

Department of Public Works and Highways

Contract ID: 23N00080
Project Title: Construction of NRJ Daang Maharlika, Sibagat (Sitió Eureka, Tabon-Tabon)-Bugsukan-Antongalon Road, Butuan City, Agusan del Norte
Location of the Project: Butuan City

CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT AGREEMENT, made this MAR 24 2023, by and between:

The REPUBLIC OF THE PHILIPPINES through the Department of Public Works and Highways (DPWH) represented herein by POL M. DELOS SANTOS, CESO IV, Regional Director, duly authorized for this purpose, with main office address at J. Rosales Avenue, Butuan City, hereinafter referred to as the "PROCURING ENTITY";

-and-

TRIPARCO DEVELOPMENT CORPORATION, a corporation duly organized and existing under and by virtue of laws of the Republic of the Philippines, with main office address at P-3, Ambangan, Ambago, Butuan City, represented by JUSTINIANO V. LUMINARIAS, President, 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 23N00080; Construction of NRJ Daang Maharlika, Sibagat (Sitió Eureka, Tabon-Tabon)-Bugsukan-Antongalon Road, Butuan City, Agusan del Norte, 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 Fifty Two Million Two Hundred Fifty Six Thousand One Hundred Thirty Eight Pesos and 42/100 (Php52,256,138.42) and hereby agrees to complete the contract within One Hundred Eighty (180) calendar days.

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

- In this CONTRACT AGREEMENT, works and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
- 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:
 - This Contract Agreement
 - Documents forming part of the Contract Agreement:
 - Notice of Award (NOA) with the Contractor's signed "conforme"
 - 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.
 - Bidding Documents with Bulletins
 - Specifications
 - Drawings
 - Special Conditions of Contract (SCC)
 - General Conditions of Contract (GCC)
 - Performance Security

TRIPARCO DEVELOPMENT CORPORATION

By:

JUSTINIANO V. LUMINARIAS
President

RICHARD A. CHUA
Accountant III
(Witness)

JOEY D. GINGANE
Chief, Administrative Division
(Witness)

Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS & HIGHWAYS

By:

POL M. DELOS SANTOS, CESO IV
Regional Director

Department of Public Works and Highways

Contract ID: 23N00080

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- (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 schedule, and Cash Flow.
 - (c) Manpower Schedule
 - (d) Equipment Utilization Schedule
 - (e) Construction Safety & Health Program initially approved by the Head of the Procuring Entity
 - (f) Contractor's All Risk Insurance (CARI)
- (11) Other contract documents that may be required by existing laws and/or the PE concerned in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for execution or 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 of the payments to be made by the PROCURING ENTITY to the CONTRACTOR as hereinafter mentioned, the CONTRACTOR hereby covenants to the PROCURING ENTITY to execute and complete the Works within the prescribed period and remedy any defects therein within the prescribed time 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 Agreement shall be governed by and in accordance with the provisions and requirement of R.A. 9184, otherwise known as the Government Procurement Reform Act, its Implementing Rules and Regulations, and other applicable laws of the Republic of the Philippines, which are deemed written in this contract and shall limit and govern the relations between the parties.

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

**Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

Represented by:


POL M. DELOS SANTOS, CESO IV
Regional Director

Witnessed by:


JOEY D. GINGANE
Chief, Administrative Division

TRIPARCO DEVELOPMENT CORP.

Represented by:


JUSTINIANO V. LUMINARIAS
President


RICHARD A. CHUA
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Department of Public Works and Highways

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Location of the Project: Butuan City

REPUBLIC OF THE PHILIPPINES)
_____) S.S
_____)

ACKNOWLEDGEMENT

BEFORE ME, as the Notary Public for and within the _____, personally appeared **POL M. DELOS SANTOS, CESO IV**, Regional Director, representing the **REPUBLIC OF THE PHILIPPINES** (Department of Public Works and Highways), with DPWH Employee ID No. 87F0015 and **JUSTINIANO V. LUMINARIAS**, President, representing **TRIPARCO DEVELOPMENT CORPORATION** with Government ID No. _____ issued on _____ at _____, known to me to be the same persons who executed the foregoing CONTRACT and 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 consisting of three (3) 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 APR 13 2023.

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Book No. CVI
Series of 200

ATTY. JOYCE L. UNAY Sr.
Notary Public for the Province of
Agusan del Norte and
City of Butuan until December 31, 2023
PTR No. 123456789 (1-4 2023)
IBP No. QUC 8527600, 277501
Serial No. 25-00-2021
TIN No. 200-339-676

TRIPARCO DEVELOPMENT CORPORATION
By: **JUSTINIANO V. LUMINARIAS**
President

Republic of the Philippines
(DEPARTMENT OF PUBLIC WORKS & HIGHWAYS)
By: **POL M. DELOS SANTOS, CESO IV**
Regional Director

JOEY B. GINGANE
Chief, Administrative Division
(Witness)

RICHARD A. CHUA
Accountant III
(Witness)

