



Republic of the Philippines  
**University of Southeastern Philippines**  
 Davao City

**CONTRACT AGREEMENT**

**THIS CONTRACT AGREEMENT**, made this 6<sup>th</sup> day of January 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 **LINC Probuilders, Inc.** with office address located at #42 Pistachio Drive Phase 7 Ecoland Subdivision Davao City, represented by its Authorized Managing Officer, Mr. **ABRAHAM J. CUISON** hereinafter called the "CONTRACTOR";

**WITNESSETH**

**WHEREAS**, the Entity invited bids for **Contract ID No. 2017-44/ INFRA** for the project: **Establishment of Industrial Electronics and Mechatronics Training Center Phase IV-B** and LINC Probuilders, Inc. 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 **Three Million Nine Hundred Forty-Eight Thousand Two Hundred Twenty-Eight & 66/100 (PhP 3,948,228.66)**, with the following items and quantities included in the scope of works:

| ITEM NO. | DESCRIPTION                            | QTY | UNIT  | LINC Probuilders, Inc. |
|----------|--|-----|-------|------------------------|
| I        | General Requirements                   | 1   | lot   | 84,180.00              |
| II       | Reinstallation and Surface Preparation | 1   | lot   | 192,760.00             |
| III      | Steel Works                            | 1   | lot   | 762,500.00             |
| IV       | Carpentry Works                        | 1   | lot   | 384,788.00             |
| V        | Finishing Works                        | 1   | lot   | 1,087,115.16           |
| VI       | Tiling Works                           | 1   | lot   | 763,445.50             |
| VII      | Electrical Works                       | 1   | lot   | 673,440.00             |
|          |  |     | Total | <b>3,948,228.66</b>    |

**WHEREAS**, the whole WORKS in this PROJECT as covered by this CONTRACT shall be completed within **Sixty (60) 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:




WITNESS  
 LINC PROBUILDERS INC  
 ABRAHAM J. CUISON  
 Authorized Managing Officer  
 ROLANDO B. ENRIQUEZ  
 Finance Director  
 MA. LUISA B. FAUNILLAN  
 Vice President for Administration  
 LOURDES C. GENERALAO  
 President  
 UNIVERSITY OF SOUTHEASTERN PHILIPPINES

- (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:  
**Establishment of Industrial Electronics and Mechatronics Training Center Phase IV-B, 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 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 in two (2) installments 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 62.2.2,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.

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

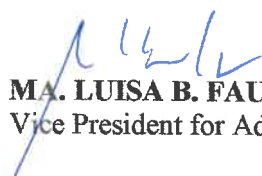
**UNIVERSITY OF SOUTHEASTERN PHILIPPINES (USEP):**

  
**LOURDES C. GENERALAO**  
President

**LINC Probuilders, Inc.**

  
**ABRAHAM J. CUISON**  
Authorized Managing Officer

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   | GSIS ID # 006-0085-6444-5 | Davao City        |
| Mr. Abraham J. Cuison      | CTC # 33693961            | Davao City        |
| Ms. Ma. Luisa B. Faunillan | GSIS ID # 760125003323    | Davao City        |
| Mr. Rolando B. Enriquez    | GSIS ID # 5010243112      | 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 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.

IN WITNESS WHEREOF, I have hereunto affixed my Signature and Official Seal this 08 day of January 2018.

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Page No. 21  
Book No. XIII  
Series of 2018

JAMES MICHAEL CABADING  
UNIVERSITY OF SOUTHEASTERN PHILIPPINES  
ROLL NO. 64012  
PTR REG. NO. 05-12/27/17  
ISP OR. NO. 02397-01/08/18