

FILE

on PWD  
DTS # 1812-29808

**CONTRACT**  
(Philippine Rural Development Project)

KNOW ALL MEN BY THESE PRESENTS:

This Agreement, is made and entered into this day of JANUARY 9, 2019 at Tagum City, Davao del Norte, Philippines, between:

**PROVINCIAL GOVERNMENT OF DAVAO DEL NORTE**, a Local Government Unit duly organized and existing under the laws of the Republic of the Philippines with office address at Capitol Bldg., Government Center, Mankilam, Tagum City, Davao del Norte, represented by the Head of the Procuring Entity, Honorable Governor **ANTONIO RAFAEL G. DEL ROSARIO**, hereinafter referred to as the **PROCURING ENTITY**;

-and-

**SOUTH IRONROCK CORPORATION**, a registered construction firm under the Securities and Exchange Commission with Certificate No. CS201234414 with business address at Unit 105 Mitra Building, San Pedro St., Davao City, duly represented by its General Manager **FERNANDO F. ABAN**, hereinafter referred to as the **CONTRACTOR**.

**WITNESSETH THAT:**

**WHEREAS**, the Procuring Entity is a local government unit mandated to provide infrastructure facilities intended to service the needs of the residents of the province and which are funded out of provincial funds including, but not limited to, provincial roads and bridges; inter-municipal waterworks, drainage, and other similar facilities;

**WHEREAS**, the Procuring Entity is a recipient of the World Bank (WB) loan grant through Philippine Rural Development Project (PRDP) for the Improvement of New Corella Nursery with Organic Input Production Center and Common Service Facility, New Corella, Davao del Norte;

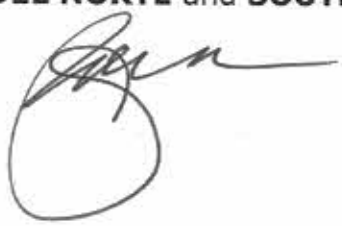
**WHEREAS**, upon the opening of competitive bidding and after bid evaluation among contractor bidders who are interested to participate and willing to assume the afore-cited project, the Contractor has been found to be the Lowest Calculated Responsive Bid (LCRB) by the Bids and Awards Committee (BAC) of Davao del Norte;

**WHEREAS**, the Procuring Entity is desirous that the Contractor executes the Improvement of New Corella Nursery with Organic Input Production Center and Common Service Facility at New Corella, Davao del Norte with Estimated Project Cost (EPC) of Nine Million Nine Hundred Thousand Pesos (Php 9,900,000.00) under PRDP Subproject Number: PRDP-IB-RO11-DDN-016-000-000-2016-R2 hereinafter called the "**Works**", and the former has accepted the bid of the Contractor in the amount of **NINE MILLION EIGHT HUNDRED EIGHTY NINE THOUSAND ONE HUNDRED SEVENTY SIX PESOS AND THIRTY NINE CENTAVOS (Php 9,889,176.39)** for the execution and completion of such works.

**NOW THEREFORE**, for and in consideration of the foregoing premises, the parties hereto agreed, as by these presents, do hereby agree to be bound by the following terms and conditions, to wit:

**I. CONTRACT**

This contract is an infrastructure project between the **PROVINCIAL GOVERNMENT OF DAVAO DEL NORTE** and **SOUTH IRONROCK CORPORATION**



with approved Project pursuant to PRDP Subproject Number: PRDP-IB-RO11-DDN-016-000-000-2016-R2, hereinafter called the "Infrastructure Project".

The Project consists of the Improvement of New Corella Nursery with Organic Input Production Center and Common Service Facility at New Corella, Davao del Norte.

Partial payment based on progress billing shall be the mode of payment. However, advance payment may be allowed upon formal request and approval of the other party in an amount not exceeding fifteen percent (15%) of the total contract price. But no release of final payment can be made unless and until the project has been completed, inspected and accepted by the Procuring Entity to its full satisfaction.

## II. DURATION

The intended completion date is **THREE HUNDRED TEN (310) CALENDAR DAYS** from the time the Notice to Proceed was issued by the Procuring Entity and received/acknowledged by the Contractor.

