

## CONTRACT AGREEMENT

**THIS CONTRACT AGREEMENT**, made this \_\_\_\_ day of May 2018, by and between:

The **University of Southeastern Philippines**, with office address at Bo. Obrero Davao City, represented by its President, Dr. **LOURDES C. GENERALAO**, hereinafter called the "ENTITY",

**AND**

The **FZI Construction, Parts & Supply** with office address located at Corner Jacinto-Padre Gomez Sts., Davao City, Philippines, represented by its Authorized Managing Officer, **ENGR. ELLEN F. FARNAZO** hereinafter called the "CONTRACTOR";

**WITNESSETH**

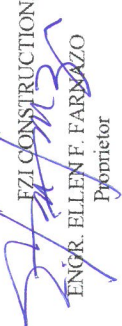
**WHEREAS**, the Entity invited bids for **Contract ID No. 2018-04/ INFRA the Construction of Student Kiosk Park Phase II at USeP Obrero Campus, Davao City and FZI Construction, Parts & Supply** placed a bid. The ENTITY has accepted the calculated bid of the CONTRACTOR for the execution and completion of the Works at the calculated unit bid price shown in the attached Bill of Quantities, or a total Contract price of **Two Million Two Hundred Nine Thousand One Hundred Ninety-Seven & 90/100 (₱2,209,197.90)**, with the following items and quantities included in the scope of works:

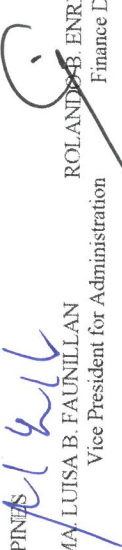
ITEM NO.	DESCRIPTION	QTY.	UNIT	FZI CONSTRUCTION, PARTS AND SUPPLY	
				Unit Cost	Amount
I.	GENERAL REQUIREMENTS	1	lot	58,975.00	58,975.00
II.	SITE WORKS	1	lot	108,850.00	108,850.00
III.	SCAFFOLDING & FORMWORKS	1	lot	40,600.00	40,600.00
IV.	CONCRETE, MASONRY & PLASTERING WORKS	1	lot	382,271.40	382,271.40
V.	ROOFING & METAL WORKS	1	lot	1,030,050.00	1,030,050.00
VI.	CARPENTRY WORKS	1	lot	97,051.51	97,051.51
VII.	FINISHING WORKS	1	lot	73,332.00	73,332.00
VIII.	ELECTRICAL WORKS	1	lot	418,068.00	418,068.00
<b>TOTAL</b>		<b>1.00</b>	<b>lot</b>	<b>2,209,197.90</b>	<b>2,209,197.90</b>

**WHEREAS**, the whole WORKS in this PROJECT as covered by this CONTRACT shall be completed within **One Hundred Twenty-Five (125) calendar days** in accordance with the provisions of the Bid documents.

**NOW THIS CONTRACT AGREEMENT WITNESSETH 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:

FZI CONSTRUCTION, PARTS & SUPPLY  
  
 ENGR. ELLEN F. FARNAZO  
 Proprietor

ROLANDE B. ENRIQUEZ  
 Finance Director  


UNIVERSITY OF SOUTHEASTERN PHILIPPINES  
 MA. LUISA B. FAUNILLAN  
 Vice President for Administration  


LOURDES C. GENERALAO  
 President  


  
FZI CONSTRUCTION, PARTS & SUPPLY  
ENGR. ELLEN F. FARNAZO  
Proprietor


- (a) Bidding Documents for the Contract
  - (1) General Conditions of Contract
  - (2) Special Conditions of Contract
    - Drawings
    - Specifications
    - Instruction to Bidders
- (b) CONTRACTOR's Calculated Bid
- (c) Notice of Award of Contract and the CONTRACTOR's "conforme" thereon
- (d) Performance Security
- (e) PERT/CPM diagram and bar chart with S-curve
- (f) Approved BAC Resolution Recommending the Approval of the Awarding of the Project: **Construction of Student Kiosk Park Phase II at USeP Obrero Campus, Davao City.**

  
ROLANDO B. ENRIQUEZ  
Finance Director

3. In consideration of the payments to be made by the ENTITY to the CONTRACTOR, as hereinafter mentioned, the CONTRACTOR hereby covenants with the ENTITY to execute and complete the WORKS and remedy any defects therein in conformity with the provisions of this CONTRACT AGREEMENT in all respects.

