

[LETTER OF INSTRUCTION NO. 189, May 23, 1974]

TO: Secretary David M. Consunji
Dept. of Public Works & Communications

Secretary Baltazar Aquino
Department of Public Highways

WHEREAS, one of the objectives of the government is to implement and complete at the earliest possible time all roads, highways and public works projects of the government at the least possible cost;

WHEREAS, it has been brought to my attention that substantial asphalt requirements of the government for these projects are purchased from distributors and/or dealers and middlemen instead of purchasing directly from the manufacturers and/or producers thereof;

WHEREAS, the government is the owner and/or has controlling interest of Petrophil Corporation, which Company is engaged directly in the manufacture of asphalt products through its subsidiaries, the Bataan Refining Corporation and Filoil Refinery Corporation, as well as in the sale and marketing thereof;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and direct:

1. That all national government, provincial, municipal, and city requirements of asphalt be purchased directly from Petrophil Corporation and/or its subsidiaries at prices no higher than the wholesale posted prices fixed for asphalt by the Oil Industry Commission;
2. That since such purchases are by government agencies or entities from a wholly owned and/or controlled government corporation, the requirements of public bidding shall not be applicable;
3. That such government agencies and entities may Purchase their requirements of asphalt from other companies and/or persons only to the extend of the quantity that Petrophil Corporation is unable to supply;
4. That in all such cases where the purchase of asphalt is made from persons or corporations other than Petrophil Corporation, the same shall be supported by a certification from a responsible officer of Petrophil Corporation of the quantity and/or volume that Petrophil Corporation cannot supply;
5. That to implement this Letter of Instruction you are hereby directed to issue the appropriate administrative orders addressed to all your regional, provincial and city offices including the provincial and city engineers.

(Sgd.) FERDINAND E. MARCOS

President
Republic of the Philippines

