

DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS

Contract ID No. : 20CL0044

Contract Name : Widening of Permanent Bridges, Sto. Rosario Br. (BO1424LZ)
along Olongapo-Bugallon Road (PMS ID No. P00401559LZ-CW1)

Contract Location : Masinloc, Zambales

*Zambales 1st District Engineering Office
Iba, Zambales*

CONTRACT AND AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

THIS AGREEMENT made and entered into this 14th day of February, year 2020 at Iba, Zambales by and between

The Government of the **REPUBLIC OF THE PHILIPPINES** thru the **Department of Public Works and Highways (DPWH)**, with office address at **Palanginan, Iba, Zambales** represented by **EDWARD RICARDO G. RAMOS**, District Engineer, hereinafter called the OWNER and the FIRST PARTY.

and

PHOLBENJ CONSTRUCTION & SUPPLY with office address at **Bangantalinga, Iba, Zambales** represented by **LEOPOLDO F. CACHO, JR. – General Manager**, hereinafter called the CONTRACTOR and the SECOND PARTY

WHEREAS, from among the **six (6)** bids submitted for the subject Project during the bidding held on **December 27, 2019**, the bid of **PHOLBENJ CONSTRUCTION & SUPPLY** was the lowest evaluated bid in the total amount of **FIFTEEN MILLION FOUR HUNDRED NINETY SEVEN THOUSAND THREE HUNDRED FORTY SIX & 70/100 PESOS ONLY (Php 15,497,346.70)** and therefore considered most advantageous to the Government;

WHEREAS, the Works comprised in this Contract shall be completed within **One Hundred Sixty Five (165)** calendar days in accordance with the provisions of the Bidding Documents.

WHEREAS, the CONTRACTOR signified its conformity with the award dated **January 31, 2020**.

THIS AGREEMENT WITNESSETH as follows :


1. In this Agreement, words and expressions shall have the same meaning as are respectively assigned to them in the Conditions of contract hereinafter referred to.
2. That the following documents shall be deemed to form and be interpreted and construed as part of this Agreement, viz:

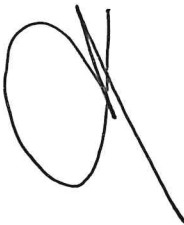

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- a) Contract Agreement
 - b) Bidding Documents
 - c) Winning bidder's bid, including the eligibility requirements, Technical and Financial Proposal, and all other documents / statements submitted;
 - d) Performance Bond
 - e) Credit Line in accordance with the provisions of this IRR, if applicable;
 - f) Notice of Award of Contract; and
 - g) Other contract documents that may be required by existing laws and / or the procuring entity concerned in the Bidding Documents, such as the construction schedule and s-curve, manpower schedule, construction methods, equipment utilization schedule, construction safety and health program approved by the Department of Labor and Employment, and PERT/CPM for infrastructure projects.

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3. Payment to be made by the OWNER to the CONTRACTOR shall be in the Philippine Currency;
 4. In consideration of the payment to be made by the OWNER to the CONTRACTOR herein before mentioned, the CONTRACTOR hereby covenants with the OWNER to construct and complete the Works in conformity in all respects with the provisions of this CONTRACT.
 5. The OWNER hereby covenants to pay the CONTRACTOR in consideration of the construction and completion of the WORKS at the unit prices appearing in the Bill of Quantities and in the manner prescribed by the CONTRACT and specified in the BID. It is understood that the quantities listed in the PROPOSAL do not govern final payment, hence payment to the CONTRACTOR will be made only for actual quantities of contract items performed in accordance with the Plans and Specifications and accepted by the OWNER.

Item No.	Description	Unit	Quantity	Unit Cost	Total Cost
Part A.	Facilities for Engineers				
A.1.1(8)	Provision of Field Office for the Engineer (Rental Basis)	Mo.	5.50	22,140.00	121,770.00
Part B.	Other General Requirements				
B.5	Project Billboard / Signboard	Ea.	2.00	7,408.72	14,817.44
B.7(1)	Occupational Safety and Health Program	Mo.	5.50	34,552.07	190,036.39
B.8(2)	Traffic Management	I.s.	1.00	233,946.00	233,946.00
B.9	Mobilization / Demobilization	I.s.	1.00	47,040.00	47,040.00
Part C.	Earthworks				
101(3)c1	Removal of Actual Structures/Obstruction (ACP - 0.05m thick)	Sq.m.	264.00	113.80	30,043.20
101(6)	Removal of Actual Structure and Obstruction (Concrete)	Cu.m.	57.92	3,823.74	221,471.02
105(1)a	Sub-Grade Preparation, Common Material	Sq.m.	233.02	27.42	6,389.41
Part D.	Sub-Base and Base Course				
200(1)	Aggregate Sub-Base Course	Cu.m.	46.60	864.27	40,274.98
Part E.	Surface Course				
302(2)	Emulsified Asphalt	Sq.m.	496.30	69.22	34,353.89

