

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT, made this ____ day of January 2019, by and between:

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

and

The MEGILA CONSTRUCTION DEVELOPMENT & SUPPLY, with office address located at 09 Gladiola Street, Green Meadows Subdivision, Davao City, represented by its Proprietor, MR. GERARDO G. ABRERA, hereinafter called the "CONTRACTOR."

WITNESSETH

WHEREAS, the Entity invited Megila Construction Development & Supply, the contractor of the project: Repair/Rehabilitation of the University Gymnasium & Cultural Center Phase 1, USEP Obrero, Davao City to tender its bid (via Negotiated Procurement) bids for Contract ID No. 2018-37/INFRA for the Repair/Rehabilitation of the University Gymnasium & Cultural Center Phase 1-B at USEP Obrero Campus, Davao City . 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 One Million One Hundred Thirty-One Thousand Eight Hundred Thirty-One & 75/100 Pesos (Php 1,131,831.75), with the following items and quantities included in the scope of works:

ITEM NO.	DESCRIPTION	QTY	UNIT	MEGILA CONSTRUCTION DEVELOPMENT & SUPPLY	
				Unit Cost	Amount
I.	GENERAL REQUIREMENTS	1	lot	85,050.00	85,050.00
II.	SITE WORKS	1	lot	269,325.00	269,325.00
III.	CARPENTRY WORKS	1	lot	136,873.80	136,873.80
IV.	DOORS & GLASS WORKS	1	lot	183,897.00	183,897.00
V.	SPECIAL FURNISHING & ACCESSORIES	1	lot	435,446.55	435,446.55
VI.	PAINTING WORKS	1	lot	21,239.40	21,239.40
TOTAL		1.00	lot	1,131,831.75	1,131,831.75

WHEREAS, the whole WORKS in this PROJECT as covered by this CONTRACT shall be completed within One Hundred (100) 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 herein assigned to them in the Conditions of Contract.
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

MEGILA CONSTRUCTION DEVELOPMENT & SUPPLY
 MR. GERARDO G. ABRERA / Proprietor
 ROLAN OB ENRIQUEZ / Finance Director
 M.A. LUISA B. FAUNILLAN / Vice President for Administration
 UNIVERSITY OF SOUTHEASTERN PHILIPPINES
 DR. LOURDES C. GENERALAO / President

Contract ID No.: 2018-37/Infra
Name of Contract: Repair/Rehabilitation of the University Gymnasium & Cultural Center Phase 1-B
Location: Obrero Campus, Davao City

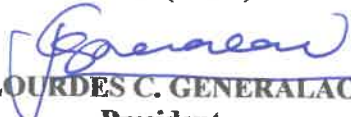
- (c) Notice of Award of Contract and the CONTRACTOR's "conforme" thereon
- (d) Performance Security
- (e) PERT/CPM diagram and bar chart with S-curve
- (f) Approved BAC Resolution Recommending the Approval of the Awarding of the Project:
**Repair/Rehabilitation of the University Gymnasium & Cultural Center Phase 1-B at
USeP Obrero Campus, Davao City via Negotiated Procurement.**

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.
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. 93, s. 2018

**MEGILA CONSTRUCTION DEVELOPMENT
& SUPPLY:**


MR. GERARDO G. ABRERA
Proprietor

WITNESSED BY:


MA. LUISA B. FAUNILLAN
Vice President for Administration

Certified Funds Available:


ROLANDO B. ENRIQUEZ
Finance Director, USeP

REPUBLIC OF THE PHILIPPINES)
City of Davao)

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. Gerardo G. Abrera	LTO # LDR-77-013852	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 20th day of February 2019.

CELSO A. FERNANDEZ
NOTARY PUBLIC
UNTIL NOVEMBER 04, 2019
DAVAO CITY
IBP NO. 8797878 - 1-10-18
PTR NO. 53024588 - 1-10-18

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Series of 2019

MEGILA CONSTRUCTION DEVELOPMENT & SUPPLY

MR. GERARDO G. ABRERA
/Proprietor

ROLANDO B. ENRIQUEZ
Finance Director

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