

**CONTRACT FOR THE SITE DEVELOPMENT OF THE 65-HECTARE
RELOCATION SITE IN NEW CLARK CITY (NCC)**

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 07 February 2024, a copy of which is hereto attached as **Annex "A"**; hereinafter referred to as "**BCDA**";

- and -

R.D. POLICARPIO & CO. INC. a private entity duly organized and existing under the laws of the Republic of the Philippines, with office address, 544 Melania Street, Samsonville Subdivision, Dau, Mabalacat, Pampanga, represented herein by its Authorized Representative, **NOELITO D. POLICARPIO**, duly authorized for this purpose as evidenced by Secretary's Certificate dated 14 April 2024, 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 Site Development of the 65-Hectare Relocation Site in New Clark City (NCC) (hereinafter called "the Works"), and BCDA has accepted the Bid for the amount of **PESOS: SIX HUNDRED EIGHTEEN MILLION NINE HUNDRED EIGHTY-EIGHT THOUSAND THREE HUNDRED EIGHTY-NINE AND 75/100 (Php 618,988,389.75)** by the Contractor for the execution and completion of such Works and remedying of any defects therein.

The Project related to such Works was advertised on 01 March 2024. During the opening of bids, eight (8) bid submissions were received by the Bids and Awards Committee for Infrastructure (BAC-I). Upon preliminary examination, one (1) out of the eight (8) bidders was declared ineligible due to non-compliance with the requirements of the Bidding Documents.

The seven (7) bidders that passed the preliminary bid evaluation were subjected to initial bid evaluation in order to determine the bidder with the Lowest Calculated Bid (LCB). The result of the bid evaluation showed five (5) out of the seven (7) bidders were ranked in ascending order based on their financial bids or total bid price as calculated, evaluated and/or corrected for computational errors to identify the bidder with the Lowest Calculated Bid (LCB) who shall undergo the post-qualification.

R.D. Policarpio & Co. Inc. was subjected to post-qualification. After evaluation, the results showed that all the Eligibility, Technical and Financial documents submitted by R.D. Policarpio

& Co. Inc. passed all the criteria for post-qualification and found to be responsive to all the requirements stated in the Bidding Documents

On 26 July 2024, BCDA issued a Notice of Award unto the Contractor.

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: Six Hundred Eighteen Million Nine Hundred Eighty-Eight Thousand Three Hundred Eighty-Nine And 75/100 (Php618,988,389.75)** or such other sums as may be ascertained, the Contractor agrees to execute the Site Development of the 65-Hectare Relocation Site in New Clark City 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.

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

**BASES CONVERSION AND
DEVELOPMENT AUTHORITY**

By:

JOSHUA M. BINGCANG
President & CEO

R.D. POLICARPIO & CO. INC.

By:

NOELITO D. POLICARPIO
Authorized Representative



Strategic Projects Management Department



ZDF2024-0992

Signed in the presence of:

GISELA Z. KALALO
Executive Vice President

ALLEN M. QUIAMBAO
Operations Manager

ZDF2024-0992

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 of Issue / Expiry	Place of Issue
JOSHUA M. BINGCANG			
NOELITO D. POLICARPIO			

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 SEP 11 2024 in Taguig City, Philippines.

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Doc. no. 25
Page no. 6
Book no. 5
Series of 2024.

ATTY. MARICEL C. CORONACION-SANTOS
NOTARY PUBLIC FOR AND IN TAGUIG CITY
NOTARIAL COMMISSION UNTIL DECEMBER 31, 2025
ROLL OF ATTORNEYS NO. 63834
IBP NO. 423744 / 1-16-2024 / RIZAL
PTR NO. 6089649 / 1-16-2024 / TAGUIG CITY
MCLE COMPLIANCE NO. VIII-0004912 / 11-20-2023

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**AUTHORITY OF SIGNATORY
SECRETARY'S CERTIFICATE**

I, **JESUSA P. DELA CRUZ**, a duly and qualified Corporate Secretary of **R. D. POLICARPIO & CO., INC.** A corporation duly organized and existing under and by virtue of the law of the Republic of the Philippines, DO HEREBY CERTIFY, that:

I am familiar with the facts herein certified and duly authorized to certify the same;

At the regular meeting of the Board of Directors of the said Corporation duly convened and held on August 11, 2023 at which meeting a quorum was present and acting throughout, the following resolutions were approved, and the same have not been annulled, revoked, and amended in any way whatever and are in full force and effect on the date hereof:

RESOLVED, that **R. D. POLICARPIO & CO., INC.** be as it is hereby is, authorized to participate in the bidding of **SITE DEVELOPMENT OF 65- HECTARE RELOCATION SITE IN NEW CLARK CITY (NCC)**, by the **BASES CONVERSION AND DEVELOPMENT AUTHORITY** and in connection therewith hereby appoint **NOELITO D. POLICARPIO**, acting as duly authorized and designated representatives of **R. D. POLICARPIO & CO., INC.** and granted full power and authority to do, execute and perform any and all acts necessary and/or to represent **R. D. POLICARPIO & CO., INC.** in the said bidding as fully and effectively as the corporation might do if personally present with full power of substitution and revocation and hereby satisfying and confirming all that my said representative shall lawfully do or cause to be done by virtue hereof;

