

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT, made this ____ day of MAY 27 2019, 2019, by and between:

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

and

The **ASM Francisco Construction & Development Corporation**, with office address located at Coastalina Street, Sto.Nino, Barangay Dolores, Taytay, Rizal, represented by its General Manager, **ARCH. ALFREDO SM. FRANCISCO**, hereinafter called the “**CONTRACTOR**.”

WITNESSETH

WHEREAS, the Entity invited bids for **Contract ID No. 2018-29/INFRA** for the project : **Construction of College of Engineering Laboratory Phase 2, USEP Obrero Campus, Davao City** and **ASM Francisco Construction & Development 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 **Seventy-Two Million Four Hundred Three Thousand Six Hundred Ninety-Two and 75/100 Pesos (PhP 72,403,692.75)**, with the following items and quantities included in the scope of works:

ITEM NO.	DESCRIPTION	QTY	UNIT	ASM FRANCISCO CONSTRUCTION & DEVELOPMENT CORP.	
				Unit Cost	Amount
I.	GENERAL REQUIREMENTS	1.00	lot	2,284,800.00	2,284,800.00
II.	SITE WORKS	1.00	lot	8,783,040.00	8,783,040.00
III.	STRUCTURAL CONCRETE & STEEL WORKS	1.00	lot	44,906,963.40	44,906,963.40
IV.	REINFORCED MASONRY WORKS	1.00	lot	3,526,719.17	3,526,719.17
V.	MISCELLANEOUS WORKS	1.00	lot	2,446,080.00	2,446,080.00
VI.	ELECTRICAL WORKS	1.00	lot	2,315,040.00	2,315,040.00
VII.	PLUMBING WORKS	1.00	lot	730,469.38	730,469.38
VIII.	METAL WORKS	1.00	lot	1,520,064.00	1,520,064.00
IX.	MECHANICAL WORKS	1.00	lot	2,708,160.00	2,708,160.00
X.	ELECTRONIC WORKS	1.00	lot	3,182,356.80	3,182,356.80
	TOTAL	1.00	lot		72,403,692.75

WHEREAS, the whole **WORKS** in this **PROJECT** as covered by this **CONTRACT** shall be completed within **Four Hundred Fifty (450) calendar days** in accordance with the provisions of the Bid documents.

ASM FRANCISCO CONST. & DEVELOPMENT CORP.
 ARCH. ALFREDO SM. FRANCISCO
 General Manager
 ROLANDO P. ENRIQUEZ
 Finance Director
 MA. LUISA B. FAUNILLAN
 Vice President for Administration
 UNIVERSITY OF SOUTHEASTERN PHILIPPINES
 DR. LOURDES C. GENERALAO
 President

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
 - (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 College of Engineering Laboratory Phase 2, 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 fifteen (15) 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.

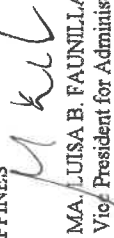
In case of breach of contract, an amount equivalent to at least one-tenth of one percent (0.1%) of the cost of the unperformed portion for every day of delay shall be paid by the contractor as liquidated damages.

ASM FRANCISCO CONST. & DEVELOPMENT CORP.



ARCH. ALFREDO S.M. FRANCISCO
General Manager

UNIVERSITY OF SOUTHEASTERN PHILIPPINES



MA. LUISA B. FAUNILLAN
Vice President for Administration



ROLANDO P. ENRIQUEZ
Finance Director



LOURDES C. GENERALAO
President

Contract ID No.: 2018-29/infra
Name of Contract: Construction of College of Engineering Laboratory Phase 2
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):**

**ASM FRANCISCO CONSTRUCTION
AND DEVELOPMENT CORP.:**



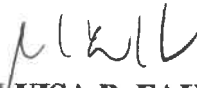
LOURDES C. GENERALAO
President

Approved per BOR Resolution No. 10B s. 2019



ARCH. ALFREDO SM. FRANCISCO
General Manager

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 Arch. Alfredo SM. Francisco	GSIS ID # 006-0085-6444-5 <u>PRC ID - ANNA, 7335</u>	Davao City <u>MLA.</u>

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.

IN WITNESS WHEREOF, I have hereunto affixed my Signature and Official Seal this MAY 27 2019 day of _____ 2019.

ASM FRANCISCO CONST. & DEVELOPMENT CORP.
ARCH. ALFREDO SM. FRANCISCO
General Manager

ROLANDO B. ENRIQUETA
Finance Director

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

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ATTY. JANIS LOUIS H. ESPARCIA, I.
Notary Public for Davao City
Notarial Commission Serial No. 2019-108-2020
Until December 31, 2020
PTR (2019) 1479663C. (12/11/18 (D.C.))
IBP (2019) Q53060 (10/22/18 (D.C.))
Roll No. 62037

