

Contract Agreement Form for the Procurement of Goods (Revised)
Phase IX Procurement of ICT Hardware and Equipment for
Enhancement of Information and Communication Technology
Infrastructure in the Freeport Area of Bataan (FAB)

[Not required to be submitted with the Bid, but it shall be submitted within ten (10) days after receiving the Notice of Award]

CONTRACT AGREEMENT

JUN 19 2024

THIS AGREEMENT, made this ____ day of _____ 2024 by and between:

The **AUTHORITY OF THE FREEPORT AREA OF BATAAN (AFAB)**, with office address at the Second Floor, AFAB Administration Building, Freeport Area of Bataan, Mariveles, Bataan, represented herein by its Administrator and Chief Executive Officer, **MOHAMMED HUSSEIN P. PANGANDAMAN**, pursuant to Board Resolution No. 2023-31 issued on 29 May 2023, hereto attached as *Annex "A"*, and hereinafter called "the Procuring Entity and/or Entity" of the one part;

- and -

JPC EXPRESS & GENERAL MERCHANDISE, with office address at #2733 Porto del Sol Barangay Balon Anito, Mariveles, Bataan, represented herein by its Proprietress, **JOSEPHINE A. PASCUAL**, who is likewise duly authorized for this purpose as shown in Department of Trade and Industry (DTI) Certificate of Business Name Registration No. 1093468 issued on 31 July 2019, hereto attached as *Annex "B"*, and hereinafter called "the Supplier and/or Winning Bidder" of the other part.

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly the **Phase IX Procurement of ICT Hardware and Equipment for Enhancement of Information and Communication Technology Infrastructure in the Freeport Area of Bataan (FAB)** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Three Million Six Hundred Thirty Seven Thousand Seven Hundred Ten Pesos (Php3,637,710.00)** (hereinafter called "the Contract Price").

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 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 integral part of this Agreement, viz.:

- a. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - iv. 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, particularly the AFAB-Bids and Awards Committee (BAC) Resolution No. G-22 S. 2024 dated 29 May 2024 recommending the Award of the Contract to the winning bidder, and the Certificate of Availability of Funds, which are hereto attached as *Annexes "C" and "D"*, respectively, and made integral parts of this Agreement.

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 *Three Million Six Hundred Thirty Seven Thousand Seven Hundred Ten Pesos (Php 3,637,710.00)* or such other sums as may be ascertained, JPC Express & General Merchandise agrees to satisfactorily supply the goods and execute services in accordance with its Bid.
- 4. The **AUTHORITY OF THE FREEPORT AREA OF BATAAN** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof, the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

**AUTHORITY OF THE FREEPORT
AREA OF BATAAN**

**JPC EXPRESS & GENERAL
MERCHANDISE**

By:

By:

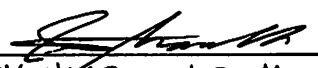


MOHAMMED HUSSEIN P. PANGANDAMAN
Administrator and Chief Executive Officer




JOSEPHINE A. PASCUAL
Proprietress

SIGNED IN THE PRESENCE OF:



ANTHONY RYAN R. MANALATA



Juylyn A. Vasallo

ACKNOWLEDGMENT

Republic of the Philippines)
Province of Bataan)
Municipality of Mariveles) S.S.

BEFORE ME, this JUN 19 2024 of _____ 2024 in Mariveles, Bataan, personally appeared:

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE & PLACE OF ISSUE/EXPIRY
MOHAMMED HUSSEIN P. PANGANDAMAN	TIN No. 920-112-898-000	1/17/2024
JOSEPHINE A. PASCUAL	SSS 331992824-9	Mariveles, Bataan

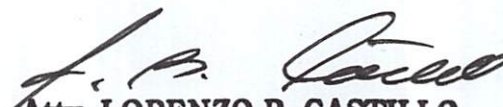
both known to me to be the same persons who executed the foregoing instrument and who acknowledged to me that the same is their free and voluntary act and deed, as well as the entities represented herein.

This instrument refers to a "Contract Agreement Form for the Procurement of Goods (Revised) Phase IX Procurement of ICT Hardware and Equipment for Enhancement of Information and Communication Technology Infrastructure in the Freeport Area of Bataan (FAB)" consisting of four (4) pages, including the page whereon this acknowledgment is written, and signed by the Parties and their instrumental witnesses on each and every page thereof and sealed with my notarial seal.

IN WITNESS WHEREOF, I have hereunto set my hand on the date and at the place first written above.

Notary Public

Doc. No. 244;
Page No. 55;
Book No. XIV;
Series of 2024.


