



Republic of the Philippines  
**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS**  
**SAMAR 2<sup>ND</sup> DISTRICT ENGINEERING OFFICE**  
Regional Office No. VIII  
Brgy. Guindapunan, Catbalogan City, Samar

Contract ID: 23IK0019

Contract Name: Daram Circumferential Road leading to Agutay and Candiwata Rock Islet

Location of the Contract: Sta. 0+590-Sta. 1+350, Daram, Samar

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**FORM OF CONTRACT AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

This **CONTRACT AGREEMENT**, made this 2nd day of February, 2023, by and between:

The **GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES** through the **Department of Public Works and Highways (DPWH)** represented herein by **HERMINIO V. GULMATICO- District Engineer**, duly authorized for this purpose, with main office address at Samar 2<sup>nd</sup> District Engineering Office, Brgy. Guindapunan, Catbalogan City, Samar, hereinafter referred to as the **"PROCURING ENTITY"**;

-and-

**ETAN CONSTRUCTION**, a Single proprietorship/partnership/corporation/ joint venture organized and existing under and by virtue of laws of the Republic of the Philippines, with main office address at Brgy. Sto. Niño, Rizal, Occidental Mindoro, represented herein by **EMMANUEL A. BUGHAW** duly authorized for this purpose, hereinafter referred to as the **"CONTRACTOR"**;

**WITNESSETH:**

WHEREAS, the PROCURING ENTITY is desirous that the CONTRACTOR execute the Works under **23IK0019- Daram Circumferential Road Leading to Agutay and and Candiwata Rock Islet, Sta. 0+590-Sa. 1+350, Daram, Samar**, 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 **Nineteen Million Two Hundred Seven Thousand Nine Hundred Ninety Seven and 29/100 (19,207,997.29)**.

**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:

(1) Notice of Award (NOA) with the Contractor's signed "conforme"



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- (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 the 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 any 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**.





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

**PROCURING ENTITY:**

**Represented by:**

  
**HERMINIO V. GULMATICO**  
District Engineer

**CONTRACTOR:**

**Represented by:**

  
**EMMANUEL A. BUGHAW**  
Proprietor

**Witnessed by:**

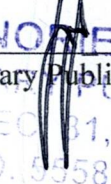
  
**JOEL B. NUNEZ**  
Accountant III

Representative

Date of Approval: 2/2/2023

IN WITNESS WHEREOF, I have hereunto affixed my signature and seal this \_\_\_\_\_  
day of FEB 02 2023 at JATARMAN N. SAMAR.

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Series of 2023

  
**ATTY. NOEL D. DIAZ**  
(Notary Public)  
UNTIL DEC 31, 2023  
ROLL NO. 55587  
PTR NO. 5195990 1-3-2023