

CONTRACT AGREEMENT

**SAN FERNANDO PORT EXTENSION PROJECT – CONSTRUCTION OF FERRY PORT
TERMINAL AT PORO POINT FREEPORT ZONE CITY OF SAN FERNANDO, LA UNION**

THE PUBLIC IS INFORMED:

THIS AGREEMENT, made this 27 day of MAY, 2021 by and between:

The **BASES CONVERSION AND DEVELOPMENT AUTHORITY**, a government instrumentality vested with corporate powers, created by virtue of Republic Act No. 7227, as amended, with principal office address at the BCDA Corporate Center, 2nd Floor Bonifacio Technology Center, 31st Street corner 2nd Avenue, Bonifacio Global City, Taguig City, represented herein by its President and Chief Executive Officer, **VIVENCIO B. DIZON**, duly authorized for this purpose under the Revised BCDA Manual of Approval dated 22 November 2017, hereto attached as **Annex "A"** and made an integral part hereof, and hereinafter referred to as "**BCDA**";

- and -

The **JOINT VENTURE OF MARLON ANDAL CONSTRUCTION CORPORATION (MACC) PHILIPPINES AND BLACPRIME CONSTRUCTION INC.**, a joint venture with principal office at B4 L1 Don Faustino cor. Don Pedro, Holy Spirit, Quezon City, represented herein by its Authorized Managing Officer, **MARLON G. ANDAL**, who is duly authorized for this purpose as evidenced by a Joint Venture Agreement dated 13 November 2020, hereto attached as **Annex "B"** and made an integral part thereof, and hereinafter referred to as "**Contractor**".

The **BCDA** and **Contractor** shall be collectively referred to as "Parties", and each a "Party".

ANTECEDENTS:

Following the bidding procedure pursuant to Republic Act No. 9184 and its implementing rules and regulations, the **Contractor** has been determined to have complied with the eligibility requirements, and is responsive to all the requirements of the Project and the conditions as specified in the bidding documents.

BCDA is desirous that the **Contractor** execute the SAN FERNANDO PORT EXTENSION PROJECT – CONSTRUCTION OF FERRY PORT TERMINAL AT PORO POINT FREEPORT ZONE CITY OF SAN FERNANDO, LA UNION (hereinafter called "the Works") and **BCDA** has accepted the bid for **Pesos: Thirty-Four Million Nine Hundred Seventeen Thousand One Hundred Eighty-Nine and 89/100 (PhP34,917,189.89)**, inclusive of all applicable taxes, fees and other charges, by the **Contractor** 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 shall be attached, deemed to form, and be read and construed as part of this Contract, to wit:

- (a) General and Special Conditions of Contract;
- (b) Drawings/Plans;
- (c) Specifications;
- (d) Invitation to Bid;
- (e) Instruction to Bidders;
- (f) Bid Data Sheet;
- (g) Addenda and/or Supplemental/Bid Bulletins, if any;
- (h) Bid forms, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents/statements submitted (e.g. bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the BCDA's bid evaluation;
- (i) Eligibility requirements, documents and/or statements;
- (j) Performance Security;
- (k) Notice of Award of Contract and the Contractor's conforme thereto;
- (l) Other contract documents that may be required by existing laws and/or BCDA.

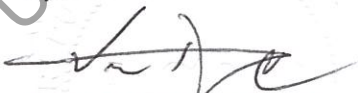
3. In consideration of the payments to be made by **BCDA** to the **Contractor** as hereinafter mentioned, the **Contractor** hereby covenants with **BCDA** to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all respects.

4. The **BCDA** hereby covenants to pay the **Contractor** in consideration of the execution and completion of the Works, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

IN WITNESS whereof, the parties have caused this Agreement to be executed the day and year first before written.
Insert text here

**BASES CONVERSION AND
DEVELOPMENT AUTHORITY**

By:



VIVENCIO B. DIZON
President and CEO



**JOINT VENTURE OF MARLON
ANDAL CONSTRUCTION
CORPORATION(MACC)
PHILIPPINES AND BLACPRIME
CONSTRUCTION INC**

By:



MARLON G. ANDAL
Authorized Managing Officer

Signed in the presence of:

Aileen An. R. Zosa
AILEEN AN. R. ZOSA
Executive Vice President

ACKNOWLEDGMENT

Republic of the Philippines)
Taguig City) ss.

BEFORE ME, a Notary Public, for and in _____, personally appeared the following:

Name	Government Issued ID	Date/Place Issued
VIVENCIO B. DIZON	Passport No. [REDACTED]	[REDACTED] / DFA Manila
MARLON G. ANDAL	Passport No. [REDACTED]	[REDACTED] / DFA NCR <i>EAST</i>

who represented to me that they are the same persons who signed and executed the forgoing Framework Agreement and acknowledged to me that the same is their free and voluntary act and deed, as well as of the entities herein represented.

I further certify that the said Framework Agreement consists of three (3) pages including the page whereon this Acknowledgement is written and signed by the abovementioned individuals and their witnesses.

SIGNED AND SEALED on MAY 27 2021 in Taguig City, Philippines.

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Page No. 122
Book No. 68
Series of 2021.

ATTY. KIM ANGERIE B. AGUILERA
Appt. No. M-148 Issued on 01/17/2020 at Makati City
Commission Expiring on Dec. 31, 2021
3004-3005 Cityland Pasong Tamo Tower
Chino Roces Ave., Makati City
PTR No. 8126301 issued on 01/09/2020 at Makati City
MCLC Compliance No. VI - 0002819 - 04/14/2022
Roll No. 66070 TIN: 462-397-699-000
IBP Membership No. 104952

[Handwritten signatures and initials]