

(DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS)

By:

CESAR V. MAKABENTA, D.M.
District Engineer

JOHNNY I. PROTESTA, JR.
Asst. District Engineer (Witness)

ANN R. SANACO, CPA.
Accountant III
Head Accounting Section
(Witness)

R. RICHARD BENEDICT V. OGARIO
The Manager/Proprietor

LEO P. TOROILLO
Engineer III
(Witness)

RED AXE BUILDERS AND SUPPLY

CONTRACTOR:

[Signature]



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
LEYTE THIRD ENGINEERING OFFICE
REGIONAL OFFICE VIII
Villaiba, Leyte

CONTRACT AGREEMENT

This AGREEMENT, made this

25TH

day of

APRIL, 2023

by and between:

Department of Public Works and Highways (DPWH) - LEYTE THIRD DISTRICT ENGINEERING OFFICE, VILLABA, LEYTE, represented herein by **CESAR V. MAKABENTA, D.M.**, District Engineer (hereinafter called the "Entity") and **RED AXE BUILDERS AND SUPPLY** with main office address at CAPT. D. VILBAR ST., HILONGOS, LEYTE, represented herein by **MR. RICHARD BENEDICT V. OGARIO**, (hereinafter called the "Contractor").

WHEREAS, the ENTITY is desirous that the CONTRACTOR execute

CONSTRUCTION OF MITIGATING MEASURES (SLOPE PROTECTION AND LINE CANAL) OF THE VISIBLE DAMAGES CAUSE BY TYPHOON AGATON WITHIN THE PROJECT SITE, VILLA VERDE, BRGY ILIGAY, VILLABA, LEYTE

(herein after called 'the Works') and the Entity has accepted the Bid for:

FOURTEEN MILLION FIVE HUNDRED FIFTY-TWO THOUSAND NINE HUNDRED NINETY-SEVEN PESOS & 72/100.

(P) **14,552,997.72**

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

c. Performance Security;

d. Notice of Award of Contract and the Bidder's conforme thereto; and

Project Component ID: P00733314VS

CONSTRUCTION OF MITIGATING MEASURES (SLOPE PROTECTION AND LINE CANAL) OF THE VISIBLE DAMAGES CAUSE BY TYPHOON AGATON WITHIN THE PROJECT SITE, VILLA VERDE, BRGY ILIGAY, VILLABA, LEYTE

Contract ID No.

231E0056

Contract Name:

Location of the Contract

BRGY ILIGAY, VILLABA, LEYTE

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.

In consideration for the sum of FOURTEEN MILLION FIVE HUNDRED FIFTY-TWO THOUSAND NINE HUNDRED NINETY-SEVEN PESOS & 72/100 (P14,552,997.72) or such other sums as may be ascertained, RED AXE BUILDERS AND SUPPLY agrees to execute and complete the contract within TWO HUNDRED THREE (203) calendar days in accordance with his/her/its Bid.

4. The LEYTE THIRD DISTRICT ENGINEERING OFFICE 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.

CESAR V. MAKABENTA, D.M.
District Engineer

for:

DPWH, LEYTE 3RD DISTRICT ENGINEERING OFFICE

RED AXE BUILDERS AND SUPPLY

MR. RICHARD BENEDICT V. OGARIO
The Manager/Proprietor

for:

WITNESSED BY:

ANN R. SANACO, CPA
Accountant III
As to availability of Funds

LEO B. GORDILLO
Implementing Office

ACKNOWLEDGEMENT

BEFORE ME, a notary Public for and in _____, personally appeared _____, and _____, a representative by MR. RICHARD BENEDICT V. OGARIO, 'With ID No. _____, and _____, DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, represented by _____, DISTRICT ENGINEER CESAR V. MAKABENTA, D.M., with ID No. _____, whom I have identified through competent evidence of identify and who represented to me that their signature on the foregoing instrument was voluntarily affixed by them for the purposes stated in the instrument and who declared that they have executed the foregoing instrument as their free and voluntarily act and deed.

This instrument consists of only TWO (2) pages, including this page in which this acknowledgement is written, duly signed by the parties on each and every page herof.

WITNESS MY HAND AND SEAL this _____, Philippines.

DANIEL E. PEN

Notary Public
Notarial Commission No. 2023-03-118
Valid until December 31, 2024
For and within the Territorial Jurisdiction of RTC's of Tacloban City

LOC. NO. 6
Page No. 2
Book No. LIII
Series of 2023
Roll No. 48870
PTR No. 1440385 (01/05/2023), Tacloban City
IBP No. 249425 (01/09/2023), Leyte Chapter
MCLE Cert. of Compliance No. VII-0022480, Valid until April 14, 2025