

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT, made this 23 day of MAY, 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 **L.V. Ledesma Construction, Inc.**, with office address located at 366 Calle Camia El Rio Vista Bacaca, Brgy. 19-B, 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. 2018-31/INFRA** for the project : **Completion of 5-Storey Quality Assurance, Accreditation, TLE Building (Phase 3), 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 **Twenty-Seven Million One Hundred Ninety-One Thousand Nine Hundred Eighty and 82/100 Pesos (PhP 27,191,980.82)**, 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	1.00	lot	1,192,600.00	1,192,600.00
II.	SITE WORK, FORM WORKS & SCAFFOLDINGS	1.00	lot	1,058,600.00	1,058,600.00
III.	REINFORCED CONCRETE WORKS	1.00	lot	11,456,849.92	11,456,849.92
IV.	STEEL WORKS	1.00	lot	3,484,000.00	3,484,000.00
V.	REINFORCED MASONRY WORKS	1.00	lot	2,461,191.40	2,461,191.40
VI.	PLASTERING WORKS	1.00	lot	824,100.00	824,100.00
VII.	ELECTRICAL WORKS	1.00	lot	870,792.30	870,792.30
VIII.	MECHANICAL WORKS			2,034,790.00	2,034,790.00
IX.	PLUMBING WORKS	1.00	lot	493,756.50	493,756.50
X.	CARPENTRY WORKS	1.00	lot	772,262.10	772,262.10
XI.	PAINTING WORKS	1.00	lot	687,138.60	687,138.60
XII.	SPEICAL FURNISHINGS & ACCESSORIES	1.00	lot	1,855,900.00	1,855,900.00
	TOTAL	1.00	lot		27,191,980.82

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.

L.V. LEDESMA CONSTRUCTION, INC.

MR. LUDWIG VAN A. LEDESMA
General Manager

ROLANDO H. ENRIQUEZ
Finance Director

MA. LUISA B. FAUNILLAN
Vice President for Administration

UNIVERSITY OF SOUTHEASTERN PHILIPPINES

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 ContractDrawings
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: **Completion of 5-Storey Quality Assurance, Accreditation, TLE Building (Phase 3), 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.

L. V. LEDESMA CONSTRUCTION, INC.

MR. LUDWIG VAN A. LEDESMA
General Manager

ROLANDO B. TENRIQUEZ
Finance Director

MA. LUISA B. FAUNILLAN
Vice President for Administration

UNIVERSITY OF SOUTHEASTERN PHILIPPINES

JOYRDES C. GENERALAO
President

Contract ID No.: 2018-31infra
Name of Contract: Completion of 5-Storey Quality Assurance, Accreditation, TLE Building (Phase 3)
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):**

L.V. LEDESMA CONSTRUCTION, INC.:



LOURDES C. GENERALAO
President

Approved per BOR Resolution No. 10C s. 2019



MR. LUDWIG VAN A. LEDESMA
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	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 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.

MAY 23 2019

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

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

ROLANDO ENRIQUEZ
Finance Director

MA. LUISA B. FAUNILLAN
Vice-President for Administration

UNIVERSITY OF SOUTHEASTERN PHILIPPINES
DOURDES C. GENERALAO
President

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RODOLFO S.J. DE LEON
COMMISSION FOR NOTARY PUBLIC
SERIAL NO. 2018-005-2019
PTR NO. 1479010C; 12/05/2018
TIN 105-268-687
ABP NO. 057062; 12/17/2018 FOR 2018
RPNL NO. 25242-5/20/74
SSS NO. 09-011-3-9
MCH COMPLIANCE NO. 208875
VALID FROM 04/15/2018