



**CONTRACT AGREEMENT**

**ECC APPLICATION FOR THE PROPOSED EXTENSION OF RC PIER AND ALL OTHER FUTURE INFRASTRUCTURE PROJECTS IN PORT OF SINDANGAN, ZDN**

KNOW ALL MEN BY THESE PRESENTS:

DEC '13 '2018

This Contract, made and entered into this \_\_\_ day of \_\_\_\_\_, 2018, in the City of Dapitan, Philippines, by and between:

PHILIPPINE PORTS AUTHORITY, a government corporation created under Presidential Decree No. 857, as amended, with principal offices at Bonifacio Drive, South Harbor, Port Area, Manila, and Port Management Office of Dapitan at Brgy. San Vicente, Port Area, Dapitan City represented herein by its duly authorized Port Manager, **ENGR. SALVADOR L. DELINA**, and hereinafter referred to as PPA;

- and -

**ENGR. JOSE B. GAVINO JR.**, of legal age, married, Filipino and with business and postal address at, Door 4, Vargas APT St. Paul Subdivision, Palestina, Pili, Camarenes Sur, Region 5 (Bicol Region), doing business under the firm/style of **ALTERRA GEOMATICS & CONSTRUCTION**, represented herein also by **ENGR. JOSE B. GAVINO JR.**, Proprietor/General Manager, and hereinafter referred to as CONTRACTOR.

WITNESSETH:

WHEREAS, in accordance with the Invitation to Apply for Eligibility and to Bid, the PPA advertised/published at the PPA website, Phil G-EPS, and in the office's Bulletin Board, the CONTRACTOR submitted his bids for the **ECC Application for the Proposed Extension of RC Pier and all other Future Infrastructure Projects in Port of Sindangan, Zamboanga del Norte**

WHEREAS, after the opening of bids on **December 4, 2018**, the bid submitted by the CONTRACTOR at its unit and lump sum prices set forth in its proposal, being a single bid was found to be the **Single Rated and Responsive Bid** aggregating in the amount **Five Hundred Ninety Three Thousand Pesos Only (Php 593,000.00), Philippine Currency;**

WHEREAS, the aforesaid bid of the CONTRACTOR is lower than the Approved Budget for the Contract of **Five Hundred Ninety Three Thousand Eight Hundred Ten Pesos Only (Php 593,810.00), Philippine Currency;**

WHEREAS, pursuant to **BAC- EP-ZDN Resolution No. Series of 2018**, duly approved by the PPA Port Manager, award of the contract was made to the CONTRACTOR in a letter dated **December 11, 2018**, in the amount of **Five Hundred Ninety Three Thousand Pesos Only (Php 593,000.00), Philippine Currency;**

WITNESS:  
BEA MAICA S. GAVINO  
Proprietress

ALTERRA GEOMATICS &  
CONST.  
By: ENGR. JOSE B. GAVINO JR.  
Authorize Managing Officer

WITNESS:  
ENGR. ABDURASAD S. HASAN  
ESD Manager

-PMO ZDN  
R. SALVADOR L. DELINA  
Port Manager

NOW THEREFORE, for and in consideration of the foregoing premises and the mutual covenants, stipulations and agreements herein contained, and the payment by the PPA of a sum of money in the manner hereinafter specified, the PPA and the CONTRACTOR have agreed, as they do hereby agree, and contract as follows:

## ARTICLE I

### CONTRACT DOCUMENTS

1.01 The following documents shall constitute integral parts of this Contract, as fully as if the contents of the said documents are reproduced, incorporated and set forth herein, and shall govern and control in full force and effect the rights and obligations of the Parties, except as otherwise modified by the terms and conditions of this Contract, or by mutual agreement in writing of both parties, to wit:

- (1) Contract Agreement;
- (2) Bidding Documents;
- (3) Winning bidder's bid, including the Technical and Financial Proposals and all other documents/statements submitted;
- (4) Tax Clearance
- (5) Latest Income and Business Tax Returns
- (6) Certificate of Phil G-EPS Registration
- (7) Performance Security;
- (8) Credit line if awarded the contract for this project, if any (CLC).
- (9) Organizational chart for the contract to be bid;
- (10) Notice of Award of Contract;
- (11) Construction Schedule and S-Curve;
- (12) Manpower Schedule;
- (13) Construction Methods;
- (14) Equipment Utilization Schedule;
- (15) Construction Safety and Health Program approved by DOLE;
- (16) PERT CPM;
- (17) Terms of Reference ( TOR)

1.02 The following documents shall also be made integral parts of this Contract as if their contents are incorporated, reproduced and set forth herein, and shall have the same force, effect and applicability as the documents enumerated in the immediately preceding paragraph hereof, to wit:

- (19) Duly Approved Program of Work and Cost Estimates
- (20) Certificate of Availability of Funds
- (21) Approved Budget for the Contract
- (22) Abstract of Bids
- (23) Resolution of the BAC Recommending Award
- (24) Concurrence of Lending Institutions in case of Foreign-Assisted Projects
- (25) Other pertinent documents as may be reasonably required by existing laws.

