

CONTRACT FOR THE CONSTRUCTION OF SEWAGE TREATMENT PLANT, ACCESS ROAD, AND FREEDOM PARK IN BONIFACIO CAPITAL DISTRICT, TAGUIG CITY

THE PUBLIC IS INFORMED:

This **Contract** is executed between:

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 CEO, **VIVENCIO B. DIZON**, who is duly authorized for this purpose as evidenced by a Secretary's Certificate dated 20 January 2021, a copy of which is hereto attached as **Annex "A"**, hereinafter referred to as "**BCDA**";

- and -

Tryst Builders Enterprises, a private corporation duly organized and existing under the laws of the Republic of the Philippines, with office address at Licano St. Adiwang Road, Dontogan, Baguio City, represented herein by its General Manager, **NESTOR M. PABLO** who is duly authorized for this purpose as evidenced by a Special Power of Attorney dated 08 March 2021, a copy of which is hereto attached as **Annex "B"**, hereinafter referred to as "**Contractor**".

Each referred to individually to as "Party" and collectively as "Parties."

ANTECEDENTS:

BCDA is desirous that the Contractor execute the CONTRACT FOR THE CONSTRUCTION OF SEWAGE TREATMENT PLANT, ACCESS ROAD, AND FREEDOM PARK IN BONIFACIO CAPITAL DISTRICT, TAGUIG CITY (hereinafter called "the Works") and BCDA has accepted the bid for Pesos: **One Hundred Thirty-Two Million Eight Hundred Seventy-Four Thousand One Hundred Thirteen and 65/100 (PhP 132,874,113.65)**, 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.

ACCORDINGLY, the Parties agree as follows:

1. In this Contract, 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 Conditions of the Contract

- (b) Special Conditions of Contract;
 - (c) Drawings/Plans;
 - (d) Specifications;
 - (e) Invitation to Bid;
 - (f) Instruction to Bidders;
 - (g) Bid Data Sheet;
 - (h) Addenda and/or Supplemental/Bid Bulletins, if any;
 - (i) 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;
 - (j) Eligibility requirements, documents and/or statements;
 - (k) Performance Security;
 - (l) Notice of Award of Contract and the Contractor's conforme thereto;
 - (m) 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. 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.
5. Any amendments, modification or additional terms and conditions to this Contract shall be made in writing and executed with the same formalities hereof.

SIGNED BY THE PARTIES on _____ in Taguig City, Philippines.

BASES CONVERSION AND DEVELOPMENT AUTHORITY

By:


VIVENCIO B. DIZON
President and CEO

TRYST BUILDERS ENTERPRISES

By:


NESTOR M. PABLO
General Manager

Signed in the presence of:

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

Lilibeth S. Castillo
LILIBETH S. CASTILLO

ACKNOWLEDGMENT

Republic of the Philippines)
Taguig City) ss.

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

| Name | Government Issued ID | Date/Place Issued |
|-------------------|----------------------|-------------------|
| VIVENCIO B. DIZON | | |
| | | |

known to me to be the same persons who executed the foregoing instrument and they acknowledge to me that their signatures confirm their own free acts and the entities they represent.

This Contract, consisting of three (3) pages including this page where the acknowledgment is stated, relates to the Contract for the Construction of Sewage Treatment Plant, Access Road, and Freedom Park Project between BCDA and Contractor. The Parties and their witnesses signed in the proper spaces and the left margin of every page.

SIGNED AND SEALED on JUL 16 2021 in Taguig City, Philippines.

Doc. No. *379*
Page No. *77*
Book No. *02*
Series of 2021

MCS
ATTY MARICEL C. CORONACION-SANTOS
NOTARY PUBLIC FOR AND IN TAGUIG CITY
NOTARIAL COMMISSION UNTIL DECEMBER 31 2021
ROLL OF ATTORNEYS NO. 64834
IBP NO. 1492918 1-07-2021 417AL
PTR NO. A-2069446 1-07-2021 TAGUIG CITY
MCLE COMPLIANCE NO. VI-0014157 05 NOV 2018

Republic of the Philippines)
City of Baguio) S.S.

ACKNOWLEDGEMENT

BEFORE ME, a Notary Public for and in the City of Baguio this 9th day of July, 2021, at Baguio City, personally appeared, NESTOR M. PABLO, with his Tax Identification Number (TIN) bearing number 144 426 925, who represented to me to be the same person who executed the foregoing instrument upon examination of authentic documents proving his identity and acknowledged to me that the same is his free act and voluntary deed.

This instrument consisting four (4) pages including the page upon which the acknowledgement is written and which have been signed by the parties and their instrumental witnesses on each and every page thereof, refers to a Contract for the Construction of Sewage Treatment Plant, Access Road, and Freedom Park in Bonifacio Capital District, Taguig City.

WITNESS MY HAND AND NOTARIAL SEAL on the date and place above indicated.

GEORGE M. DUMAWING, JR.

Notary Public

2nd Flr. Garcia Bldg, Hilltop Rd, Baguio City

N.A.-26-NC-20-R Until December 31, 2021

PTR No. 6919760, 01-05-2021, Tuba, Benguet

IBP Lifetime Member No. 03549, Baguio City

Roll No 41212

Doc. No. 331
Page No. 68
Book No. XXXIV
Series of 2021

UNCONTROLLED WHEN PRINTED OR XEROXED