

CONTRACT FOR THE CONSTRUCTION OF VARIOUS STRUCTURES AND FACILITIES WITHIN THE 100-HECTARE AREA AT BATAAN TECHNOLOGY PARK, MORONG, BATAAN, PHASE 1 – PACKAGE 2

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 Officer-in-Charge of the Office of the President and CEO, **ARISTOTLE B. BATUHAN**, who is duly authorized for this purpose as evidenced by the Secretary's Certificate dated 05 November 2021, a certified true copy of which is hereto attached as **Annex "A"** and made an integral part hereof, hereinafter referred to as "**BCDA**";

- and -

FOUNDATION SPECIALIST, INC. AND ALMERIA INTERNATIONAL CONSTRUCTION CORPORATION JOINT VENTURE, a joint venture duly organized and existing under the laws of the Republic of the Philippines, with office address at Lot 21 Blk 32 Malaysia St. Cor. Don Segundo St., Don Bonifacio Subdivision, Pulung Maragul, Angeles City, Pampanga, represented herein by its Authorized Managing Officer, **ALDWIN E. ALMERIA**, who is duly authorized for this purpose as evidenced by a Joint Resolution dated 19 October 2021, 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 Construction of Various Structures and Facilities within the 100-Hectare Area at Bataan Technology Park, Morong, Bataan, Phase 1- Package 2 (hereinafter called "the Works") and BCDA has accepted the Bid for **Pesos: Two Billion Five Hundred Seventy-Nine Million One Hundred Forty Thousand Six Hundred Three and 95/100 (Php 2,579,140,603.95)** 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 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 Contract, vis.:

- a. Philippine Bidding Documents (PBDs);
 - i. Drawings/Plans;
 - ii. 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 **Php 2,579,140,603.95** or such other sums as may be ascertained, the Contractor agrees to execute the Construction of Various Structures and Facilities within the 100-Hectare Area in Bataan Technology Park, Morong, Bataan, Phase 1 – Package 2 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, provided that such amendment, modifications, or changes do not alter the basic parameters, financial and/or technical terms and conditions of the Agreement.

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

**BASES CONVERSION AND
DEVELOPMENT AUTHORITY**

By:



ARISTOTLE B. BATUHAN
Officer-in-Charge
Office of the President and CEO



Project Management Department



DE2022-0031

**FOUNDATION SPECIALIST, INC.
AND ALMERIA INTERNATIONAL
CONSTRUCTION CORPORATION
JOINT VENTURE**

By:



ALDWIN E. ALMERIA
Authorized Managing Officer

Signed in the presence of:



AILEEN ANUNCIACION R. ZOSA
Executive Vice President



ACKNOWLEDGMENT

Republic of the Philippines)
Taguig City) ss.
Mabalacat, Pampanga


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

Name	Government Issued ID	Date/Place Issued
ARISTOTLE B. BATUHAN		
ALDWIN E. ALMERIA	DRIVER'S LICENSE NO. C10-92-083835	June 7 2019 DLRC SM CLARK FIELD PAMPANGA

all known to me and to be known to be the same persons who executed the foregoing Contract Agreement consisting of four (4) pages, including the page wherein the acknowledgement is written, and acknowledged to me that the same is their free and voluntary act and deed, as well as the corporations herein represented.

SIGNED AND SEALED on 03 FEB 2022 in Taguig City, Philippines.
Mabalacat, Pampanga

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ATTY. MISHEENA JOYCE C. TIATCO
Notary Public for Angeles City, Mabalacat City and
Municipalities of Porac and Magalang, Pampanga
Commission No. 2019-01 until June 30, 2022
until December 31.
Atty's Roll No. 63340
IBP Lifetime Member No. 012612/3/28/14/Pamp. Chapter
PTR No. AC-1749597/12-31-2 // Angeles City
Clark International Airport Corporation
Clark Freeport Zone, Mabalacat, Pampanga
Tel No. 045 599 2888 loc. 209
Email: sheena.joyce07@yahoo.com
MCI F Compliance No. VI-0007656

