

Contract ID: 17BC0001

Contract Name: MFO 2: Flood Management Services: Construction/Maintenance of Flood Mitigation Structures and Drainage Systems – Construction of Cabicungan Flood Control Project along Cabicungan River

Location of the Contract: Centro 4, Claveria, Cagayan

CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This **CONTRACT AGREEMENT**, made this 30th day of January, 2017, by and between:

The **GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES** through the **Department of Public Works and Highways (DPWH)** represented herein by **LORNA B. ASUTEN**, duly authorized for this purpose, with main office address at Libertad, Abulug, Cagayan, hereinafter referred to as the **"PROCURING ENTITY"**;

-and-

EGB CONSTRUCTION/DANDEX CONSTRUCTION (JV), a joint venture organized and existing under and by virtue of laws of the Republic of the Philippines, with main office address at #143 Nicolas Agatep St., Centro 02, Lasam, Cagayan, represented herein by **DANTE DEXTER A. AGATEP**, 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 17BC0001: MFO 2: Flood Management Services: Construction/Maintenance of Flood Mitigation Structures and Drainage Systems – Construction of Cabicungan Flood Control Project along Cabicungan River, Centro 4, Claveria, Cagayan, 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 Thirty-Eight Million Seven Hundred Thirty-Five Thousand Two Hundred Thirty-Six Pesos and 29/100 (Php38,735,236.29) for a contract duration of two hundred forty five (245) calendar days. The Calculated unit bid prices are tabulated hereunder:

ITEMS	Description	Qty.	Unit	Unit Price	Estimated Cost
PART A.	FACILITIES OF THE ENGINEER				
A.1.2(2)	Provision of 4x4 Pick Up Type Service Vehicle for the Engineer on Bare Rental Basis	8.17	mos.	88,200.00	720,594.00
A.1.4(1)	Progress Photographs	8.17	mos.	4,823.32	39,406.52
PART B.	OTHER GENERAL REQUIREMENTS				
B.5	Project Billboard	2	units	3,022.11	6,044.22
B.7	Occupational Health and Safety Program	1	l.s.	154,515.04	154,515.04
B.9	Mobilization/Demobilization	1	l.s.	231,000.00	231,000.00
B.15(1)	Construction of Access Road/Craneway	1	l.s.	590,013.90	590,013.90
PART 1A	EARTHWORKS				
1700(1) [~]	Clearing and Grubbing (w/ Stripping)	3,000.00	sq.m.	16.31	48,930.00
1702(1)	Structure Excavation	481.00	cu.m.	289.75	139,369.75
1705(1)	Fill and Backfill	621.00	cu.m.	1,001.74	622,080.54
PART 1B	BACK AND SLOPE PROTECTION WORKS				
1712(2)	Concrete Slope Protection	871.00	cu.m.	7,372.58	6,421,517.18
1717(3)a3	Concrete Sheet Pile, furnished and driven	5,802.00	ln.m.	5,129.57	29,761,765.14
TOTAL BID AMOUNT AS CALCULATED P					38,735,236.29

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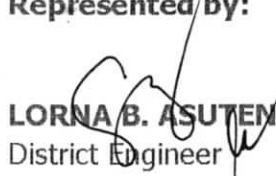
NOW, THEREFORE, for and consideration of the foregoing premises, the parties hereto agree as follows:

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"
 - (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 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.
 - (b) Construction Safety and Health Program initially approved by the Head of the Procuring Entity
 - (c) 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**.

IN WITNESS WHEREOF, the parties hereto set their respective hands on the 2nd day of February 2017.

PROCURING ENTITY:

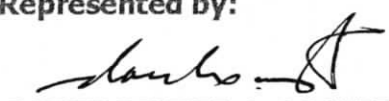
Represented by:


LORNA B. ASUTEN
District Engineer

Date of Approval: _____

CONTRACTOR:

Represented by:


DANTE DEXTER A. AGATEP
Manager

Witnessed by:


AMELIA G. RAGSAC
Accountant III

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REPUBLIC OF THE PHILIPPINES
_____) S.S
Luna Apayao
Notary Public of Cagayan

ACKNOWLEDGEMENT

BEFORE ME, AS THE Notary Public for and within the Province of Cagayan, personally appeared **LORNA B. ASUTEN**, District Engineer, representing the Republic of the Philippines (*DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS*), with the Residence Certificate No. 30365859 issued on January 9, 2017 issued at Lasam, Cagayan and **DANTE DEXTER A. AGATEP** Authorized Managing Officer, representing EGB CONSTRUCTION/DANDEX CONSTRUCTION (JV) with Residence Certificate No. _____ issued on _____, 2017 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 represent.

This instrument consist of _____ () pages, including, on which this acknowledgement is written duly signed by the contracting parties and their witnesses on the other pages.

IN WITNESS WHEREOF, I have hereunto affixed my Signature and Official seal this _____ day of

FEB 02 2017

ATTY. ZAIDE E. RAVELO
My Commission Expires on December 31, 2017
Roll No. 61939
PTR No. 0121820
IBP No. 012138
MCLE Compliance No. 10912382
Notary Public
Email Address: zeravelo@yahoo.com.ph

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