

**CONTRACT FOR THE CONSTRUCTION OF THE
NEW CLARK CITY (NCC) CONNECTING ROAD PACKAGE 2
(INDUSTRIAL AREA, VIROLOGY INSTITUTE,
BANGKO SENTRAL NG PILIPINAS (BSP) COMPLEX)**

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 corner 2nd Avenue, Bonifacio Global City, Taguig City, represented herein by its President and CEO, **JOSHUA M. BINGCANG**, duly authorized for this purpose as evidence by Secretary's Certificate dated 18 October 2022, a copy of which is hereto attached as **Annex "A"**, hereinafter referred to as "**BCDA**";

- and -

POSITIVE BUILDERS AND TRADING a private entity duly organized and existing under the laws of the Republic of the Philippines, with office address, Plaza San Nicolas 1st, Lubao, Pampanga 2005, represented herein by its General Manager, **MR. RYAN M. CALADIAO**, duly authorized for this purpose as evidenced by Special Power of Attorney dated 11 October 2023, a copy of which is hereto attached as **Annex "B"**, hereinafter referred to as "**CONTRACTOR**".

Individually referred to as "Party" and collectively, as "Parties".

ANTECEDENTS

BCDA is desirous that the Contractor execute the Contract for the New Clark City Connecting Road Package 2 (Industrial Area, Virology Institute, BSP Complex) (hereinafter called "the Works"), and BCDA has accepted the Bid for the amount of **Pesos: One Billion Four Hundred Thirty-Two Million Four Hundred Sixty-Three Thousand Nine Hundred Eighty-Three Pesos and 63/100 (Php1,432,463,983.63)** by the Contractor for the execution and completion of such Works and 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 as required by the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 shall be attached, deemed to form, and be read and construed as part of this Contract, vis:

(a) Philippine Bidding Documents (PBDs);

i. Drawings/Plans;

- ii. Technical Specifications;
 - iii. Bill of Quantities;
 - iv. General and Special Conditions of Contract;
 - v. 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 BCDA'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. **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 for the sum of **Pesos: One Billion Four Hundred Thirty-Two Million Four Hundred Sixty-Three Thousand Nine Hundred Eighty-Three Pesos and 63/100 (Php1,432,463,983.63)** or such other sums as may be ascertained, the Contractor agrees to execute the New Clark City Connecting Road Package 2 (Industrial Area, Virology Institute, BSP Complex) in accordance with his/her/its Bid.
4. The BCDA agrees to pay the above-mentioned sum in accordance with the terms of the Bidding
5. Any amendment, 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:



JOSHUA M. BINGCANG
President & CEO

POSITIVE BUILDERS AND TRADING

By:



RYAN M. CALADIAO
General Manager



Signed in the presence of:

GISELA Z. KALALO
Executive Vice President

ACKNOWLEDGMENT

Republic of the Philippines)
Taguig City) ss.

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

Name	Competent Evidence of Identity	Date of Issue / Expiry	Place of Issue
JOSHUA M. BINGCANG	PASSPORT ID
RYAN M. CALADIAO	DRIVERS LICENSE

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

SIGNED AND SEALED on DEC 28 2023 in Taguig City, Philippines.

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Book no. 4
Series of 2023.

ATTY. MARICEL C. CORONACION-SANTOS
NOTARY PUBLIC FOR AND IN TAGUIG CITY
NOTARIAL COMMISSION EXTENDED UNTIL DECEMBER 31, 2023
ROLL OF ATTORNEYS NO 63834
IBP NO 273119 / 01-06-2023 / RIZAL
PTR NO A-5700892 / 01-05-23 / TAGUIG CITY
MCLE COMPLIANCE NO. VI, 0005758 / 30 JULY 2023