

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 2020: WATERPROOFING OF PORT OPERATIONS
BUILDING ROOF DECK, PORT OF GENERAL SANTOS,
MAKAR WHARF, GENERAL SANTOS CITY**

This Contract made and entered into this 5th day of January 2021, in General Santos, Philippines, by and between:

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

- and -

RRJ BEM CONSTRUCTION, INC., a duly organized and existing in accordance with Philippine laws, with principal office address at Purok 24, Fernandez Area, Mabuhay Road, Barangay Mabuhay, General Santos City represented herein by its, President, **RUDY T. RUIZ, JR.**, duly authorized for this purpose as shown in Corporate Secretary's Certificate dated December 22, 2021, attached herein as **Annex "A"**, herein referred to as the **CONTRACTOR**.

WHEREAS, the ENTITY is desirous that the CONTRACTOR execute the **Routine Maintenance of Port Physical Facilities 2020: Waterproofing of Port Operations Building Roof Deck at the Port of General Santos, Makar Wharf, General Santos City** with an Approved Budget for the Contract (ABC) of ONE MILLION TWO HUNDRED SIXTY SEVEN THOUSAND ONE HUNDRED SIXTY SEVEN PESOS AND TWENTY FOUR CENTAVOS (Php 1,267,167.24) inclusive of twelve percent (12%) VAT and the ENTITY has accepted the Bid Proposal for ONE MILLION TWO HUNDRED FORTY SEVEN THOUSAND FOUR HUNDRED FORTY TWO AND FOUR CENTAVOS (Php1,247,442.04), Philippine Currency, inclusive of twelve percent (12%) VAT by the Contractor in a Negotiate Procurement conducted after two (2) failed biddings for the execution and completion of such Works and the remedying of any defects therein.

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

- b. 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;

- 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

3. In consideration for the sum of ONE MILLION TWO HUNDRED FORTY SEVEN THOUSAND FOUR HUNDRED FORTY TWO AND FOUR CENTAVOS (Php1,247,442.04), Philippine Currency, inclusive of twelve percent (12%) VAT, the CONTRACTOR, RRJ BEM Construction, Inc., agrees to perform the following in accordance with its Bid:

ITEM NO.	DESCRIPTION	UNIT	QUANTITY
BILL NO. 1	GENERAL EXPENSES		
1.01	Mobilization, Demobilization Works, Restoration & Cleaning Works	Lot	1.00
1.02	Construction Safety and Health Program	Lot	1.00
BILL NO. 2	WATERPROOFING OF POB ROOF DECK		
2.01	Cleaning of surface/drying-out area to be water-proofed. Surface preparation. Area to be water-proofed must be free from loose materials, dust, and oil. Removing of chipped off cement and application of cement paste on chipped off portion of the roof deck	Sq.m.	671.04
2.02	Installation of concrete threshold by the stairs including adjustment of aluminum door framing as shown on the drawing.	Ln.m.	3.60

2.03	Supply and Application of Asphalt Base Primer and Asphalt Base Membrane - 4mm slated, includes unrolling, heating and pressing of fabric membrane, on POB roof deck, lounge roof deck including vertical flashings.	Sq.m.	671.04
2.04	Supply and installation of steel matting.	Sq.m.	671.04
2.05	Application of concrete mortar for POB Roof deck.	Cu.m.	33.32
2.06	Painting works for POB Roof deck and Senior Staff Lounge	Sq.m.	129.53

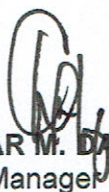
4. The ENTITY agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

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.

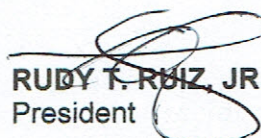
PHILIPPINE PORTS AUTHORITY
TIN No. 000352232157

RRJ BEM CONSTRUCTION, INC.,

By:



CESAR M. DATAYA
Port Manager

By:


RUDY T. RUIZ, JR
President

WITNESSES





ACKNOWLEDGMENT

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

BEFORE ME, a Notary Public for and in the City of Manila, this ____ day of January, 2021, personally appeared the following :

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE OF ISSUE OR EXPIRY DATE	PLACE OF ISSUE
CESAR M. DATAYA	PPA ID No. 00702016		
RUDY T. RUIZ, JR	PRC ID No. 0114143	8/17/2009	

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	Phil. Ports Authority	26795407	1/6/20	GSC
President	RRJ BEM Construction, Inc.,	26964122	1/5/21	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 Contract For Routine Maintenance Of Port Physical Facilities 2020: Waterproofing Of Port Operations Building Roof Deck, Port Of General Santos, Makar Wharf, General Santos City, 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 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

Doc. No. 502 ;
 Page No. 100 ;
 Book No. 1 ;
 Series of 2021;

ATTY. V. EMMANUEL C. FONTANILLA
 NOTARY PUBLIC
 PNC. NO. 19-19
 UNTIL 30 JUN 2021
 ROLL NO. 33843
 TR OR. NO. 659140920-2/4/2020-GSC
 BP OR. NO. 106465-2/14/2020-GSC
 TIN: NO. 133-618-210
 MCLE COMPLIANCE NO. VI-0004553
 GENERAL SANTOS CITY

KNOW ALL MEN BY THESE PRESENTS:

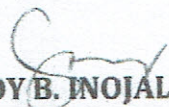
I, **IRIS JOY B. INOJALES**, of legal age, Filipino, single and a resident of General Santos City, Philippines, being the duly elected and qualified Corporate Secretary of **RRJ BEM CONSTRUCTION, INC.** (the "Corporation"), a corporation duly organized and existing under Philippine laws with principal place of business at Purok 24, Fernandez Area, Mabuhay Road, Brgy. Mabuhay, General Santos City Philippines, under oath, do hereby certify that at the Special Meeting of the Board of Directors of the Corporation on December 10 at 5:00' P.M, the Board unanimously approved:

RESOLUTION NO 15: Series of 2020

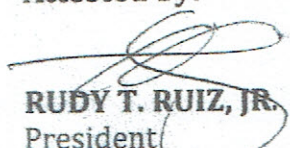
"RESOLVED, that the Board has approved authorizing **RUDY T. RUIZ JR.**, President to sign any and all documents pertaining to any project contract that the Company shall enter into with **PHILIPPINE PORTS AUTHORITY**, hereby granting him full power and authority to do, execute and perform any and all acts necessary and/or to represent the Corporation as fully effectively as the corporation might do with full power of substitution and revocation and hereby satisfying and conforming all that said representative shall lawfully do or cause to be done by virtue hereof."

That the foregoing is true and correct as recorded in the minutes of the meeting above stated.

IN WITNESS WHEREOF, I hereunto affix my signature this 22nd day of December, 2020 at General Santos City, Philippines.



IRIS JOY B. INOJALES
Corporate Secretary
TIN 707-402-586

Attested by:


RUDY T. RUIZ, JR.
President
TIN 948-450-937

SUBSCRIBED AND SWORN to before me on this 23 DEC 2020 exhibiting to me her TIN NO. 707-402-586 issued at General Santos City.

Doc. No. 150;
Page No. 30;
Book No. DS;
Series of 2020.


ATTY. ALAN ROY C. LOPEZ
Notary Public
General Santos City
PTR No. GS No. 9028158-01/02/20
IBP LIFETIME No. 05717
Roll of Attorney's No. 43364
MCLE Comp. No. V-0012588
MCLE Comp. No. VI 0026866