

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT, made this day of MAY 23 , 2019, 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 **L.V. Ledesma Construction, Inc.** with office address located at 366 Calle Camia El Rio Vista Bacaca, Brgy. 19-B, Davao City Davao City, represented by its General Manager, **MR. LUDWIG VAN A. LEDESMA**, hereinafter called the "CONTRACTOR".

WITNESSETH

WHEREAS, the Entity invited bids for **Contract ID No. 2018-30/ INFRA** for the project: **Construction of 5-Storey Information Technology (IT) Building Phase V at USEP Obrero Campus, Davao City** and **L.V. Ledesma Construction, 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 **Thirty Six Million Two Hundred Fifty-Five Thousand Nine Hundred Forty & 54/100 Pesos (₱36,255,940.54)**, with the following items and quantities included in the scope of works:

| ITEM NO. | DESCRIPTION | QTY. | UNIT | L.V. LEDESMA CONSTRUCTION, INC. | |
|--------------|-----------------------------------|-------------|------------|---------------------------------|----------------------|
| | | | | Unit Cost | Amount |
| I. | General requirements | 1 | lot | 1,594,600.00 | 1,594,600.00 |
| II. | Site works & earthworks | 1 | lot | 817,400.00 | 817,400.00 |
| III. | Reinforced concrete works | 1 | lot | 4,664,935.30 | 4,664,935.30 |
| IV. | Reinforced masonry works | 1 | lot | 2,203,161.00 | 2,203,161.00 |
| V. | Finishing works | 1 | lot | 2,174,820.00 | 2,174,820.00 |
| VI. | Tile works | 1 | lot | 889,760.00 | 889,760.00 |
| VII. | Glass works | 1 | lot | 4,179,996.00 | 4,179,996.00 |
| VIII. | Electrical works | 1 | lot | 2,864,906.60 | 2,864,906.60 |
| IX. | Plumbing works | 1 | lot | 3,037,316.44 | 3,037,316.44 |
| X. | Fire protection | 1 | lot | 2,641,300.80 | 2,641,300.80 |
| XI. | Passenger elevator | 1 | lot | 2,353,710.00 | 2,353,710.00 |
| XII. | Steel works | 1 | lot | 1,935,697.00 | 1,935,697.00 |
| XIII. | Carpentry works | 1 | lot | 1,949,838.00 | 1,949,838.00 |
| XIV. | Doors and windows | 1 | lot | 858,337.00 | 858,337.00 |
| XV. | Special equipment and furnishings | 1 | lot | 4,090,162.40 | 4,090,162.40 |
| TOTAL | | 1.00 | lot | 36,255,940.54 | 36,255,940.54 |

WHEREAS, the whole WORKS in this PROJECT as covered by this CONTRACT shall be completed within **Two Hundred Seventy (270) calendar days** in accordance with the provisions of the Bid documents.

NOW THIS CONTRACT AGREEMENT WITNESSETH AS FOLLOWS:

- 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.

L.V. LEDESMA CONSTRUCTION, INC.
 MR. LUDWIG VAN A. LEDESMA
 General Manager

ROLAND P. ENRIQUEZ
 Finance Director

MA. JUISA B. FAUNILLAN
 Vice President for Administration

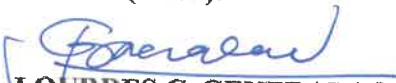
UNIVERSITY OF SOUTHEASTERN PHILIPPINES
 LOURDES C. GENERALAO
 President

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
 - 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 V 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. 10C S. 2019

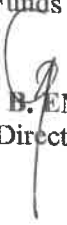
LV. LEDESMA CONSTRUCTION, INC.:


MR. LUDWIG VAN A. LEDESMA
General Manager

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. Ludwig Van A. Ledesma | | |

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 MAY 23 2019 day of 2019.

L.V LEDESMA CONSTRUCTION, INC.
MR. LUDWIG VAN A. LEDESMA
General Manager

ROLANDO E. ENRIQUEZ
Finance Director

UNIVERSITY OF SOUTHEASTERN PHILIPPINES
MA. LUISA B. FAUNILAN
Vice President for Administration
LOURDES C. GENERALAO
President

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Book No. 22
Series of 2019



RODOJTON S.J. DE LEON
COMMISSION FOR NOTARY PUBLIC
SERIAL NO. 2018-005-2019
PTR NO. 1479010 C; 12/05/2018
TIN 105-269-637
IBPN NO. 057062; 12/17/2018 FOR 2019
PROL NO. 25247; 5/20/74
SSSN NO. 05-0114-558-9
MTC COMPLIANCE NO. VI-0009675
VALID FROM 04/15/2019 UNTIL 04/14/2022