

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT, made this ____ day of July 2018, by and between:

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

and

The **Hexamindz Corporation** with office address located at Pearl St., Marfori Heights Subdivision, Davao City, represented by its Authorized Managing Officer, **ENGR. IGNACIO T. PUA, JR.**, hereinafter called the "CONTRACTOR".

WITNESSETH

WHEREAS, the Entity invited bids for **Contract ID No. 2018-03/ INFRA** for the project: **Construction of 5-Storey Information Technology (IT) Building Phase IV at USEP Obrero Campus, Davao City and Hexamindz Corporation** 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 **Eight Million Forty-One Thousand Two Hundred Eleven & 64/100 Pesos (₱8,041,211.64)**, with the following items and quantities included in the scope of works:

ITEM NO.	DESCRIPTION	QTY.	UN IT	HEXAMINDZ CORPORATION	
				Unit Cost	Amount
I.	GENERAL REQUIREMENTS	1	lot	168,300.00	168,300.00
II.	SITE WORKS & EARTHWORKS	1	lot	211,200.00	211,200.00
III.	REINFORCED CONCRETE WORKS	1	lot	286,374.00	286,374.00
IV.	REINFORCED MASONRY WORKS	1	lot	16,374.60	16,374.60
V.	TILE WORKS	1	lot	1,125,867.60	1,125,867.60
VI.	STEEL WORKS	1	lot	1,463,233.20	1,463,233.20
VII.	FINISHING WORKS	1	lot	3,205,488.00	3,205,488.00
VIII.	WATER TANKS AND PUMPS	1	lot	490,776.00	490,776.00
IX.	PIPES AND PIPE FITTINGS	1	lot	394,680.00	394,680.00
X.	SPECIAL EQUIPMENT & FURNISHINGS	1	lot	678,918.24	678,918.24
XI.	ADMINISTRATION COST			213,213.95	NOT INCLUDED IN BOQ
TOTAL		1.00	lot	8,254,425.59	8,041,211.64

WHEREAS, the whole WORKS in this PROJECT as covered by this CONTRACT shall be completed within **One Hundred Eighty (180) 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:
 - (a) Bidding Documents for the Contract
 - (1) General Conditions of Contract
 - (2) Special Conditions of Contract

Rotchik R. Calalang
 BAC Head

Hexamindz Corporation
 Engr. Ignacio T. Pua, Jr.
 Authorized Representative

Rolando B. Enriquez
 Finance Director

MA. LUISA B. FAUNILLAN
 Vice President for Administration

UNIVERSITY OF SOUTHEASTERN PHILIPPINES
 LOURDES C. GENERALAO
 President

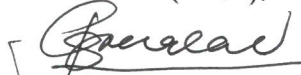
Drawings
Specifications
Instruction to Bidders

- (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 5-Storey Information Technology (IT) Building Phase IV at USEP Obrero Campus, Davao City.
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.
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.
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 62.2.3.2, The 2016 Revised IRR of RA 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.

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


MA. LUISA B. FAUNILLAN
Vice President for Administration

HEXAMINDZ CORPORATION:


ENGR. IGNACIO T. PUA, JR.
Authorized Representative


Rotchene B. Cadavez
BAC Head

WITNESSED BY:

Certified Funds Available:


ROLANDO 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
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Dr. Lourdes C. Generalao ENGR. IGNACIO T. PUA, JR.	GSIS ID # 006-0085-6444-5	Davao City
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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 three (3) 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.

JUL 23 2018

IN WITNESS WHEREOF, I have hereunto affixed my Signature and Official Seal this ___ day of July, 2018.



(Signature)
WILLIAM U. TIU
 Notary Public for Davao City
 Commission No. 2013-102-2019, until 12/31/19
 Roll of Attorneys No. 43179
 Lifetime IDP No. 04568, 3/17/03, Manila
 PTR No. 9904494, 1/3/18, Dvo. City
 Building D, Aldevinco Center Roxas Ave., Dvo. Ci.,

Doc. No.	<u>128</u>
Page No.	<u>27</u>
Book No.	<u>IX</u>
Series of	<u>2018</u>

(Signature)
 ROLANDO B. ENRIQUEZ
 Finance Director

Hexamindz Corporation
 Engr. Ignacio T. Pua, Jr.
 Authorized Representative

(Signature)
 ROLANDO B. ENRIQUEZ
 Finance Director

(Signature)
 MA. LUISA B. FAUNILLAN
 Vice President for Administration

UNIVERSITY OF SOUTHEASTERN PHILIPPINES
(Signature)
 LOURDES C. GENERALAO
 President