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310(1)c	Bituminous Concrete Surface Course, Hot-laid, 50mm thick	Sq.m.	496.30	1,423.83	706,646.83
311(1)f1	PCC Pavement (Unreinforced – 0.30m thick @ 14 days)	Sq.m.	57.34	1,668.16	95,652.29
Part F.	Bridge Construction				
400(4)a2	Precast Concrete Piles, furnished (450mm x 450mm – Type D)	l.m.	384.00	5,930.22	2,277,204.48
400(14)	Precast Concrete Piles, driven (hard strata)	l.m.	384.00	2,575.02	988,807.68
400(16)b	Test Piles, furnished and driven (450mm x 450mm – Type D)	m.	32.00	8,828.49	282,511.68
401(2)a	Concrete Railing	m.	42.00	4,464.42	187,505.64
403(5)a2	Structural Steel, furnished, fabricated and erected	Kg.	289.00	110.78	32,015.42
404(1)a	Reinforcing Steel Bar, Grade 40	Kg.	12,205.28	56.10	684,716.21
404(1)b	Reinforcing Steel Bar, Grade 60	Kg.	45,669.25	64.12	2,928,312.31
405(1)b3	Structural Concrete Class "A" (Bridge Superstructure, 27.58 Mpa)	Cu.m.	224.27	9,435.38	2,116,072.67
405(1)a3	Structural Concrete Class "A" (Bridge Substructure, 20.68 Mpa)	Cu.m.	52.70	9,112.17	480,211.36
407(8)	Lean Concrete	Cu.m.	1.48	8,018.49	11,867.37
413(6)b	Asphaltic Plug Joints (APJ) for Bridges	m.	42.00	56,942.50	2,391,585.00
Part G.	Drainage and Slope Protection				
1702(1)a	Structure Excavation (Common Soil)	Cu.m.	122.78	114.38	14,043.58
1704(2)a	Selected Borrow for Topping (Case I)	Cu.m.	49.11	641.01	31,480.00
1712	Concrete Slope Protection	Cu.m.	118.08	8,081.95	954,316.66
1714(1)	Gabions (1m x 1m x 2m)	Cu.m.	71.16	2,664.31	189,592.30
1714(3)	Filter Fabric	Sq.m.	213.48	238.07	50,823.18
Part H.	Miscellaneous Structures				
603(3)a1	Metal Guardrail (Metal Beam) Including Post	l.m.	25.20	3,719.40	93,728.88
603(4)a	Metal Beam End Piece	Ea.	4.00	3,371.55	13,486.20
612(1)	Reflectorized Thermoplastic Pavement Markings (White)	Sq.m.	14.96	879.83	13,162.26
612(2)	Reflectorized Thermoplastic Pavement Markings (Yellow)	Sq.m.	13.56	992.80	13,462.37
				GRAND TOTAL . . .	P15,497,346.70

- The CONTRACTOR warrants that he has not given nor promises to give money or gift to any employee of the OWNER (or any Philippine government instrumentality) to secure this Contract.
- The CONTRACTOR shall comply with, and strictly observe all laws regarding workmen's compensation for injuries, minimum wages, hour of labor, etc., and other labor laws;
- This Agreement becomes valid and binding upon approval by the District Engineer of **Department Public Works and Highways – Zambales 1st DEO, Iba, Zambales** in accordance with the provisions of RA 9184 and its Revised Implementing Rules and Regulations.

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9. The CONTRACTOR shall pay taxes in full and on time and that failure to do so will entitle the Government to suspend payment for the services delivered by the private contracting party.
10. The CONTRACTOR shall likewise regularly present within the duration of the contract, a tax clearance from BIR as well as copy of its Income and Business tax Returns duly stamped and received by the BIR and duly validated with tax payment made thereon.

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

**PHOLBENJ CONSTRUCTION &
SUPPLY**

(PARTY OF THE FIRST PART)

(PARTY OF THE SECOND PART)

BY:

BY:


EDWARD RICARDO G. RAMOS
District Engineer


LEOPOLDO F. CACHÓ, JR
General Manager


LOURDES F. ARINDUQUE
Chief, Construction Section

OK AS TO AVAILABILITY OF FUND:


MA. CORAZON B. DEQUINA
Accountant III

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REPUBLIC OF THE PHILIPPINES)
Province of Zambales)s.s
Municipality of Iba)

ACKNOWLEDGEMENT

BEFORE ME, as the Notary Public for and within the Province of Zambales, personally appeared **EDWARD RICARDO G. RAMOS, District Engineer**, representing the REPUBLIC OF THE PHILIPPINES (Department of Public Works and Highways), with Residence Certificate No. **00263455** issued on **January 09, 2020** at **Iba, Zambales** and **LEOPOLDO F. CACHO, JR. – General Manager**, representing **PHOLBENJ CONSTRUCTION & SUPPLY** with Community Residence Certificate No. _____ issued on _____, **2020** at **Iba, Zambales** known to me to be the same persons who executed the foregoing CONTRACT 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 consist of **five (5)** 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 14th day of **February**, year **2020**.

WILFREDO PAUL D. PANGAN
Notary Public

Until December 31, 2022

(Notary Public)

Olongapo City-Zambales Chapter

PTR No. 10170518/Jan. 16, 2020/Cabangan, Zambales

Roll No. 3867

MCLE Compliance No. VI-0029136

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