

BAC-ETD
Rojan Badjan

Republic of the Philippines
PHILIPPINE PORTS AUTHORITY
PORT MANAGEMENT OFFICE FOR SOCSARGEN
Makar Wharf, General Santos City

**CONTRACT FOR ROUTINE MAINTENANCE OF
PORT PHYSICAL FACILITIES PROJECT 2023 PACKAGE 1:
(1) REPAINTING OF GI CHAINS, SHACKLES AND ACCESSORIES
AT RORO AND NEWLY CONSTRUCTED WHARF AND
REPAINTING OF BOLLARDS ALONG CAL.000-851; (2) REPAIR OF
SETTLED PAVING BLOCKS AT CY1 AND CY3; (3) REPAIR OF CHB
PERIMETER FENCE AT HOLCIM AREA, PORT OF GENERAL SANTOS,
MAKAR WHARF, GENERAL SANTOS CITY**

This Contract made and entered into this 16th day of June 2023, in General Santos City, Philippines, by and between:



The **PHILIPPINE PORTS AUTHORITY (PPA), PORT MANAGEMENT OFFICE (PMO)-SOCSARGEN**, a government instrumentality with principal office at Makar Wharf, Barangay Labangal, General Santos City, represented by its Port Manager **CESAR M. DATAYA**, herein referred to as the **ENTITY**.

- and -



WINCH MECHANICAL INNOVATIONS & GENERAL CONSTRUCTION, INC., a duly organized corporation and existing in accordance with Philippine laws, with principal office address at FilAm Road, Purok Masigasig, Tambler, General Santos City represented herein by its duly authorized representative, **JOSEPH L. JAPOS**, as evidenced by Secretary's Certificate dated January 16, 2023 hereto attached as Annex "A", herein referred to as the **CONTRACTOR**.



WHEREAS, the ENTITY is desirous that the CONTRACTOR execute the Contract for Routine Maintenance of Port Physical Facilities Project 2023 Package 1: (1) Repainting of GI Chains, Shackles and Accessories at Roro and Newly Constructed Wharf and Repainting of Bollards along Cal.000-851; (2) Repair of Settled Paving Blocks at CY1 and

05-17-23



CY3; (3) Repair of CHB Perimeter Fence at Holcim Area, Port of General Santos, Makar Wharf, General Santos City with an Approved Budget for the Contract (ABC) of NINE HUNDRED TWELVE THOUSAND SEVEN HUNDRED SEVENTY NINE PESOS AND NINETY FIVE CENTAVOS (PHP 912,779.95) inclusive of 5% VAT;

WHEREAS, the said procurement has undergone the procurement process through Competitive Bidding;

WHEREAS, the CONTRACTOR in response to the invitation, submitted its bid and the ENTITY after evaluation has accepted the said single calculated and responsive bid for EIGHT HUNDRED NINETEEN THOUSAND EIGHT PESOS AND NINETY THREE CENTAVOS (PHP 819,008.93) inclusive of five percent (5%) VAT.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as part of this Agreement, to wit:
 - a. Philippine Bidding Documents (PBDs);
 - i. Proof of Posting at PhilGeps
 - ii. Program of Work
 - iii. Specifications
 - iv. Bill of Quantities
 - v. General and Special Conditions of Contract;
 - vi. Supplemental or Bid Bulletins, if any
 - b. Winning Bidder's Bid, including the Technical and Financial Bids
 - c. Performance Security;
 - d. Notice of Award of Contract; and the Bidder's conforme thereto; and
 - e. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. The CONTRACTOR agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract, and
 - f. Bids and Awards Committee Resolutions
 - g. Certificate of Availability of Funds

In consideration for the sum of EIGHT HUNDRED NINETEEN THOUSAND EIGHT PESOS AND NINETY THREE CENTAVOS (PHP 819,008.93) inclusive of five percent (5%) VAT, the CONTRACTOR, agrees to perform the following in accordance with its Bid:

ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT COST	AMOUNT
BILL No. 1 GENERAL EXPENSES					
1.01	Mobilization/Demobilization Works including construction and clearing of temporary facility	Lot	1.00	10,880.00	10,880.00
1.02	Construction Safety and Health Program	Lot	1.00	61,216.00	61,216.00
BILL No. 2 REPAIR OF G.I CHAINS, SHACKLES AND ACCESSORIES AT RORO AND NEWLY CONSTRUCTED WHARF (13 UNITS V- TYPE FENDER AND 23 UNITS HYPER OMEGA) AND REPAINTING OF BOLLARDS ALONG CAL. 000-851					
2.01	Cleaning/preparation of surfaces for repainting of G.I chains, shackles, and accessories	Sq.m	169.18	308.31	52,159.89
2.02	Repainting of GI chains, shackles and accessories of 13 units V-type fender and 23 units hyper omega	Sq.m	169.18	303.01	51,263.23
2.03	Repainting of 61 units Mooring Bollards (38 units 50T, 23 units 100T) and 26 units concrete base pad along calibrations 000-851 including surface preparation	Sq.m	250.37	483.38	121,023.85
BILL No. 3 REPAIR OF SETTLED PAVING BLOCKS AT CY'S I AND III					
3.01	Removal of settled paving blocks including disposal at approved designated disposal area	Pcs	11,940.00	3.75	44,775.00

3.02	Excavation of existing unsuitable materials including disposal to approved designated disposal area	CU.M	83.58	321.608	26,880.00
3.03	Compaction of existing aggregate base course, at least 100% compaction	CU.M	35.82	1,323.95	47,423.89
3.04	Supply, spread and compaction 150mm 10% cement-treated base (CTB)	CU.M	42.98	1,346.86	57,888.00
3.05	Supply, spread and levelling of 50mm thk. Sand cushion	CU.M	13.73	3,722.02	51,103.33
3.06	Re-installation of paving blocks	Pcs	11,940.00	5.146	61,440.00
BILL No. 4 REPAIR OF CHB PERIMETER FENCE AT HOLCIM DAMAGED BY FREQUENT EARTHQUAKE					
4.01	Demolition of existing damaged concrete perimeter fence	Sq.m	50.20	892.43	44,799.99
4.02	Concrete and masonry works	Sq.m	25.89	5,461.47	141,397.46
4.03	Supply and installation of Y-arm and barbed wire	Lot	1.00	24,665.60	24,665.60
4.04	Painting works on all concrete and steel surfaces	Sq.m	27.19	812.53	22,092.69
Total Cost of Bid (Inclusive of 5 % VAT)				Php819,008.93	
Total Amount of Bid in Words:					
EIGHT HUNDRED NINETEEN THOUSAND EIGHT PESOS AND NINETY THREE CENTAVOS (P819,008.93) Inclusive of 5% VAT					

3. The ENTITY agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the Parties have hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

PHILIPPINE PORTS AUTHORITY
TIN No. 000352232157

**WINCH MECHANICAL INNOVATIONS, &
GENERAL CONSTRUCTION, INC.**

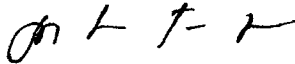
By:

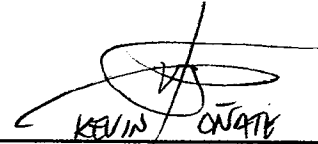
By:


CESAR M. DATAYA
Port Manager


JOSEPH L. JAPOS
Authorized Representative

WITNESSES




KEVIN / ONATE

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of General Santos) S.S.

