

CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS

This CONTRACT AGREEMENT made and entered into this 10th day of November 2016 by and between:

The Municipal Government of Lubao, Pampanga represented herein by HON. MYLYN P. CAYABYAB, Municipal Mayor (and hereinafter called the Owner) as party of the First Part, and TRACCOR BUILDERS herein represented by MR. TRACY MANGULABNAN TUPE and herein after called the Contractor) as Party of the Second Part.

WHEREAS, The Party of the First Part is desirous that certain works should be improved viz : Construction of Municipal Hall (Phase 2) at Sta. Catalina, Lubao, Pampanga and has accepted that bid by the Party of such work in the total Contract amount of : FORTY FOUR MILLION NINETY TWO THOUSAND NINE HUNDRED TWENTY FOUR PESOS & 21/100 (P44,092,924.21) broken down as follows.

Item No.	Description	Qty	Unit	Unit Price(Pesos)	Amount(Pesos)
I.	PROJECT BILLBOARD	1	PC	7,599.20	7,599.20
II.	SAFETY & HEALTH	1	LOT	279,238.40	279,238.40
III.	BACKFILLING	3690	CU.M.	136.63	504,164.70
IV.	EMBANKMENT	2900	CU.M.	409.43	1,187,347.00
V	REINF. CONC. WORKS	1280	CU.M.	24,335.64	31,149,619.20
VI	MASONRY WORKS	1	LOT	4,705,400.04	4,705,400.04
VII	STRUCTURAL STEEL & TINSMITHRY	1	LOT	3,748,504.03	3,748,504.03
VIII	PLUMBING ROUGH - INS	1	LOT	619,819.20	619,819.20
IX	ELECTRICAL ROUGH - INS	1	LOT	541,195.20	541,195.20
X	MECHANICAL ROUGH- INS	1	LOT	333,496.80	333,496.80
XI	ELECTRONIC ROUGH - INS	1	LOT	233,906.40	233,906.40
XII	SEPTIC TANK & CATCH BASIN	1	LOT	782,634.00	782,634.00
				TOTAL	44,092,924.21

The whole work of the Contract shall completed within Two Hundred Ten (210) calendar days in accordance With the provision of the Bid Documents.

THIS AGREEMENT WITNESSETH AS FOLLOWS :

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter Represented by;
2. The following documents shall be attached, deemed to form, and be read and construed of this Agreement, to wit:

(a) General and Special Conditions of Contract;

WITNESSETH:
ENGR. FRANCISCO D. WAJE
Mun. Engineer

CONTRACTOR:
MR. TRACY MANGULABNAN TUPE
TRACCOR BUILDERS

OK AS TO FUND:
JOVENCIO R. LUMBA
Municipal Accountant

of the Philippines
noted by:
HON. MYLYN P. CAYABYAB
Municipal Mayor

WITNESS
ENGR. FRANCISCO D. WAJE
Mun. Engineer

- (f) Bid Data Sheet;
- (g) Addenda and/or Supplemental/Bid Bulletins, if any;
- (h) Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes;
- (i) Eligibility requirements, documents and/or statements;
- (j) Performance Security;
- (k) Credit line issued by a licensed bank, if any;
- (l) Notice of Award of Contract and the Bidder's conforme thereto;
- (m) Other contract documents that may be required by existing laws and/or the Entity.

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 in all respects.

CONTRACTOR
TRACOR BUILDERS

4. The Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects wherein, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

5. That this **CONTRACT** shall not effect until the **CONTRACTOR** has furnished and delivered to the **EMPLOYER** the Performance Bond that is fully acceptable to the **EMPLOYER** in form and amount as required in the Instruction to Bidders.

OK AS TO FUNDS
JOVENCIO R. LUMBA
Municipal Accountant

6. The **CONTRACTOR** shall comply with and strictly observe all laws regarding workmen's health and safety, workmen's welfare, compensation for injuries, minimum wages, hours of labor and other Labor laws as per Ministry Order No. 9, Series of 1981.

