

Department of Public Works and Highways

Contract ID: 230H0057

Contract Name: Convergence and Special Support Program / Special Road Fund - Motor Vehicle User's Charge (MVUC) as per R.A. 11239- Installation of Street lighting along A. Arnaiz Avenue (From Roxas Blvd. Service Road to Pasay-Makati Boundary)

Contract Location: Pasay City

CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

MAY 04 2023

This CONTRACT AGREEMENT, made this _____, by and between:

The GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES through the Department of Public Works and Highways (DPWH) represented herein by MIKUNUG D. MACUD, District Engineer, duly authorized for this purpose, with main office address at Department of Public Works and Highways-SMDEO, Bonifacio Drive corner 8th Street, Port Area, Manila, hereinafter referred to as the "PROCURING ENTITY";

-and-

PASCAL CONSTRUCTION a corporation and existing under and by virtue of laws of the Republic of the Philippines, with main Office address a single proprietorship/partnership/corp./joint venture organized and existing under and by virtue of laws of the Republic of the Philippines, with main Office address at Valle Verde, Dona Maria Subd., Tenejero, Balanga City, Bataan represented herein by GERALDO A. CALIMBAS, General Manager, duly authorized for this purpose, hereinafter referred to as the "CONTRACTOR;"

WITNESSETH:

WHEREAS, the PROCURING ENTITY is desirous that the CONTRACTOR executes the Works under CONTRACT ID NO. 230H0057: Convergence and Special Support Program / Special Road Fund - Motor Vehicle User's Charge (MVUC) as per R.A. 11239- Installation of Street lighting along A. Arnaiz Avenue (From Roxas Blvd. Service Road to Pasay-Makati Boundary), hereinafter called "the Works", and the PROCURING ENTITY has accepted the Calculated Bid of the CONTRACTOR for the execution and Completion of the Works at the calculated unit bid prices shown in the attached Bill of Quantities, or a total Contract price of TWENTY THREE MILLION NINE HUNDRED FIFTY THREE THOUSAND NINE HUNDRED THIRTY NINE PESOS & 28/100 (P 23,953,939.28) ONLY.

The whole works comprised in the contract shall be completed within ONE HUNDRED EIGHTY (180) CALENDAR DAYS in accordance with the provision of bid documents.

NOW, THEREFORE, for and consideration of the foregoing premises, the parties hereto agree as follows:

- 1. In this CONTRACT 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 shall be attached, deemed to form, and be read and construed as part of this CONTRACT AGREEMENT, and shall be interpreted in the following order of priority:
a. This Contract Agreement
b. Documents forming part of the Contract Agreement:

SIGNED IN THE PRESENCE OF:

PASCA INSTRUCTION

SIGNED IN THE PRESENCE OF:

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES DEPT. OF PUBLIC WORKS AND HIGHWAYS-SMDEO PARTY OF THE FIRST PART

PARTY OF THE SECOND PART

AUREALITA N. CABRERA Administrative Officer V

JUANITA S. SIAZAR Accountant III

MIKUNUG D. MACUD District Engineer

VIRGILIO H. ORALLO Representative from Construction Section as End -User

GERALDO A. CALIMBAS General Manager

Department of Public Works and Highways

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THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
DEPT. OF PUBLIC WORKS AND HIGHWAYS-SMDEO
PARTY OF THE FIRST PART
By: **MIKUNG D. MACUD**
District Engineer

SIGNED IN THE PRESENCE OF:
PASCA INSTRUCTION
PARTY OF THE SECOND PART
By: **GERALDO A. CALIMBAS**
General Manager

SIGNED IN THE PRESENCE OF:
AUREALITA N. CABRERA
Administrative Officer V

Per LOI 968 dtd. 12/17/79
JUANITA S. STAZAR
Accountant III

SIGNED IN THE PRESENCE OF:
VIRGILIO H. ORALLO
Representative from
Construction Section as End -User