Atty. LORENZO B. CASTILLO
NOTARY PUBLIC until December 31, 2024
For and in the PROVINCE OF BATAAN
Notarial Commission No. 2024-004-ML
1/F FAB Post Office Bldg., Mariveles, Bataan
Roll No. 24642; MCLE VII- 0012139 03/07/22
IBP # 412306 01/09/24; PTR No. 1250310 01/02/24

IBP # 01300-010000-01R No. 1300310-010000-01
Roll No. 3013: MILE WITH 0013130 00000000
THE FAS Post Office Bridge/Mantoloking, Batangas
Notarial Commission No. 3034-004-MIL
For and in the PROVINCE OF BATANGAS
NOTARY PUBLIC until December 31, 2024
Atty. LORENZO B. CASTILLO



REPUBLIC OF THE PHILIPPINES)
MARIVELES, BATAAN) SS

SECRETARY'S CERTIFICATE

I, MARISTELLA KATRINA C. GARINO of legal age, Filipino, and with office address at Second Floor, AFAB Administration Building, FAB, Mariveles, Bataan 2106, after having been duly sworn in accordance with law do hereby depose and say:

1. That I am the duly appointed Board Secretary of the Authority of the Freeport Area of Bataan with office at Second Floor, AFAB Administration Building, FAB, Mariveles, Bataan 2106;
2. That as such Board Secretary, I am in possession of the minutes of meetings of the Board of Directors of said agency;
3. That in the special meeting of the Board of Directors of the Authority of the Freeport Area of Bataan held on 29 May 2023, the following resolution was unanimously approved, to wit:

RESOLUTION NO. 2023-31

"WHEREAS, under Republic Act No. 9184 (RA 9184), otherwise known as "The Government Procurement Reform Act," and its Revised Implementing Rules and Regulations (RIRR) provided that the Head of the Procuring Entity (HOPE) for government-owned and controlled corporations is the Governing Board or its duly authorized official;

RESOLVED, as it is hereby resolved, that the AFAB Board of Directors delegates its power under RA 9184 and its RIRR to, and thus authorizes and designates, the AFAB Administrator, as the Head of Procuring Entity;

RESOLVED FURTHER, that in consideration of the Ease of Doing Business, the Deputy Administrator for Support Services (DASS) shall be designated as the Alternate Approving Official for the procurement under Alternative Methods of Procurement (AMP) specifically small value procurement, shopping, emergency cases, agency to agency, lease of venue, scientific, scholarly, artistic and media services, community participation, direct contracting and online subscription with the threshold amount of One Hundred Fifty Thousand Pesos (Php150,000.00);



RESOLVED FURTHERMORE, that in the absence of the HOPE, the DASS shall be the Approving Official for all AMP regardless of amount provided the items to be procured is/are in accordance with the Approved Annual Procurement Plan;


RESOLVED, FINALLY, as it is hereby resolved, that the Board Secretary be authorized to issue certification(s) relative to the foregoing resolution."


MARISTELLA KATRINA C. GARINO
Board Secretary

MAY 30 2023

SUBSCRIBED AND SWORN to before me this ____ day of ____ at **MARIVELES, BATAAN** City, affiant exhibiting to me her P-117 bearing her signature and photograph.

Doc. No. 459
Book No. XV
Page No. 92
Series of 2023


Atty. LORENZO B. CASTILLO
NOTARY PUBLIC until December 31, 2023
For and in the PROVINCE OF BATAAN
Notarial Commission No. 2021-002-ML
1/F FAB Post Office Bldg., Mariveles, Bataan
Roll No. 24642; MCLE VII- 0012139 03/07/22
IBP No. 272149 01/05/23; PTR # 1249198 01/05/23



This certifies that

JPC EXPRESS & GENERAL MERCHANDISE

(CITY/MUNICIPALITY)

MARIVELES, BATAAN, REGION III (CENTRAL LUZON)

is a business name registered in this office pursuant to the provisions of Act 3883, as amended by Act 4147 and Republic Act No. 863, and in compliance with the applicable rules and regulations prescribed by the Department of Trade and Industry.

This certificate issued to

JOSEPHINE ANGELES PASCUAL

is valid from 31 July 2019 to 31 July 2024 subject to continuing compliance with the above-mentioned laws and all applicable laws of the Philippines, unless voluntarily cancelled.

In testimony whereof, I hereby sign this

Certificate of Business Name Registration

and issue the same on this 31 July 2019 in the Philippines.


RAMON M. LOPEZ

Secretary

Business Name No. 1093468

This certificate is not a license to engage in any kind of business and valid only at the scope indicated herein.



