

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

CONTRACT AGREEMENT
FOR THE INTEGRATED MOBILE ATMOSPHERIC WATER GENERATING SYSTEM FOR
PORT MANAGEMENT OFFICES (PMOs)

This Agreement made and entered into this **NOV 24 2023** day of _____ 2023 in Manila, Philippines, by and between:

PHILIPPINE PORTS AUTHORITY (PPA), herein referred to as ENTITY, is a government instrumentality created under Presidential Decree No. 857, as amended, with principal office address at PPA Bldg., Bonifacio Drive, South Harbor, Port Area, Manila, represented by **JAY DANIEL R. SANTIAGO**, duly authorized for this purpose under Board Resolution No. 2466, as contained in Secretary's Certificate dated 02 November 2015, copy of which is hereto attached as **Annex A**.

and

LASAPPHIRE CORPORATION/FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION/JV, herein referred to as SUPPLIER and/or WINNING BIDDER, duly organized and existing under Philippine laws, with principal office address at Unit 26H, Fort Palm Spring Condominium, 30th 1st Ave., Fort Bonifacio, Taguig City, represented herein by its Authorized Managing Officer (AMO), **CARL JASON T. VIRAY**, duly authorized for this purpose, as shown in Joint Venture Agreement dated 12 October 2023, copy of which is hereto attached as **Annex B**.

WHEREAS, the Entity invited Bids for certain goods and services, particularly the Integrated Mobile Atmospheric Water Generating System for Port Management Offices (PMOs), with an approved Budget for the Contract (ABC) of Php **115,000,000.00** and has accepted a Bid by **LASAPPHIRE CORPORATION/FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION/JV** for those goods and services in the sum of **ONE HUNDRED FOURTEEN MILLION EIGHT HUNDRED THOUSAND PESOS (Php 114,8000,000.00);**.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meaning as are respectively assigned to them in the Conditions of Contract 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 integral part of this Agreement, viz:
 - i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any

LASAPPHIRE CORPORATION/FILIPINAS TECTONIC SAFETY
SYSTEMS CORPORATION/JV

Witness:
EDEL GARCIA AMORO
President

BY: **CARL JASON T. VIRAY**
Authorized Managing Officer

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

PHILIPPINE PORTS AUTHORITY
BY:

JAY DANIEL R. SANTIAGO
General Manager

Witness :
EDEL GRABE AMORO
President

BY :
CARL JASON T. VIRAY
Authorized Managing Officer

- ii. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;

- iii. Performance Security;
- iv. Notice of Award of Contract and the Bidder's conforme thereto; and
- v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. Winning bidder 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.

3. In consideration of the sum of **ONE HUNDRED FOURTEEN MILLION EIGHT HUNDRED THOUSAND PESOS (Php 114,8000,000.00)** or such other sums as may be ascertained, **LASAPPHIRE CORPORATION/FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION/JV** agrees to the Integrated Mobile Atmospheric Water Generating System for Port Management Offices (PMOs), in accordance with its Bid.
4. The Philippine Ports Authority agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
5. In execution of its Works, **LASAPPHIRE CORPORATION/FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION/JV** shall likewise hold PPA free and harmless from any liability due to actions, damages, or accident it may cause in the course thereof.
6. The failure of PPA to insist upon a strict performance of any of the terms, conditions and covenants hereof shall not be deemed a relinquishment or waiver of any of the rights or remedies that it may have, nor shall it be construed as a waiver of any subsequent breach or default of its terms, conditions and covenants which shall continue to be in full force and effect. Silence on the part of PPA shall not be considered as condonation or waiver of any breach or default by **LASAPPHIRE CORPORATION/FILIPINAS TECTONIC SAFETY SYSTEMS CORPORATION/JV** of any covenant or condition herein provided. No waiver by PPA of its rights under this Contract shall be deemed to have been made unless expressly made in writing and signed by its duly authorized representative.

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.

Witness
MARK JON S. PALOMAR
Chairperson, HO-BAC-PGCS

JAY DANIEL R. SANTIAGO
General Manager

PHILIPPINE PORTS AUTHORITY
TIN No. 000-352-232-000
By:

JAY DANIEL R. SANTIAGO
General Manager

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

LASAPPHIRE CORPORATION TIN No.
600-106-339-000 /FILIPINAS TECTONIC
SAFETY SYSTEMS CORPORATION TIN
No. 008-977-988-000 /JV

CARL JASON T. VIRAY
Authorized Managing Officer

WITNESSES

EDEL GRACE AMORO
President

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of Manila) S.S.

NOV 24 2023

BEFORE ME, a Notary Public for and in the City of Manila, this ____ day of
_____, 2023, personally appeared the following :

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE OF ISSUE OR EXPIRY DATE	PLACE OF ISSUE
Jay Daniel R. Santiago	PPA ID No. 00102016		
Carl Jason T. Viray	Driver's License No. N03-23-13496		

known to me and to me known to be the same persons who executed the foregoing instrument 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 entities they represent.

POSITION	COMPANY	CTC No.	DATE	PLACE
General Manager	Phil. Ports Authority	00453661	1-12-23	Manila
Authorized Managing Officer	Lasapphire Corporation/Filipinas Tectonic Safety Corp./JV			

The foregoing instrument is a Contract for the Integrated Mobile Atmospheric Water Generating System for Port Management Offices (PMOs), 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 hereof.

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. 12/ ;
Page No. 24 ;
Book No. 91 ;
Series of 2023

ATTY. HENRY D. ADASA
- NOTARY PUBLIC CITY OF MANILA
APPOINTMENT 097/12/31/2023 MANILA
IBP NO. 181139 / 01/03/2023
PTR N. 0561143 / 01/03/2023
ROLL NO. 29673, TIN NO. 172-528-820
MCLE COMP. NO. VII-0000165 VALID UNTIL APRIL 14, 2025
STA. CRUZ, MANILA