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

CONTRACT FOR THE MAINTENANCE OF CONCRETE PAVEMENT, PAVING BLOCKS, CONCRETE CURBS AND MANHOLE COVER, PORT OF GENERAL SANTOS, MAKAR WHARF, GENERAL SANTOS CITY

This Contract made and entered into this NOV 18 2024 day of November 2024, 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 -

ANNIN HARDWARE TOOLS AND EQUIPMENT TRADING, a duly registered business entity existing in accordance with Philippine laws, with office address at Lot 12, Block 12, Agan Subdivision, Barangay Ligaya, General Santos City represented herein by its proprietor, **CHARLIE A. COLE**, herein referred to as the **CONTRACTOR.**

WHEREAS, the ENTITY is desirous to bid out the Contract for the Maintenance of Concrete Pavement, Paving Blocks, Concrete Curbs and Manhole Cover, Port of General Santos, Makar Wharf, General Santos City in the amount of **EIGHT HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED FIFTY-FIVE PESOS (PHP826,855.00)** inclusive of 5% VAT as the Approved Budget for the Contract;

WHEREAS, an Invitation to Bid was posted with the Opening of Bids scheduled on July 17, 2024. The said bidding was declared as failure. As no bidder dropped its bid per BAC Resolution No. 009, s. 2024 (Annex "A");

WHEREAS, a Re-Invitation to Bid was issued with the Opening of Bids scheduled on August 29, 2024. Both two (2) bidders, however, failed in their Technical Component. Thus, the BAC declared the failure of the second bidding recommended to the Head of Procuring Entity (HOPE) to resort to Negotiated Procurement through BAC Resolution No. 11, s. 2024 (Annex "B");

WHEREAS, on October 14, 2024, a Negotiated Procurement was conducted, whereby, the Contractor was the sole offeror;

WHEREAS, the CONTRACTOR's offer is SIX HUNDRED EIGHTY-FIVE THOUSAND ONE HUNDRED TWENTY-FIVE PESOS (PHP685,125.00) inclusive of 5% VAT which offer ws accepted per BAC Resolution No. 23, s. 2024 attached as Annex "C".

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. Invitation to Bid and Re- Invitation to Bid
      iii. Notice for Negotiated Procurement
      iv. Program of Work
      v. Specifications
      vi. Bill of Quantities
      vii. General and Special Conditions of Contract;
      viii. Supplemental or Bid Bulletins, if any

   b. Offer;
   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;
   f. Bids and Awards Committee Resolutions, and;
   g. Certificate of Availability of Funds.

In consideration for the sum of SIX HUNDRED EIGHTY-FIVE THOUSAND ONE HUNDRED TWENTY-FIVE PESOS (PHP685,125.00) inclusive of 5% VAT, agrees to perform the following in accordance with its Bid:

ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT COST	AMOUNT
1.01	Construction Safety and Health Program	lot	1	5, 250.00	5,250.00

2.01	Supply of Labor, Materials & Equipment for the Maintenance of Pavement	cu.m	12.23	12,019.62	147,000.00
2.02	Repair of Settled Paving Blocks at CY 1 including Removal and Re-installation of Paving Blocks	sq.m	129.34	1,347.61	174,300.00
2.03	Repair of Steel Manhole Cover, 2 Units	lot	1	87,150.00	87,150.00
2.04	Repair of Damaged Concrete Curbs at Wharf area including Demolition	sq.m	5	54,285.00	271,425.00
Total Cost of Quotation (Inclusive of 5% VAT)					**Php685,125.00**
Total Amount of Quotation: **SIX HUNDRED EIGHTY-FIVE THOUSAND ONE HUNDRED TWENTY-FIVE PESOS INCLUSIVE OF 5% VAT**					

3. The contract duration shall be for seventy (70) days.

4. The ENTITY agrees to pay the above-mentioned sum in accordance with the PPA rules and regulations on billing, progress report and final payment.

IN WITNESS WHEREOF, the Parties have hereto 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

By:

CESAR M. DATAYA
Port Manager

ANNIN HARDWARE TOOLS AND EQUIPMENT TRADING.

By:

CHARLIE A. COLE
Proprietor

WITNESSES

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 18 day of NOV November 2024, personally appeared the following:

NAME	IDENTIFICATION CARD	NUMBER
CESAR M. DATAYA	TIN	900-593-488
CHARLIE A. COLE	PRC ID	0005845

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	21911098	01/18/2024	GSC
Proprietor	Annin Hardware Tools & Equipment Trading	25745004	02/06/2024	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 the Maintenance of Concrete Pavement, Paving Blocks, Concrete Curbs and Manhole Cover, Port of General Santos, Makar Wharf, General Santos City consisting of four (4) 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. 88;
Book No. I;
Series of 2024

ATTY. LUZ PATRICIA F. TANCO
NOTARY PUBLIC
GENERAL SANTOS CITY
UNTIL DECEMBER 31, 2025
ROLL OF ATTORNEY NO. 38729
PTR NO. 10230392
PNC NO. 23-235
IBP OR NO. 405280
MCLE COMPLIANCE NO. VIII-0002981