

Department of Public Works and Highways

Contract ID: 23N00105

Project Title: Construction of Flood Control Structures along Solibao River Protecting Solibao Bridge, Rosario, Agusan del Sur

Location of the Project: Rosario, Agusan del Sur

CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

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

The GOVERNMENT OF 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-

CM TAN CONSTRUCTION, a sole proprietorship duly organized and existing under and by virtue of laws of the Republic of the Philippines, with main office address at D&H Homes, J.C. Aquino Avenue, Butuan City, represented by CESAR M. TAN, JR., Owner, 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 23N00105; Construction of Flood Control Structures along Solibao River Protecting Solibao Bridge, Rosario, Agusan del Sur, 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 One Hundred Four Million Four Hundred Nineteen Thousand Seven Hundred Forty-Three Pesos and 74/100 (Php104,419,743.74) and hereby agrees to complete the contract within Two Hundred Forty (240) calendar days.

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

1. 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.
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"
 - (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

JOEY DUGINGANE
Chief, Administrative Division
(Witness)

RICHARD A. CHUA
Accountant III
(Witness)

CESAR M. TAN, JR.
Owner

POL M. DELOS SANTOS, CESO IV
Regional Director

CM TAN CONSTRUCTION

By:

Government of the Republic of the Philippines
(DEPARTMENT OF PUBLIC WORKS & HIGHWAYS)

By:

Department of Public Works and Highways

Contract ID: 23N00105

Project Title: Construction of Flood Control Structures along Solibao River Protecting Solibao Bridge, Rosario, Agusan del Sur

Location of the Project: Rosario, Agusan del Sur

(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.

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

Represented by:


POL M. DELOS SANTOS, JR.
Regional Director

Witnessed by:


JOEY D. GINGANE
Chief, Administrative Division

CM TAN CONSTRUCTION

Represented by:


CESAR M. TAN, JR.
Owner


RICHARD A. CHUA
Accountant III

Department of Public Works and Highways

Contract ID: 23N00105

Project Title: Construction of Flood Control Structures along Solibao River Protecting Solibao Bridge, Rosario, Agusan del Sur

Location of the Project: Rosario, Agusan del Sur

REPUBLIC OF THE PHILIPPINES)

) S.S

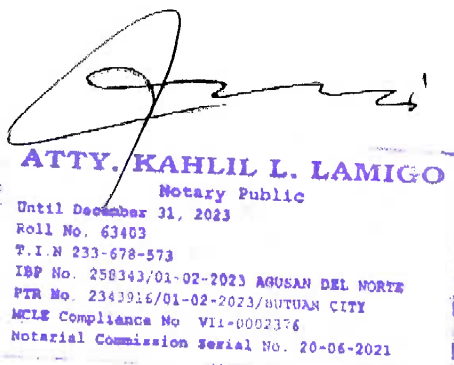
BUTUAN CITY

ACKNOWLEDGEMENT

BEFORE ME, as the Notary Public for and within the BUTUAN CITY, 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 No. 87F0015 and **CESAR M. TAN**, Owner, representing **CM TAN CONSTRUCTION** 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.



Doc. No. 109
Page No. 11
Book No. CDLXI
Series of 277

CM TAN CONSTRUCTION
By:

CESAR M. TAN, JR.
Owner

Government of the 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: 23N00105
Contract Name: Construction of Flood Control Structures along Solibao River Protecting Solibao Bridge, Rosario, Agusan del Sur
Contract Location: Rosario, Agusan del Sur

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)	8.00	mo.	12,300.00	98,400.00
A.1.1(11)	Provision of Furnitures/Fixtures, Equipment & Appliances for the Field Office for the Engineer	1.00	l.s.	69,003.00	69,003.00
A.1.1(16)	Operation & Maintenance of Field Office for the Engineer	8.00	mo.	18,450.00	147,600.00
Sub-Total					315,003.00
PART B. OTHER GENERAL REQUIREMENTS					
B.4(1)	Construction Survey and Staking	0.29	km.	7,528.52	2,183.27
B.5	Project Billboard/Signboard	2.00	each	6,242.25	12,484.50
B.7(2)	Occupational Safety and Health Program	1.00	l.s.	179,099.69	179,099.69
B.8(1)	Traffic Management	8.00	mo.	9,955.32	79,642.56
B.9	Mobilization/Demobilization	1.00	l.s.	595,369.20	595,369.20
Sub-Total					868,779.22
PART I-A EARTHWORKS					
1707(1)	Aggregate Subbase Course	174.50	cu.m.	2,276.10	397,179.45
1702(1)a	Structure Excavation, Common Soil	5,585.86	cu.m.	360.15	2,011,747.48
1704(1)b	Embankment from Borrow	14,580.81	cu.m.	2,465.15	35,943,883.77
Sub-Total					38,352,810.70
PART I-B. BANK AND SLOPE PROTECTION WORKS					
1716(6)a	Structural Steel Sheet Piles, Furnished, New	4,532.59	m.	9,371.30	42,476,260.67
1716(12)	Structural Steel Sheet Piles, Driven	4,457.04	m.	1,596.20	7,114,327.25
404(1)a	Reinforcing Steel, Grade 40	26,038.00	kg.	105.30	2,741,801.40
404(1)b	Reinforcing Steel, Grade 60	15,839.00	kg.	111.40	1,764,464.60
405(1)a3	Structural Concrete, 20.68 Mpa, Class A, 28 days	879.00	cu.m.	12,271.10	10,786,296.90
Sub-Total					64,883,150.82
GRAND TOTAL					104,419,743.74

Amount in Words:

One Hundred Four Million Four Hundred Nineteen Thousand Seven Hundred Forty-Three Pesos and 74/100

Concurred by:

Approved by:

CM TAN CONSTRUCTION

CESAR M. TAN, JR.

Owner

Contractor

Date: MAR 24 2023

POL M. DELOS SANTOS, CESO IV

Regional Director