  
MA. LUISA B. FAUNILLAN  
Vice President for Administration

4. In consideration of the execution and completion of the Works by the CONTRACTOR, the 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 and within twenty (20) days after the signing of contract and submission by the CONTRACTOR of a Performance Security in an amount equal to the percentage of the total contract price in accordance with the schedule set forth in The 2016 Revised Implementing Rules and Regulations (IRR) of RA 9184, the ENTITY shall give an advance payment of ten (10) percent and the remaining amount shall be paid based on progress billing.

  
UNIVERSITY OF SOUTHERN PHILIPPINES  
LOIDES C. GENERALAO  
President

5. Upon final acceptance of the project by the ENTITY, the CONTRACTOR shall be held responsible for structural defects and/ or failure of the completed project within the following warranty periods pursuant to section 62.2.2, IRR-A of R.A. 9184.

In case of breach of contract, an amount equivalent to at least one-tenth of one percent (0.1%) of the cost of the unperformed portion for every day of delay shall be paid by the contractor as liquidated damages.

Contract ID No.: 2018-04/Infra  
Name of Contract: Construction of Student Kiosk Park Phase II at USeP Obrero Campus  
Location: Obrero Campus, Davao City

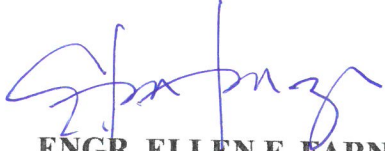
IN WITNESS whereof, the parties thereto have caused this CONTRACT AGREEMENT to be executed the day and year first before written.

**UNIVERSITY OF SOUTHEASTERN  
PHILIPPINES (USeP):**

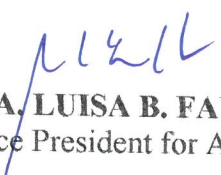
  
**LOURDES C. GENERALAO**  
President

Approved per BOR Resolution No. 80 s. 2017


**FZI Construction, Parts & Supply**

  
**ENGR. ELLEN F. FARNAZO**  
Proprietor

WITNESSED BY:

  
**MA. LUISA B. FAUNILLAN**  
Vice President for Administration

Certified Funds Available:

  
**ROLAND B. ENRIQUEZ**  
Finance Director, USeP

REPUBLIC OF THE PHILIPPINES  
City of Davao )ss

**ACKNOWLEDGMENT**

BEFORE ME, as the Notary Public for and within the City of Davao, personally appeared

Name	Valid I.D.	Date/Place Issued
Dr. Lourdes C. Generalao ENGR. ELLEN F. FARNAZO	GSIS ID # 006-0085-6444-5	Davao 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 consist of four (4) pages, including this page, on which this acknowledgement is written duly signed by the contracting parties and their witnesses on the margin of this page and on the other pages.

JUN 13 2018

IN WITNESS WHEREOF, I have hereunto affixed my Signature and Official Seal this \_\_\_ day of May 2018.

ENGR. ELLEN F. FARNAZO  
Proprietor

ROLANDO B. ENRIQUEZ  
Finance Director

MA. LUISA B. FAUNILLAN  
Vice President for Administration

LOURDES C. GENERALAO  
President

**ATTY. KENNETH P. RETUYA**  
Notary Public  
Until December 31, 2018  
Roll of Attorney's No. 64044  
PTR OR No. 9734420, 01/03/18  
IBP OR No. 030631, 01/10/2018  
MCLE Compliance No. V-0018932

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