Department of Public Works and Highways

Contract ID: 23N00080

Contract Name: Construction of NRJ Daang Maharlika, Sibagat (Sitio Eureka, Tabon-tabon) -
Bugsukan - Antongalon Road, Butuan City, Agusan del Norte

Contract Location: Butuan City

BILL OF QUANTITIES

Item Number	Description	Quantity	Unit	Unit Cost (P)	Total Amount (P)
PART A. FACILITIES FOR THE ENGINEER					
A.1.1(8)	Provision of Field Office for the Engineer (Rental Basis)	6.00	mo.	18,202.80	109,216.80
A.1.1(11)	Provision of Furnitures/ Fixtures, Equipment & Appliances for the Field Office for the Engineer	1.00	l.s.	159,401.92	159,401.92
A.1.1(16)	Operation & Maintenance of Field Office for the Engineer	6.00	mo.	19,924.79	119,548.74
Sub-Total					388,167.46
PART B. OTHER GENERAL REQUIREMENTS					
B.4(1)	Construction Survey and Staking	0.59	km.	12,068.25	7,120.27
B.4(4)	Culvert Survey and Staking	3.00	each	10,433.41	31,300.23
B.4(10)	Miscellaneous Survey and Staking	1.00	l.s.	13,238.40	13,238.40
B.5	Project Billboard/Signboard	2.00	each	4,560.63	9,121.26
B.7(2)	Occupational Safety and Health Program	1.00	l.s.	476,423.10	476,423.10
B.8(1)	Traffic Management	6.00	mo.	43,674.58	262,047.48
B.9	Mobilization/Demobilization	1.00	l.s.	66,192.00	66,192.00
Sub-Total					865,442.74
PART C. EARTHWORK					
100(1)	Clearing and Grubbing	2.52	ha.	273,068.27	688,132.04
100(3)a1	Individual Removal of Trees (150-300mm dia.), Small	20.00	each	2,824.81	56,496.20
100(3)a2	Individual Removal of Trees (301-500mm dia.), Small	25.00	each	4,608.34	115,208.50
100(3)a3	Individual Removal of Trees (501-750mm dia.), Small	30.00	each	17,260.54	517,816.20
100(3)a4	Individual Removal of Trees (751-900mm dia.), Small	30.00	each	31,544.90	946,347.00
102(2)	Surplus Common Excavation	113,434.06	cu.m.	305.90	34,699,478.95
102(3)a	Surplus Rock Excavation, Soft	6,042.99	cu.m.	488.85	2,954,115.66
104(1)a	Embankment from Roadway/ Structure Excavation, Common Soil	1,106.22	cu.m	418.20	462,621.20
104(5)	Boulder Fill	13.39	cu.m	1,988.58	26,627.09
105(1)a	Subgrade Preparation, Common Material	6,507.23	sq.m	26.43	171,986.09
Sub-Total					40,638,828.93

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Item Number	Description	Quantity	Unit	Unit Cost (P)	Total Amount (P)
PART D. SUBBASE AND BASE COURSE					
200(1)	Aggregate Subbase Course	1,611.91	cu.m.	2,552.29	4,114,061.77
Sub-Total					4,114,061.77
PART G. DRAINAGE & SLOPE PROTECTION STRUCTURES					
103(1)a	Structure Excavation, Common Soil	620.18	cu.m	467.24	289,772.90
103(3)	Foundation Fill	13.27	cu.m	2,593.38	34,414.15
103(6)a	Pipe Culvert and Drain Excavation, Common Soil	115.97	cu.m	483.63	56,086.57
404(1)a	Reinforcing Steel, Grade 40	2,488.33	kg.	151.64	377,330.36
404(1)b	Reinforcing Steel, Grade 60	2,773.34	kg.	158.34	439,130.66
405(1)a3	Structural Concrete, 20.68MPa, Class A, 28 days	58.82	cu.m	11,311.05	665,315.96
407(8)	Lean Concrete, Class B (16.5 Mpa)	4.43	cu.m	6,609.34	29,279.38
500(1)a3	Pipe Culvert, 910mm dia., Class II, RCPC	15.00	l.m	8,265.53	123,982.95
500(1)a5	Pipe Culvert, 1220mm dia., Class II, RCPC	16.00	l.m	11,064.60	177,033.60
502(3)a3	Catch basins, 910 mm dia.	1.00	each	71,244.68	71,244.68
505(2)a	Grouted Riprap, Class A	715.58	cu.m	5,375.08	3,846,299.75
506(1)	Stone Masonry	14.19	cu.m	5,839.73	82,865.77
508(1)	Hand-Laid Rock Embankment	26.57	cu.m	2,140.79	56,880.79
Sub-Total					6,249,637.52
GRAND TOTAL					52,256,138.42

Amount in Words: Fifty-Two Million Two Hundred Fifty-Six Thousand One Hundred Thirty-Eight Pesos and 42/100

Concurred by:

TRIPARCO DEVELOPMENT CORPORATION

JUSTINIANO V. LUMINARIAS

President
Contractor

Date: MAR 24 2023

Approved by:

POL M. DELOS SANTOS, CESO IV
Regional Director