

CONTRACT

(Procurement of 1 Lot Contract Package: Equipment, Labor and Materials for the Construction of 100 housing units at Balai Pig Immimanan at Sitio Mesulong, Sto. Niño, Talaingod, Davao del Norte)

KNOW ALL MEN BY THESE PRESENTS:

This Agreement is made and entered into this ____ day of OCT 26 2020, 2020 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, Barangay Mankilam, Tagum City, Davao del Norte, represented by the Head of the Procuring Entity, Honorable Governor **EDWIN I. JUBAHIB**, hereinafter referred to as the **PROCURING ENTITY**;

-AND-

JJR CONSTRUCTION AND SUPPLY, a registered construction firm under the Department of Trade and Industry with Certificate No. 4979460, dated 18-October-2017, with business address at Purok 1, Don Mariano St., Maniki, Kapitalong, Davao del Norte, duly represented by its Proprietor, **MARY GRACE B. RABINO**, hereinafter referred to as the **CONTRACTOR**.

WITNESSETH THAT:

WHEREAS, the Procuring Entity is a local government unit mandated to provide infrastructure facilities to service the needs of the residents of the province and which 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 through **Trust Fund (NHA)**, intends to apply the sum of **TWENTY-TWO MILLION PESOS (PHP 22,000,000.00)** being the Approved Budget for the Contract (ABC) for the **Procurement of 1 Lot Contract Package: Equipment, Labor and Materials for the Construction of 100 housing units at Balai Pig Immimanan at Sitio Mesulong, Sto. Niño, Talaingod, Davao del Norte** by virtue of the **Purchase Request No. 2005-3369**, the bidding was conducted for the purpose through Infrastructure Project Agreement governed by Republic Act 9184 otherwise known as "The Government Procurement Reform Act";

WHEREAS, upon the opening of competitive bidding and after proper evaluation of the criteria and standards set forth by law, the Bids and Awards Committee (BAC) through **BAC Resolution No. 245, series of 2020**, resolved to declare the Contractor as the **Single Calculated and Responsive Bidder** to undertake the afore-cited Infrastructure Project;

WHEREAS, the Contractor has been in the business of conducting construction, rehabilitation, improvements of buildings, bridges and other infrastructure projects in different areas of the country particularly in Mindanao area including rural construction facilities;

WHEREAS, the Contractor is willing to undertake and implement the project in the manner provided under this contract, existing laws and/or upon the request by the Procuring Entity.

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 agreement is an infrastructure project between the **PROVINCIAL GOVERNMENT OF DAVAO DEL NORTE** and **JJR CONSTRUCTION AND SUPPLY** with approved project pursuant to **Purchase Request No. 2005-3369** hereinafter called the "Infrastructure Project".

The project consists of the **Procurement of 1 Lot Contract Package: Equipment, Labor and Materials for the Construction of 100 housing units at Balai Pig Immimanan at Sitio Mesulong, Sto. Niño, Talaingod, Davao del Norte.**

Payment shall be made **through progress billing**. Moreover, there shall be no release of final payment unless and until the project has been completed, inspected, accepted and duly certified by the Procuring Entity to its final satisfaction.

II-DURATION

The intended work duration is **TWO HUNDRED SEVENTY (270) 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 Provincial Government of Davao del Norte has an Approved Budget of the Contract (ABC) of **TWENTY-TWO MILLION PESOS (PHP 22,000,000.00)**. The Contractor submitted a bid quotation of **TWENTY-ONE MILLION NINE HUNDRED SIXTY-NINE THOUSAND SEVEN HUNDRED SIXTY-THREE PESOS AND TWENTY CENTAVOS (PHP 21,969,763.20)**

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 General and Special Conditions of the Contract. Whatever conflicts as to the provisions of the contract, the Special Conditions of the Contract shall prevail;
2. The Project bidding documents (Annex as "A") shall be attached, deemed to form as integral part of this contract, and be read and construed substantially in the following order as stated below:
 - I. Invitation Bid;
 - II. Instruction to Bidders;
 - III. Bid Data Sheet;
 - IV. General Conditions of Contract;
 - V. Special Conditions of Contract;
 - VI. Specifications;
 - VII. Drawings;
 - VIII. Bill of Quantities;
 - IX. Bidding Forms;
 - X. Sample Forms;
 - XI. Checklist of Eligibility and Technical Requirements;
 - XII. Sealing and Marking of Bids

ACKNOWLEDGMENT

Republic of the Philippines...)
Province of Davao del Norte.)Sc.
City of Tagum.....)
x----- x

BEFORE ME, a Notary Public in the City of Tagum, Province of Davao del Norte, personally appeared:

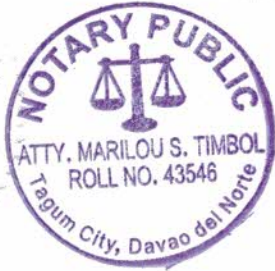
	Proofs of Identity	Date Issued	Place Issued
EDWIN I. JUBAHIB	_____	_____	_____
MARY GRACE B. RABINO	<u>L02-14-009494</u>	<u>July 1, 2017</u>	<u>Tagum City</u>

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 consists of four (4) 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 ___ day of OCT 26 2020 2020 at Tagum City, Davao del Norte, Philippines.

Doc. No. 226
Page No. 95
Book No. 178
Series of 2020.



ATTY. MARILOU S. TIMBOL
NOTARY PUBLIC
UNTIL DECEMBER 31, 2020
PTR No. 2711120; 01-02-20; T.C.
Roll No. 43546 TIN.918-139-246
IBP OR No. 102533; 01-03-2020; MNL
MCLE COMPLIANCE NO. VI-001234; 11-21-16