BEFORE ME, a Notary Public for and in the City of General Santos, this ____ day of JUN 29 2023 2023, personally appeared the following:

NAME	IDENTIFICATION CARD	NUMBER
CESAR M. DATAYA	TIN	900-593-488
JOSEPH L. JAPOS	Company ID	06-012

known to me and to me known to be the same persons who executed the foregoing instrument as :

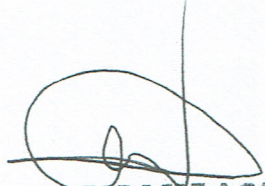
POSITION	COMPANY	CTC No.	DATE	PLACE
Port Manager	Philippine Ports Authority	09736805	02/03/2023	GSC
Authorized Representative	Winch Mechanical Innovation & General Construction, Inc.	09667132	01/12/2023	GSC

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 Routine Maintenance of Port Physical Facilities Project 2023 Package 1: (1) Repainting of GI Chains, Shackles and Accessories at Roro and Newly Constructed Wharf and Repainting of Bollards along Cal.000-851; (2) Repair of Settled Paving Blocks at CY1 and CY3; (3) Repair of CHB Perimeter Fence at Holcim Area, Port of General Santos, Makar Wharf, General Santos City consisting of six (6) 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

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Page No. 96 ;
Book No. XVII ;
Series of 2023


ATTY. ALMA J. GOROSPE-AGAYAN
NOTARY PUBLIC FOR GENERAL SANTOS CITY
UNTIL DECEMBER 31, 2023
ROLL OF ATTORNEYS NO. 60702
PTR NO. GS0510732A: 12/28/2022: GSC, VALID UNTIL DEC. 31, 2023
IBP NO. 255579: 12/28/2022: GSC
TIN 931 055 623: BIR
MCLE COMP. NO. VII-0019328 VALID UNTIL 04/15/2025

SECRETARY CERTIFICATE

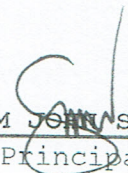
REPUBLIC OF THE PHILIPPINES)

GENERAL SANTOS CITY) S.S

I, KIM JOHN SIA, the Corporate Secretary of WINCH MECHANICAL INNOVATIONS AND GENERAL CONSTRUCTION, INC., hereby that the following is a correct and true copy of a resolution duly approved during a special meeting of the Board of Directors of the said Corporation, held at its office at FIL-AM RD., PRK. MASIGASIG, BRGY. TAMBLER, GENERAL SANTOS CITY, and that the said resolution is in full force and effect and is read as follows:

"RESOLVED, that the Corporation will enter into a Main office of WINCH MECHANICAL INNOVATIONS AND GENERAL CONSTRUCTION, INC., located at FIL-AM RD., PRK. MASIGASIG, BRGY. TAMBLER, GENERAL SANTOS CITY

"RESOLVED further that WINCH MECHANICAL INNOVATIONS AND GENERAL CONSTRUCTION, INC., is given authority by the Board of Directors to MR. JOSEPH L. JAPOS to conduct business matters, decide, sign, execute, and deliver any and all applications, contracts, documents, forms and other similar writings, representing the Corporation."


KIM JOHN SIA
Principal

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF GENERAL SANTOS) S.S.

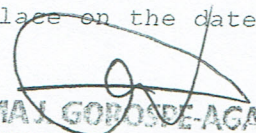
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BEFORE ME, a Notary Public for and in General Santos City, Philippines, this 16th day of June 2023, personally appeared:

NAME	CTC NO.	ISSUED AT/ON
<u>JOSEPH D. JAPOS JR.</u>	<u>9667132</u>	<u>General Santos City/ January 12, 2023</u>

Known to me to be the same person who executed the foregoing instrument consisting of (1) page, including the page whereon the acknowledgement is written and acknowledged before me that the same is his free and voluntary act and deed.

WITNESS MY HAND AND NOTARIAL SEAL, at the place on the date first above written.


ATTY. ALMA GODOSSÉ-AGAVAN
NOTARY PUBLIC FOR GENERAL SANTOS CITY
Notary Public, EIR 31, 2023

ROLL OF ATTORNEYS NO. 60302
PTR NO. GS0510732A: 12/28/2022: GSC, VALID UNTIL DEC. 31, 2023
IBP NO. 255579: 12/28/2022: GSC
TIN 931-033-623: BIR
MCLE COMP. NO VII-0019328 VALID UNTIL 04/15/2025

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