

Department of Public Works and Highways

Contract ID : 23KJ0075
Contract Name : Access Roads and/or Bridges from the National Road/s leading to Major/Strategic Public Buildings/Facilities, Construction of Various Roads, Bonifacio, Misamis Occidental
Location of the Contract : Bonifacio, Misamis Occidental

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT, made this **4th** day of **May 2023** between:

The GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES through the **Department of Public Works and Highways (DPWH)** represented herein by **VIVIAN R. LUMINGKIT**, OIC-District Engineer, duly authorized for this purpose, with main office address at Brgy. Sta. Maria, Tangub City, hereinafter referred to as the **"PROCURING ENTITY"**;

-and-

ANGEL & SAM CONSTRUCTION & GENERAL MERCHANDISE – a single proprietorship, organized and existing under by virtue of laws of the Republic of the Philippines with main office address at **2380 Macajalar, Camaman-an, Cagayan de Oro City**, represented herein **LUDIVINA B. FUENTES** duly authorized for this purpose, hereinafter referred to as the **"CONTRACTOR"**.

WITNESSETH:

WHEREAS, the PROCURING ENTITY is desirous that the CONTRACTOR executes the Works under **Contract ID No. 23KJ0075 – Access Roads and/or Bridges from the National Road/s leading to Major/Strategic Public Buildings/Facilities, Construction of Various Roads, Bonifacio, Misamis Occidental**, 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 **NINE MILLION FIVE HUNDRED FIVE THOUSAND NINE HUNDRED NINETY PESOS & 57/100 (P 9,505,990.57)** to be completed within **60 Calendar Days**.

Item Number	Description	Quantity	Unit	Unit Cost (Php)	Total Amount (Php)
A.1.1(8)	Provision of Field Office for the Engineer (Rental Basis)	2.000	mos.	16,422.00	32,844.00
B.5	Project Billboard/Signboard	2.000	each	6,362.72	12,725.44
B.7	Construction Safety and Health	2.000	mos.	20,930.00	41,860.00
B.8	Road Works Safety and Traffic Management	60.000	days	558.13	33,487.80
B.9	Mobilization & Demobilization	1.000	l.s.	51,520.00	51,520.00
101(3)b1	Removal of Actual Structure/Obstruction, PCCP (Unreinforced, t=0.15m)	1,045.272	sq.m.	218.99	228,904.11
102(2)	Surplus Common Excavation	623.581	cu.m.	337.34	210,358.81
103(3)	Foundation Fill	2.550	cu.m.	2,694.70	6,871.49
103(6)a	Pipe Culvert and Drain Excavation (Common Soil)	0.960	cu.m.	563.50	540.96
104(1)a	Embankment from Roadway Excavation (Common Soil)	637.778	cu.m.	326.01	207,922.01
105(1)a	Subgrade Preparation (Common Material)	2,443.140	sq.m.	25.25	61,689.29
202(1)	Crushed Aggregate Base Course	803.449	cu.m.	3,046.57	2,447,763.62
311(1)b1	Portland Cement Concrete Pavement (Unreinforced), t=0.20m, 14 days	2,424.285	sq.m.	2,528.57	6,129,974.32

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Item Number	Description	Quantity	Unit	Unit Cost (Php)	Total Amount (Php)
500(1)a3	Pipe Culvert, 910mmØ RCPC, Class II	1.000	ln.m.	14,850.64	14,850.64
502(2)a3	Inlets, Type 910mmØ	1.000	each	24,678.08	24,678.08
TOTAL				Php	9,505,990.57

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 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 of 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 scheduling, and Cash Flow.
 - (c) Manpower Schedule
 - (d) Equipment Utilization Schedule
 - (e) Construction Safety and Health initially approved by the Head of the Procuring Entity.
 - (f) 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**, at the times and in the manner prescribed by this **CONTRACT AGREEMENT**
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**.

LAUREN B. AQUINO
Accountant III

JOEL A. JALEM
Engineer II

LUIPINA B. FUENTES
Proprietor/Manager

VIVIAN R. LUMINGKIT
OIC - District Engineer

Witnesses:
Angel & Sam Construction & Gen. Mdse.

Republic of the Philippines
(DEPARTMENT OF WORKS AND HIGHWAYS)

Department of Public Works and Highways

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

PROCURING ENTITY:

CONTRACTOR:

Represented by:


VIVIAN R. LUMINGKIT
OIC-District Engineer

Represented by:


LUDIVINA B. FUENTES
Proprietor/Manager

Witnessed by:

"Subject to the provisions of **Executive Order No. 91, s. 2019**"


LAUREEN B. AQUINO
Accountant III


JOEL A. JALEM
Engineer II

Department of Public Works and Highways

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REPUBLIC OF THE PHILIPPINES)

) S.S.

ACKNOWLEDGEMENT

BEFORE ME, as the Notary Public for and within the City of OZAMIZ personally appeared **VIVIAN R. LUMINGKIT**, OIC-District Engineer, representing the REPUBLIC OF THE PHILIPPINES (Department of Public Works and Highways), with Residence Certificate No. 25607320, issued on January 4, 2023 at P-4, Isidro D. Tan, Tangub City and **LUDIVINA B. FUENTES** – Proprietor/Manager, representing **Angel & Sam Construction & General Merchandise** with Residence Certificate No. 29332024, issued on JANUARY 2, 2023 at CAGAYAN DE ORO CITY, 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 consists of Four (4) pages, including this page, on which this acknowledgement is written duly signed by the contracting parties and their witnesses on left margin of the other pages.

IN WITNESS WHEREOF, I have hereunto affixed my Signature and Official Seal this 5th day of MAY, 2023.

(Notary Public)

Doc. No. 97

Page No. 20

Book No. xxx

Series of 2023

ATTY. DANIEL C. LAO
Notary Public

For the City of Ozamiz and the
Province of Misamis Occidental
Until December 31, 2023

Notarial Commission No. 2021-03

PTR No. 4838230A-01-23-23-Ozamiz City

BP No. 02373 (Lifetime)

TIN-135-323-064

Roll No. 29112

Burgos Street, 50th Barangay,
Ozamiz City, Misamis Occidental