

Department of Public Works and Highways (DPWH)

Contract ID: 23PF0031

Contract Name: Organizational Outcome 1: Ensure Safe and Reliable National Road System, - Asset Preservation - Rehabilitation/Reconstruction of Roads with Slips, Slope Collapse, and Landslide: Baguio- Bontoc Road - K0266+600 - K0266+700, K0267+150-K0267+180, K0268+850 - K0268+920, K0272+713 - K0272+770, Tublay and Atok, Benguet

Location of the Contract: Tublay and Atok, Benguet

CONTRACT AGREEMENT

THIS AGREEMENT, made this **5th day of May 2023** between REPUBLIC OF THE PHILIPPINES (Department of Public Works and Highways-Benguet Second District Engineering Office) represented herein by **REX K. OYA-OY**, OIC - District Engineer, (hereinafter called the "Entity") and **EFLER CONSTRUCTION AND ENTERPRISE** with office address at Acop, Caponga, Tublay, Benguet by **EFLER M. SAB-IT** (hereinafter called the "Contractor");

WHEREAS, the Entity is desirous that the contractor executes **23PF0031- Organizational Outcome 1: Ensure Safe and Reliable National Road System, - Asset Preservation - Rehabilitation/Reconstruction of Roads with Slips, Slope Collapse, and Landslide: Baguio- Bontoc Road - K0266+600 - K0266+700, K0267+150-K0267+180, K0268+850 - K0268+920, K0272+713 - K0272+770, Tublay and Atok, Benguet** (hereafter called "the Works") and the Entity has accepted the Bid for **Twenty-Nine Million Three Hundred Seventy-Six Thousand One Hundred Thirty-Eight Pesos and Eighty-Eight Centavos (Php 29,376,138.88)** by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this 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 as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as part of this Agreement, viz.:
 - a. Philippine Bidding Documents (PBDs);
 - i. Drawings/Plans;
 - ii. Specifications;
 - iii. Bill of Quantities;
 - iv. General and Special Conditions of Contract;
 - v. Supplemental or Bid Bulletins, if any;
 - b. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statement submitted;

Bid form, including all the documents/statements contained in the

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Bidder's bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;

- c. Performance Security;
 - d. Notice of Award of Contract and Bidder's conformed thereto; and
 - e. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to proceed, Variation Orders, and Warranty Security, shall likewise from part of the Contract.**
3. In consideration for the sum of **Twenty-Nine Million Three Hundred Seventy-Six Thousand One Hundred Thirty-Eight Pesos and Eighty-Eight Centavos (Php 29,376,138.88)** or such other sums as may be ascertained, **EFLER CONSTRUCTION AND ENTERPRISE** agrees to **Organizational Outcome 1: Ensure Safe and Reliable National Road System, - Asset Preservation - Rehabilitation/Reconstruction of Roads with Slips, Slope Collapse, and Landslide: Baguio- Bontoc Road - K0266+600 - K0266+700, K0267+150-K0267+180, K0268+850 - K0268+920, K0272+713 - K0272+770, Tublay and Atok, Benguet** in accordance with his/her/Its Bid.
 4. The Department of Public Works and Highways-Benguet Second District Engineering Office agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
 5. Contractual Provision to Penalize Slippages, "Slippage of more than 30 days in the original schedule would result in nonpayment, the cancellation of the contract blacklisting of the erring contractor, and entry of a new contractor who will finish the project".

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day, month and year first above written.

PROCURING ENTITY:

Represented by:


REX K. OYA-OY
DIE District Engineer

CONTRACTOR:

Represented by:


EFLER M. SAB-IT
Authorized Managing Officer

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Location of the Contract: Tublay and Atok, Benguet

ACKNOWLEDGEMENT

BEFORE ME, Notary Public, for and within the Province of Benguet, personally appeared **REX K. OYA-OY**, with PRC NO 0036685 issued on July 30, 1984 at Manila in his official capacity as OIC-District Engineer, Department of Public Works and Highways, Benguet Second District Engineering Office, Buguias, representing the REPUBLIC OF THE PHILIPPINES and **EFLER M. SAB-IT**, with Tax Identification Numbers 428-565-863, known to me and to be known to be the same persons who executed to me that the same is their true acts for and in behalf of the parties they represent.

IN WITNESS WHEREOF, I have hereunto affixed my Signature and

Official Seal this _____ day of MAY 05 2023.

NOTARY PUBLIC AGADAN, CALTINO

Notary Public

PTR No. 772355/01/06/2023; Benguet

PTR No. 286749; 01/15/2023; Baguio-Benguet Chapter

Roll No. 89274; 05-31-2017; Manila

MCLE Compliance No. VI-0007522

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