- (1) Notice of Award (NOA) with the Contractor's signed "conforme"
 - (2) Contractor's Bid in the Form of Bid, including its Technical and Financial Proposals, as calculated by the Procuring Entity and conformed to by the Contractor through NOA.
 - (3) Bidding Documents with Bulletins
 - (4) Specifications
 - (5) Drawings
 - (6) Special Conditions of Contract (SCC)
 - (7) General Conditions of Contract (GCC)
 - (8) Performance Security
 - (9) Integrity Pledge under Department Order No. 86, series of 2013
 - (10) Other Documents
 - (a) Construction Methods
 - (b) Construction Schedule in the form of PERT/CPM Diagram or Precedence Diagram and Bar Chart with S-Curve, or other approved tools of project scheduling, and Cash Flow.
 - (c) Manpower Schedule
 - (d) Equipment Utilization Schedule
 - (e) Construction Safety and Health Program initially approved by The Head of the Procuring Entity
 - (f) Contractor's All Risk Insurance (CARI)
3. In consideration of the payments to be made by the **PROCURING ENTITY** to the CONTRACTOR as hereinafter mentioned, the CONTRACTOR hereby covenants with the **PROCURING ENTITY** to execute and complete the Works and remedy and defects therein in conformity with the provisions of this **CONTRACT AGREEMENT** in all respects.
4. In consideration of the execution and completion of the Works by the CONTRACTOR, the PROCURING ENTITY hereby covenants to pay the CONTRACTOR the unit prices in the CONTRACTOR'S Calculated Bid, as applied to the actual quantities accomplished as certified by the PROCURING ENTITY under the provisions of this **CONTRACT AGREEMENT**, at the times and in the manner prescribed by this **CONTRACT AGREEMENT**.
5. This **CONTRACT AGREEMENT** also stipulates compliance with the instructions by the President of the Republic of the Philippines regarding "**Contractual Provisions to Penalized Slippage**" which states that a "*slippage of more than 30 days in the original schedule would result in nonpayment, the cancellation of the contract, blacklisting of the erring contractor, and the entry of an new contractor who will finish the project*".

Department of Public Works and Highways

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Contract Location: Pasay City

IN WITNESS WHEREOF, the parties hereto set their respective hands on the day, month, and year first above written.

DEPT. OF PUBLIC WORKS & HIGHWAYS-SMDEO PASCAL CONSTRUCTION

PARTY OF THE FIRST PART
By:


MIKUNG D. MACUD
District Engineer


AUREALITA N. CABRERA
Administrative Officer V

PARTY OF THE SECOND PART
By:


GERALDO A. CALIMBAS
General Manager

SIGNED IN THE PRESENCE OF:


VIRGILIO H. ORALLO
Representative from
Construction Section as End-User

Per LOI #968 dtd. 12/17/79


JUANITA S. SIAZAR
Accountant-III

Date of Approval: MAY 04 2023

Department of Public Works and Highways

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GOVERNMENT OF THE REPUBLIC)
OF THE PHILIPPINES)
CITY OF MANILA) S.S.

ACKNOWLEDGEMENT

BEFORE ME, a Notary Public for and within the City of Manila, personally appeared MIKUNUG D. MACUD, District Engineer, representing the Republic of the Philippines (Department of Public Works and Highways), with CRN- 006-0007-8170-5 and and GERALDO A. CALIMBAS, General Manager representing PASCAL CONSTRUCTION, affiant exhibiting to me his Passport No. EC8431929 issued at DFA Pampanga, known to be the same person who executed the foregoing CONTRACT AGREEMENT and they acknowledged to me that the same is their true act and deed for and in behalf of the parties they represented.

This instrument consists of four (4) pages, including this page, on which this acknowledgement is written duly signed by the contracting parties and their witnesses on the left margin of the other pages.

IN WITNESS WHEREOF, I have hereunto affixed my signature and official seal this day of

MAY 04 2023

Doc. No.
Page No.
Book No.
Series of 2023



ATTY. ROGELIO BOLIVAR
NOTARY PUBLIC

Valid For Until 2023-2024
Commission No. Adm. Matter No. NP 204 (2023-2024)
IBP O.R. No. 132134 MD 2023 & IBP O.R. No. 133076 MD 2023
PTR O.R. No. 2485255 D 12/31/2023 Roll No. 33832 TIN# 129-571-2-4
MCLE No. VI-0029553 valid until 12/31/23

SIGNED IN THE PRESENCE OF:

PASCAL CONSTRUCTION

PARTY OF THE SECOND PART

By: GERALDO A. CALIMBAS
General Manager

VIRGILITA M. ORALLO
Representative from
Construction Section as End -User

SIGNED IN THE PRESENCE OF:

AUREALITA N. CABRERA
Administrative Officer V

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
DEPT. OF PUBLIC WORKS AND HIGHWAYS-SMDEO
PARTY OF THE FIRST PART

Per LOI 968 dtd. 12/17/79

JUANITA S. SIAZAR
Accountant III

By: MIKUNUG D. MACUD
District Engineer