PEÑARANDA the Acting Port Manager.

Signed, sealed, and delivered by OMAR A. BAUNTO the Supplier.

PHILIPPINE PORTS AUTHORITY

FRANCIS A. PEÑARANDA
Acting Port Manager

WITNESS:

MARLOU T. BACHOCO
Chairperson, RMO-Bohol BAC

MARKBUILT ENTERPRISES

OMAR A. BAUNTO
Proprietor/Chief Executive Officer

WITNESS:

FRANZ AXL L. GACUS
Authorized Representative

Binding Signature of HEAD OF PROCURING ENTITY.

FRANCIS A. PEÑARANDA
Acting Port Manager

Binding Signature of Supplier/Contractor

OMAR A. BAUNTO
Proprietor/Chief Executive Officer

SIGNED IN THE PRESENCE OF:

MARLOU T. BACHOCO
Chairperson, PMO-Bohol BAC

FRANZ AXL L. GACUS
Authorized Representative

ACKNOWLEDGMENT

Republic of the Philippines)
City of TAGBILARAN CITY, BOHOL)S.S.

BEFORE ME, a Notary Public, for and in the City of TAGBILARAN CITY, BOHOL, Philippines, personally appeared the following persons with their respective Residence Certificates, to wit:

NAME	IDENTIFICATION DOCUMENT PRESENTED	PLACE/DATE ISSUED
FRANCIS A. PEÑARANDA (Representing the PHILIPPINE PORTS AUTHORITY)	PPA00132015	MANILA / 10/23/2023
OMAR A. BAUNTO (Representing the MARKBUILT ENTERPRISES)	0030283	MANILA / 06/28/1983

who are known to me and to me known to be the same persons who executed and signed the foregoing instrument and who acknowledged to me that the same is their free and voluntary act and deed, and that of the entities which they respectively represent.

This instrument is a contract for **MAINTENANCE OF PHYSICAL FACILITIES CY2024 (ADMINISTRATION BUILDING), PORT OF TAGBILARAN, TAGBILARAN CITY, BOHOL** consisting of **four (4) pages** including this page in which the Acknowledgment is written. Pages 1, 2 & 4 are signed on the left margin thereof and page 3 is signed at the corresponding spaces provided therefore by the Parties and their instrumental witnesses and sealed with my notarial seal.

WITNESS MY HAND AND SEAL this SEP 11 2024 day of _____ City of TAGBILARAN CITY, BOHOL. Philippines.

NOTARY PUBLIC

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ATTY. CARLOS CEASAR C. CASTILLO, FORESTER, M.P.A.
NCS NO. 2024-16; 12/28/2023
NOTARY PUBLIC
TAGBILARAN CITY AND PROVINCE OF BOHOL
UNTIL DECEMBER 31, 2025
2/F, QUIBIR TRADE CENTER BLDG., CPG AVE., TAGB. CITY
TEL NO. (038) 501-0201; EMAIL: CASTILLO_LAWYER@YAHOO.COM
ROLL NO. 48763; TIN 138-887-248
PTR O.R. NO. A1245253; 12/05/2023 (FOR CY 2024), TAGB. CITY
IBP O.R. NO. 364124; 10/19/2023 (FOR CY 2024), TAGB. CITY
MCLE COMPLIANCE NO. VII-0010060, 02/15/2022

WITNESS:
FRANZ AXL L. GACUS
Authorized Representative

MARKBUILT ENTERPRISES
OMAR A. BAUNTO
Proprietor/Chief Executive Officer

WITNESS:
MARLOU T. BACHOCO
Chairperson, PMO-Bohol BAC

PHILIPPINE PORTS AUTHORITY
FRANCIS A. PEÑARANDA
Acting Port Manager

(Addendum showing the corrections, if any, made during the Bid evaluation should be attached with this agreement)