

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT, made this FEB 20 2019 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 **HEXAMINDZ CORPORATION**, with office address located at Pearl St., Marfori Heights Subdivision, Davao City, represented by its Authorized Representative, **ENGR. IGNACIO T. PUA, JR.**, hereinafter called the "CONTRACTOR."

WITNESSETH

WHEREAS, the Entity invited **HEXAMINDZ CORPORATION**, the contractor of the project: **Construction of 5-Storey Information Technology Building (Phase IV)** at USEP Obrero, Davao City to tender its bid (via Negotiated Procurement) for **Contract ID No. 2018-36/INFRA** for the **Construction of 5-Storey Information Technology Building (Phase IV-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 Seven Hundred Ninety-Eight Thousand Seven Hundred Sixty-Two & 99/100 Pesos (Php 1,798,762.99)**, with the following items and quantities included in the scope of works:

ITEM NO.	DESCRIPTION	QTY.	UNIT	HEXAMINDZ CORPORATION	
				Unit Cost	Amount
I.	GENERAL REQUIREMENTS	1	lot	0.00	0.00
II.	SITE WORKS	1	lot	70,000.00	70,000.00
III.	FINISHING WORKS	1	lot	395,512.60	395,512.60
IV.	REINFORCED CONCRETE WORKS	1	lot	472,106.88	472,106.88
V.	SPECIAL EQUIPMENT & FURNISHINGS	1	lot	251,195.00	251,195.00
VI.	STEEL WORKS	1	lot	233,098.61	233,098.61
VII.	TILING WORKS	1	lot	33,849.90	33,849.90
VIII.	AUDITORIUM CONTROL BOOTH	1	lot	343,000.00	343,000.00
XI.	ADMINISTRATION COST	1	lot	12,848.31	NOT INCLUDED IN BOQ
TOTAL		1.00	lot	1,811,611.31	1,798,762.99

WHEREAS, the whole WORKS in this PROJECT as covered by this CONTRACT shall be completed within **Seventy-Five (75) 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


MARIDOU C. FERRAN
 Authorized Representative

HEXAMINDZ CORPORATION
ENGR. IGNACIO T. PUA, JR.
 Authorized Representative


ROLANDO B. ENRIQUEZ
 Finance Director


MA. LJISA B. FAUNILLAN
 Vice President for Administration

UNIVERSITY OF SOUTHEASTERN PHILIPPINES

LOURDES C. GENERALAO
 President

Contract ID No.: 2018-36/Infra
Name of Contract: Construction of 5-Storey Information Technology Building (Phase IV-B)
Location: Obrero Campus, Davao City

(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 Building (Phase IV-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
(USeP):**


LOURDES C. GENERALAO
President

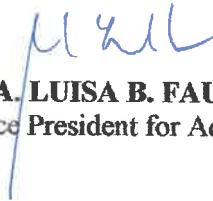
Approved per BOR Resolution No. 93, s. 2018

HEXAMINDZ CORPORATION PHILIPPINES

ENGR. IGNACIO T. PUA, JR.
Authorized Representative


MARILOU C. FERRAN
Authorized Representative

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 Engr. Ignacio T. Pua, Jr.	GSIS ID # 006-0085-6444-5	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 FEB 20 2019 day of 2019.

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Series of 209

RYAN ERIK C. SANTIAGO
Notary Public
Comm. Serial No. 2019-0043-2020
Until 31 December 2020
Roll of Attorneys No. 58867
PTR No. 1478032 • 12/05/18 (2019) • DC
IBP No. 053059 • 10/22/18 (2019) • DC
Tax No. 409-994-796
MCLE Compliance No. VI-0009804
47-44, Gen. Malver St., Davao City

Mariou C. Ferran
MARILOU C. FERRAN
Authorized Representative

HEXAMINDZ CORPORATION
ENGR. IGNACIO T. PUA, JR.
Authorized Representative

Rolando P. Enriquez
ROLANDO P. ENRIQUEZ
Finance Director

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

Lourdes C. Generalao
LOURDES C. GENERALAO
President