1.03 All Contract documents are and shall remain as the property of the PPA.

1.04 The words and expressions in the Contract shall have the same meanings respectively assigned to them in the Contract Documents referred to above.

## ARTICLE II

WITNESS:  
BEA MAICA S. GAVINO  
Proprietress

ALTERRA GEOMATICS & CONST.  
By:  
ENGR. JOSE B. GAVINO, JR.  
Authorize Managing Officer

WITNESS:  
ENGR. ABDURASAD S. HASAN  
ESD Manager

L-PMO - ZDA  
By:  
ENGR. SALVADOR L. DELINA  
Port Manager



19.02 The CONTRACTOR hereby warrants that it has not given nor promised to give any money, gift or any material favor/consideration to any official or employee of the PPA to secure this Contract; that any violation of this warranty shall be sufficient ground for the PPA to revoke or cancel this Contract extra judicially or without need of judicial intervention.

**ARTICLE XX**

**BUDGETARY REQUIREMENT**

20.01 The parties hereto hereby adopt and incorporate herein by reference, Letter of Instruction No. 767 dated 16 November 1978 issued by the Office of the President, as implemented by the Letter Circular dated 7 December 1978 of the Minister of Budget.

20.02 The Contractor shall bear the cost of notarization of this Contract.

**ARTICLE XXI**

**EFFECTIVITY**

21.01 This Contract shall become effective after the same shall have been signed by the Parties hereof.


IN WITNESS WHEREOF, the Parties have hereunto signed this Contract on the date and place first herein above written.

**PHILIPPINE PORTS AUTHORITY**

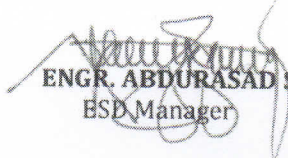
**ALTERRA GEOMATICS & CONSTRUCTION**

By:

By:

  
**ENGR. SALVADOR L. DELINA**  
Port Manager

  
**ENGR. JOSE B. GAVINO, JR.**  
Authorized Managing Officer

  
**ENGR. ABDURASAD S. HASAN**  
ESD Manager

  
**BEA MAICA S. GAVINO**  
Proprietress

**ACKNOWLEDGEMENT**

REPUBLIC OF THE PHILIPPINES)  
CITY OF DIPOLOG **NAGA CITY**, S.S.

BEFORE ME, A Notary Public for and in the City of Dipolog, Philippines, personally appeared the following persons with their respective Community Tax Certificates, to wit:

NAME	Competent Evidence of Identity	DATE/PLACE ISSUED
ENGR. SALVADOR L. DELINA	TIN-# 108-584-376	Reg. Date: 4/24/87
ENGR. JOSE B. GAVINO, JR.	TIN No 713-836-078-000	4/3/18 / Quezon City

who are known to me to be the same persons who executed and signed the foregoing instrument and who acknowledged to me that the same is their true and voluntary acts and deeds, and that of the entity which they respectively represent.

This instrument is a Contract/Agreement for the ECC Application for the Proposed Extension of RC Pier and all other Future Infrastructure Projects in Port of Sindangan, Zamboanga del Norte, consisting of Seventeen (16) pages, including this page where the Acknowledgment is written. Page 1 to 14 is signed on the left margin thereof and page 15 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 DEC 13 day of 2018, 2018 at Dipolog City, Philippines. **NAGA CITY**

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Page No. 60  
Book No. 1  
Series of 2018

*[Signature]*  
**NOTARY PUBLIC**  
COMMISSION EXPIRES DECEMBER 31, 2018  
**NOTARY PUBLIC 5027**  
NOTARIAL COMMISSION  
ISP NO. 1046027 / 12/04/2018  
PTR NO. 79228 31/01/03/2018  
MCLE COMPLIANCE NO. V-0005205  
SCROLL NO. 42455  
100R3.PAV.4 PANGANIBAN DRIVE  
**NAGA CITY**

/ASH/7/30/2018