# CONTRACT AGREEMENT

THIS AGREEMENT, made this _____*day* of ***DECEMBER***, ***2023*** between ***PHILIPPINE PORTS AUTHORITY, PORT MANAGEMENT OFFICE OF LANAO DEL NORTE/ ILIGAN*** (hereinafter called the "Entity") and_____ _____ (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute ***Relocation, Installation, Testing and Commissioning of 75KVA Transformer, Port of Tubod, Lanao del Norte*** *with identification number of* ***CW - 015 - 2023*** (hereinafter called "the Works") and the Entity has accepted the Bid for _____ *(Php_____)* by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, 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 Agreement, *viz.*:

   **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 Procuring Entity'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.**

Acting Port Manager

CONTRACTOR

WITNESS

WITNESS

3. In consideration for the sum of _____ ***(Php*** _____***)*** or such other sums as may be ascertained, _____ agrees to satisfactory complete the ***Relocation, Installation, Testing and Commissioning of 75KVA Transformer, Port of Tubod, Lanao del Norte*** in accordance with his/her/its Bid.

4. The ***PHILIPPINE PORTS AUTHORITY, PORT MANAGEMENT OFFICE OF LANAO DEL NORTE/ ILIGAN*** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

***MEDARDO I. SOSOBRADO, JR.***
*Acting Port Manager*

*for:*

*Philippine Ports Authority*
*PMO Lanao del Norte/ Iligan*
*Port Area, Iligan City*

_____
*Owner/ Proprietor*

*for:*

_____

Dry Seal

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

SUBSCRIBED AND SWORN TO before me this ____day of _____2023. The parties to this contract agreement exhibiting their Resident Certificate opposite their names.

| Name | CTC Number | Date / Place of Issue |
|---|---|---|
| Mr. MEDARDO I. SOSOBRADO, JR<br>Acting Port Manager | | |
| _____<br>*Owner/ Proprietor* | _____ | _____<br>_____ |

_____
Notary Public
Until December 31, 20_____

Doc. No. :_____
Page No. :_____
Book No. :_____
Series of :_____

# Omnibus Sworn Statement (Revised)

***[shall be submitted with the Bid]***

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REPUBLIC OF THE PHILIPPINES )
CITY/MUNICIPALITY OF _____ ) S.S.

## AFFIDAVIT

I, **[Name of Affiant]**, of legal age, **[Civil Status]**, **[Nationality]**, and residing at **[Address of Affiant]**, after having been duly sworn in accordance with law, do hereby depose and state that:

1. I am the sole proprietor or authorized representative of **[Name of Bidder]** with office address at **[address of Bidder]**;

2. As the owner and sole proprietor, or authorized representative of **[Name of Bidder]**, I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for ***Relocation, Installation, Testing and Commissioning of 75KVA Transformer, Port of Tubod, Lanao del Norte*** of the **Philippine Ports Authority, Port Management Office Lanao del Norte/Iligan**, as shown in the attached duly notarized Special Power of Attorney;

3. **[Name of Bidder]** is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. **[Name of Bidder]** is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. ***[Name of Bidder]*** complies with existing labor laws and standards; and

8. ***[Name of Bidder]*** is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:

   a. Carefully examining all of the Bidding Documents;
   b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
   c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and

d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the ***Relocation, Installation, Testing and Commissioning of 75KVA Transformer, Port of Tubod, Lanao del Norte***.

9. ***[Name of Bidder]*** did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.

10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.**

**IN WITNESS WHEREOF**, I have hereunto set my hand this ____ day of _____, 20__ at _____, Philippines.

_____

***[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]***

_____

***[Insert signatory's legal capacity]***
Affiant

*SUBSCRIBED AND SWORN TO before me this _____ day of _____ 2023 affiant exhibiting to me his Residence Certificate No. _____ issued on _____ at _____.*

_____
Notary Public

Until December 31, 20_____
Doc. No. : _____;
Page No. : _____;
Book No. : _____;
Series of : _____;