RESOLVED FURTHER THAT, the Board hereby authorizes its President to:

1. execute a waiver of jurisdiction whereby the **R. D. POLICARPIO & CO., INC.** hereby submits itself to the jurisdiction of the Philippine government and hereby waives its right to question the jurisdiction of the Philippine courts;
2. execute a waiver that the **R. D. POLICARPIO & CO., INC.** shall not seek and obtain writ of injunctions or prohibition or restraining order against the **BASES CONVERSION AND DEVELOPMENT AUTHORITY** or any other agency in connection with this project to prevent and restrain the bidding procedures related thereto, the negotiating of and award of a contract to a successful bidder, and the carrying out of the awarded contract.

WITNESS the signature of the undersigned as such officer of the said corporation **R. D. POLICARPIO & CO., INC.** this

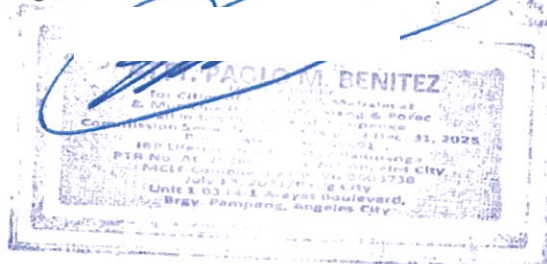
APR 18 2024

JESUSA P. DELA CRUZ
Affiant

ACKNOWLEDGMENT

SUBSCRIBED AND SWORN to before me this APR 18 2024 affiant is personally known to me and was identified by me through competent evidences or identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant exhibited to me his Passport issued on Jan. 10, 2019 valid until January 9, 2029 at DFA, Angeles City, with his photograph and signature appearing thereon, with no. No. P01936571B and her Community Tax Certificate No. 03396655 issued on Jan. 8, 2024 at Mabalacat, Pampanga.

Doc No. 239 ;
Page No. 46 ;
Book No. 12 ;
Series of 2024



121

SECRETARY'S CERTIFICATE

Republic of the Philippines)
Taguig City) SS.

I, **CHRISTIAN T. DULDULAO**, of legal age, being the Corporate Secretary of the Bases Conversion and Development Authority (BCDA), with office address at the 2/F Bonifacio Technology Center, 31st Street corner 2nd Avenue, Bonifacio Global City, Taguig City, do hereby certify that on the occasion of the 650th Regular BCDA Board Meeting held on 24 January 2024, with a quorum being present, the Board of Directors, upon motion duly seconded, unanimously approved the following resolution:

Resolution No. 2024-01-008

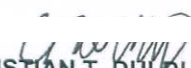
Resolve, as it is hereby resolved, that the authority to proceed with the bidding for the Site Development of the 65-Hectare Relocation Site in New Clark City through the BCDA Bids and Awards Committee for Infrastructure Projects with an Approved Budget for the Contract of Php719,972,183.45 inclusive of all applicable taxes and fees chargeable against the General Appropriations Act be, as it is hereby APPROVED.

Resolve further, as it is hereby further resolved, that the authority of the President and Chief Executive Officer (PCEO) or in his absence, the Executive Vice President and Chief Operating Officer (EVP/COO) or in the absence of both, the Officer-in-Charge (OIC) of the Office of the PCEO to approve and sign the following documents be, as it is hereby APPROVED.

- Program of Works
- Bidding Documents
- Lowest Calculated and Responsive Bid
- Notice of Award
- Contract
- Notice to Proceed
- Disqualification of any bidder, if any
- Failure of Bidding, if any
- Extensions of time, if any
- All other documents related to the implementation of the Project

This certification is being issued subject to the final approval of the Minutes of the 24 January 2024 BCDA Board Meeting.

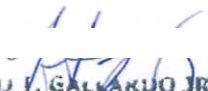
IN WITNESS WHEREOF, I have hereunto affixed my signature this 7th day of February 2024.


CHRISTIAN T. DULDULAO
Corporate Secretary

SUBSCRIBED AND SWORN to before me this FEB 07 2024 at Taguig City, Philippines, by Atty. CHRISTIAN T. DULDULAO who exhibited to me his Passport No. P8274275B, issued at DFA Manila on 24 November 2021 and valid until 23 November 2031.

Doc. No. 421
Page No. 86
Book No. 1
Series of 2024.

Purpose: As an attachment to SPMD's memo
SC2024-011
YB2024-0053


FERNANDO F. GALLARDO JR.
Notary Public for Taguig City, Philippines
2F BTC, 31st Street, BGC, Taguig City, 1634
Appointment No. 34 (2024-2025)
PTR No. A-6089375/02Jan2024/Taguig City
Roll of Attorneys No. 38060/10Jun1992
IBP Life Member Roll No. 00365/19Jul1995
MCLE Compliance No. 11-12/2024/06/2024