Republic of the Philippines
PHILIPPINE PORTS AUTHORITY
PORT MANAGEMENT OFFICE – BATAAN/AURORA
Port Operations Bldg., Port of Lamao,
Brgy. Lamao, Limay, Bataan

MELVIN M. FERNANDO
Witness

FPF Construction
Engr. FAUSTINE JAY D. TIMBOL
General Manager

LILIA A. DIAZ
Manager, Finance Division

Philippine Ports Authority, PMO – Bataan/Aurora

ALLAN M. ROJO
Acting Port Manager

CONTRACT

VARIOUS MAINTENANCE WORKS ON PORT FACILITIES AT PORT OF DINGALAN, AURORA (MP-BAA-04-20)

KNOW ALL MEN BY THESE PRESENTS:

This Contract made and entered into this 19th day of October 2020 in Lamao, Limay, Bataan, Philippines, by and between:

PHILIPPINE PORTS AUTHORITY, a government instrumentality with corporate power created under Presidential Decree No. 857, as amended, with principal office at PPA Bldg., A. Bonifacio Drive, Port Area, Manila, represented herein by its duly authorized representative, **ALLAN M. ROJO**, Acting Port Manager, PMO Bataan/Aurora and hereinafter referred to as "**PPA**";

- and -

Engr. FAUSTINE JAY D. TIMBOL, of legal age, Filipino, married, with business and postal address at 651 Mangga Cacutud Arayat, Pampanga, doing business under the firm name/style of **FPF CONSTRUCTION** duly registered with the Department of Trade and Industry, under Certificate of Registration No.05300704, a copy of which is hereto attached and made an integral part hereof as Annex "A" and hereinafter referred to as "**CONTRACTOR**".

W I T N E S E T H:

WHEREAS, in accordance with Republic Act No. 9184 and its Revised Implementing Rules and Regulations, PPA advertised and posted on the PPA website, PhilGEPS and posted in conspicuous places in the premises of PPA, PMO-Bataan/Aurora., an Invitation to Bid for the **VARIOUS MAINTENANCE WORKS ON PORT FACILITIES AT PORT OF DINGALAN, AURORA (MP-BAA-04-20)**; with an ABC of ONE MILLION THIRTY SIX THOUSAND SIX HUNDRED NINETY THREE AND 48/100 PESOS (Php. 1,036,693.48);

WHEREAS, the CONTRACTOR, being the lone bidder submitted its bid for the foregoing project);

WHEREAS, after the opening of the bid on 05 October 2020, and the conduct of bid evaluation and required post-qualification, the bid submitted by the CONTRACTOR at its unit and lump sum prices set forth in its proposal as corrected, was found to be the Single Calculated Responsive Bid in the amount of **ONE MILLION THIRTY ONE THOUSAND SIX HUNDRED THIRTY FOUR AND 06/100 PESOS (Php. 1,031,634.06),** Philippine Currency;

WHEREAS, pursuant to PMO-Bataan/Aurora BAC Resolution No. 007 Series of 2020, award of the contract was made to the **CONTRACTOR** in a Notice of Award dated October 14, 2020 in the amount of **ONE MILLION THIRTY ONE THOUSAND SIX HUNDRED THIRTY FOUR AND 06/100 PESOS (Php. 1,031,634.06),** after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the Revised IRR;

or suppression of material facts therein, which if known, could have disqualified the CONTRACTOR such that this contract would not have been made and entered into, gives the PPA the immediate right or recourse to **motu proprio** rescind, abrogate or otherwise terminate the contract without need of judicial action, in accordance with Section 19.04 hereof.

20.02 The CONTRACTOR hereby warrants that it has not given nor promised to give any money, gift or any material favor/consideration to any official or employee of the PPA to secure this Contract; that any violation of this warranty shall be sufficient ground for the PPA to revoke or cancel this Contract extra judicially or without need of judicial intervention.

ARTICLE XXI

BUDGETARY REQUIREMENT

21.01 The parties hereto hereby adopt and incorporate herein by reference, Letter of Instruction No. 767 dated 16 November 1978, issued by the Office of the President, as implemented by the Letter Circular, dated 7 December 1978, of the Department of Budget and Management.

ARTICLE XXII

EFFECTIVITY

22.01 This Contract shall become effective after the same shall have been signed by the Parties hereof.

IN WITNESS WHEREOF, the Parties have hereunto signed this Contract on the date and place first hereinabove written.

PHILIPPINE PORTS AUTHORITY

By:

ALLAN M. ROJO
Acting Port Manager
PMO – Bataan/Aurora

FPF CONSTRUCTION

By:

Engr. FAUSTINE JAY D. TIMBOL
General Manager

WITNESSES:

LILIA A. DIAZ
Manager, Finance Division

MELVIN M. FERNANDO
FPF Construction

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of Balanga) S.S.

BEFORE ME, a Notary Public for and in the City of Balanga, Bataan, Philippines, personally appeared the following persons with their respective Tax Identification Number (TIN-ID) and Driver License Number (DL), to wit

NAME	PROOF OF IDENTITY	DATE/PLACE
ALLAN M. ROJO	**120-005-417** (TIN-ID)	
Engr. FAUSTINE JAY D. TIMBOL	**C11-98-113596** (DL)	

known to me to be the same persons who executed forgoing instrument as:

POSITION	COMPANY
Acting Port Manager	Philippine Ports Authority
General Manager	FPF Construction

And they acknowledged to me that the same is their own free act and deed as well as the free and voluntary act of the juridical person they represent.

This foregoing instrument is a Contract for the **VARIOUS MAINTENANCE WORKS ON PORT FACILITIES AT PORT OF DINGALAN, AURORA (MP-BAA-04-20)** consisting of fifteen (15) pages, including this page where the acknowledgment is written, signed by the parties and their instrumental witnesses on each and every page thereof.

WITNESS MY HAND AND SEAL, I have hereunto affixed my hand and notarial seal on these presents at the place and on the date first above written.

NOTARY PUBLIC

PTR No._____
Issued On: _____
Issued At: _____
T.I.N _____

ATTY. FRANCIS C. VILLEROZ
NOTARY PUBLIC
Until December 31, 2020
Roll Number 55442
B.T.R. No. 5377155/01-20-2020/Bataan
I.B.P. No. 114846/01-29-2020/Bataan
MCLE Compliance No. VI-0026997 / 04-14-2022

Doc. No. 023;
Page No. 006;
Book No. CI;
Series of 2020

MELVIN M. FERNANDO
Witness

FPF Construction
Engr. FAUSTINE JAY D. TIMBOL
General Manager

LILIA A. DIAZ
Manager, Finance Division

Philippine Ports Authority, PMO – Bataan/Aurora
ALLAN M. ROJO
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