## III. CONTRACT PRICE

The **Estimated Project Cost (EPC)** for this project is Estimated Project Cost (EPC) of **NINE MILLION NINE HUNDRED THOUSAND PESOS (PHP 9,900,000.00)**. The Contractor submitted a bid quotation of **NINE MILLION EIGHT HUNDRED EIGHTY NINE THOUSAND ONE HUNDRED SEVENTY SIX PESOS AND THIRTY NINE CENTAVOS (Php 9,889,176.39)**.

## IV. GENERAL TERMS AND CONDITIONS

1. In this Contract, 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 integral part of this contract, to wit:
  - a. General and Special Conditions of Contract;
  - b. Drawings/Plans;
  - c. Specifications;
  - d. Invitation to Apply for Eligibility and to Bid;
  - e. Instructions to Bidders;
  - f. Bid Data Sheet;
  - g. Addenda and/or Supplemental/Bid Bulletins, if any;
  - h. Bid Form including all the documents/statements contained in the Bidder's bidding envelopes, as Annexes;
  - i. Eligibility requirements, documents and/or statements;
  - j. Performance Security;
  - k. Credit line issued by a licensed bank, if any;
  - l. Notice of Award of Contract and the Bidder's conforme' thereto;
  - m. Other contract documents that may be required by existing laws and/or the Entity such as, 1.) Environmental Management Plan (EMP), 2.) Environmental Clearance Certificate (ECC)/Certificate of Non-Coverage (CNC).
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 in all respects.

4. The Procuring Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the works and the remedying of defects wherein, the Contract price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

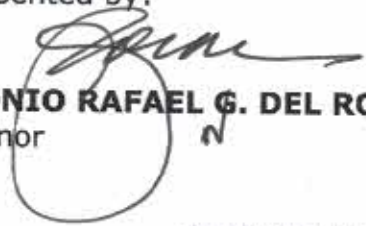
**IN WITNESS WHEREOF**, the parties hereunto affix their signatures this \_\_\_\_\_ day of JAN 07 2019, 2018 in Tagum City, Davao del Norte, Philippines.

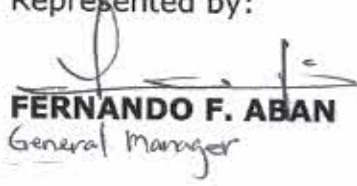
**PROVINCIAL GOVERNMENT OF DAVAO DEL NORTE**  
*Procuring Entity*

**SOUTH IRONROCK CORP.**  
*Contractor*


Represented by:

Represented by:

  
**ANTONIO RAFAEL G. DEL ROSARIO**  
Governor

  
**FERNANDO F. ABAN**  
General Manager

**SIGNED IN THE PRESENCE OF:**

\_\_\_\_\_ and \_\_\_\_\_  


**ACKNOWLEDGMENT**

Republic of the Philippines.....)  
Province of Davao del Norte...)  
Sc.  
( DAVAO CITY.....)  
X-----X

**BEFORE ME**, a Notary Public in the ( DAVAO CITY Province of Davao del Norte, personally appeared:


	<u>Proof of Identity</u>	<u>Date</u>	<u>Place Issued</u>
ANTONIO RAFAEL G. DEL ROSARIO	<u>IDA 1458</u>	<u>7/1/14</u>	<u>PGO-DDN</u>
FERNANDO F. ABAN	_____	_____	_____

known to me to be the same persons who executed this Agreement and they acknowledged to me that the same is their free act and deed for and in behalf of the parties they represent.

This instrument consist of three (3) pages including this page wherein this acknowledgement is written and duly signed by the parties and their respective instrumental witnesses on the left portion of each and every page hereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and Notarial Seal this 7th day of JANUARY, 2019 at Tagum City, Davao del Norte, Philippines.

Doc. No. 265 ;  
Page No. 39 ;  
Book No. XVI ;  
Series of 2019 .

  
**ARNOLD V. DORIA**  
Notary Public  
Until December 31, 2019  
PTR No. 1483380 - 12-27-18  
IBP No. 056886 - 12-14-18  
Roll No. 57384  
MCLE No. V-0012554  
Date issued 12/21/15