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BIDS AND AWARDS COMMITTEE

RESOLUTION NO. G-22 S. 2024

BAC RESOLUTION DECLARING THE SINGLE CALCULATED AND RESPONSIVE BID (SCRB) AND RECOMMENDING THE AWARD OF CONTRACT FOR THE PROJECT "PHASE IX PROCUREMENT OF ICT HARDWARE AND EQUIPMENT FOR ENHANCEMENT OF INFORMATION AND COMMUNICATION TECHNOLOGY INFRASTRUCTURE IN THE FREEPORT AREA OF BATAAN (FAB)" TO JPC EXPRESS & GENERAL MERCHANDISE

WHEREAS, the Authority of the Freeport Area of Bataan (AFAB) advertised the Invitation to Bid on 26 April 2024 for the project: *"Phase IX Procurement of ICT Hardware and Equipment for Enhancement of Information and Communication Technology Infrastructure in the Freeport Area of Bataan (FAB)"* at the Philippine Government Electronic Procurement System (PhilGEPS), the AFAB website, and in the BAC bulletin board of the AFAB pursuant to Section 21.2 of the Revised Implementing Rules and Regulations (RIRR) of R.A. No. 9184;

WHEREAS, in response to the said advertisement, one (1) bidder purchased, submitted bid documents, and passed the preliminary the examination of bids on 21 May 2024;

WHEREAS, the bid proposal of the hereunder bidder was found to be complying with the eligibility requirements:

Name of Bidder	Bid Amount as Read
JPC Express & General Merchandise	Php 3,637,710.00

WHEREAS, the detailed evaluation of the bid conducted on 24 May 2024, resulted in the following:

Name of Bidder	Bid Amount as Calculated
JPC Express & General Merchandise	Php 3,637,710.00

WHEREAS, based on the post-qualification report of the TWG dated 28 May 2024 and after a detailed examination, evaluation and verification of all the eligibility, technical and financial requirements, the bid proposal submitted by **JPC Express & General Merchandise** was found to be responsive;

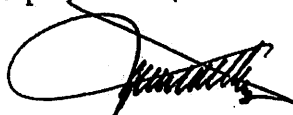
NOW, THEREFORE, we, the Members of the Bids and Awards Committee, hereby RESOLVE as it is hereby RESOLVED:

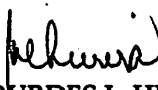
- a. To declare JPC EXPRESS & GENERAL MERCHANDISE as the Bidder with the Single Calculated and Responsive Bid for the project *"Phase IX Procurement of ICT Hardware and Equipment for Enhancement of Information and Communication Technology Infrastructure in the Freeport Area of Bataan (FAB)"*;

- b. To use the Bid Amount as Calculated of Php 3,637,710.00 as the contract amount per Section 34.4 of the RIRR of RA 9184;
- c. To recommend for approval by the Administrator and Chief Executive Officer of the Authority of the Freeport Area of Bataan as Head of the Procuring Entity of the foregoing findings.

RESOLVED this 29th day of May 2024 at the Freeport Area of Bataan, Mariveles, Bataan, Philippines.

Authority of the Freeport Area of Bataan Bids and Awards Committee

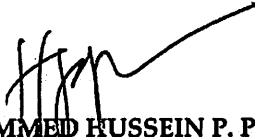

PERIVAL B. PERALTA
BAC Chairperson


MA. LOURDES L. HERRERA
BAC Vice-Chairperson


DONIA G. ALONZO
BAC Member


CRISTINA B. RODRIGO
BAC Member


CHARLES M. RAMONES
BAC Member


MOHAMMED RUSSEIN P. PANGANDAMAN
Administrator/Chief Executive Officer/Head of Procuring Entity
Approved on MAY 29 2024

CERTIFICATION

This is to certify that the Authority of the Freeport Area of Bataan (AFAB) has available budget allocation in the amount of SEVEN MILLION TWO HUNDRED TWENTY THOUSAND FIVE HUNDRED AND 00/100 PESOS ONLY (PHP 7,220,500.00) under FY 2024 IGF Projects and FY 2024 Maintenance and Other Operating Expenses (MOOE) to defray the necessary expenses for the project, "Procurement of ICT Hardware and Equipment for Enhancement of ICT Infrastructure in the FAB-Phase IX" as approved under the Board-approved FY 2024 Corporate Budget Proposal and Secretary's Certificate Resolution Nos. 2024-06 and 2024-08 .

Issued this 1st of April 2024.


CHARLES M. RAMONES
Department Manager A, Finance

Notes:

Board-Approved Budget-	IGF 2024	6,900,000.00
Board-Approved Budget-	MOOE 2024	320,500.00
ABC:		3,638,209.00
Unallocated:		3,582,291.00