7. The **CONTRACTOR** warrants that he has not given nor promised to give any money or gift to any employee of the **EMPLOYER** (or any Philippine Government instrumentalities) to secure this **CONTRACT**;

8. The Joint Guidelines on Change Orders, Extra Work Orders, etc., as provided under the pertinent provisions of the Implementing Rules and Guidelines of the R.A. 9184 are hereby incorporated as part of this **CONTRACT**;


OF THE PHILIPPINES
ed by
MYLVN P. CAVABYAB
Municipal Mayor

9. In case the **CONTRACTOR** fails to satisfactorily complete the Works within the specified Contract Time (which will include any time suspension/extensions duly granted), the **CONTRACTOR** shall pay the **EMPLOYER** the relevant sum as liquidated damages for such default and not by way of penalty, as provided in the conditions of contract, equal to at least one tenth (1/10) of one (1) percent Of the cost of the unperformed portion of the works for every day of delay.

IN WITNESS WHEREOF, the PARTIES hereto to have hereunto set
their respective hands this 11th day of November 2016

Municipal Government of Lubao, Pampanga
(Party of the First Part)

By:


HON. MYLYN P. CAYABYAB
Municipal Mayor
Lubao, Pampanga

TRACCOR BUILDERS

Contractor

(Party of the Second Part)

By: 
TRACY MANULABNAN TUPE


(Witness)


(Witness)


REPUBLIC OF THE PHILIPPINES)
Lubao, Pampanga)

ACKNOWLEDGEMENT

BEFORE ME, Notary Public for and in Lubao, Pampanga
Personally appeared HON. MYLYN P. CAYABYAB with GSIS ID No. 006 -0175-4363-5
issued at City of San Fernando, Pampanga in his capacity as Municipal Mayor,
Municipality of Lubao representing the Republic of the Philippines and TRACCOR
BUILDERS REPRESENTED BY MR. TRACY MANGULABNAN TUPE with Driver's lic. I.D. No.
C10-98-145458 issued at City of San Fernando, Pampanga known to me and to me
known to be the same person who executed the foregoing CONTRACT AND AGREEMENT
and they acknowledge to me that the same are their true act and deed for and in behalf
of the PARTIES they present.

IN WITNESS WHEREOF, I have hereunto affixed my signature and seal this 14th day
of November 2016 at Lubao, Pampanga, Philippines.

WITNESS:


ENGR. FRANCISCO B. WAJE
Mun. Engineer

CONTRACTOR:


TRACY MANGULABNAN TUPE
TRACCOR BUILDERS

OK AS TO FUND:


JOVENCIO R. LUMBA
Mun. Accountant

NOTES


CAYABYAB
Municipal Mayor



Republic of the Philippines
PROVINCE OF PAMPANGA
MUNICIPALITY OF LUBAO
Office of the Municipal Mayor

NOTICE OF AWARD

Nov. 9, 2016


TRACCOR BUILDERS
San Isidro Village
City of San Fernando, Pampanga

Dear Sir :

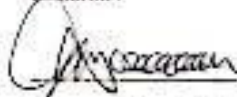
We are happy to notify you that your Bid dated Nov. 3, 2016 in execution of Construction of Municipal Hall (Phase 2) at Sta. Catalina, Lubao, Pampanga for the Contract Price of equivalent to FORTY FOUR MILLION NINETY TWO THOUSAND NINE HUNDRED TWENTY FOUR PESOS & 21/100 (P44,992,924.21) as corrected and modified in accordance with the Instructions to Bidders is hereby accepted.

You are hereby required to provide within ten (10) days the performance security in the form and the amount stipulated in the Instructions to Bidders. Failure to provide the performance security shall constitute sufficient ground for cancellation of the award and forfeiture of the bid security.

Very truly yours,


MYLYN P. CAYABYAB
Municipal Mayor

Confirms:



Date: NOV 9, 2016



Republic of the Philippines
PROVINCE OF PAMPANGA
MUNICIPALITY OF LUBAO
Office of the Municipal Mayor

NOTICE TO PROCEED

Nov. 15, 2016

TRACCOR BUILDERS
San Isidro Village
City of San Fernando, Pampanga

Dear Sir :

The attached Contract Agreement having been approved, notice is hereby given to TRACCOR BUILDERS that work may commence on the Construction of Municipal Hall (Phase 2) at Sta. Catalina, Lubao, Pampanga effective on Nov. 15, 2016, / (ten) 10 days after the receipt of this notice.

Upon receipt of this notice, you are responsible for performing the services under the terms and conditions of the Agreement and in accordance with the Implementation Schedule.

Please acknowledge receipt and acceptance of this notice by signing both copies in the space provided below. Keep one copy and return the other to the Municipality of Lubao.

Very truly yours,

MYLYN P. CAYABYAB
Municipal Mayor

I acknowledge receipt of this Notice on Nov. 15, 2016

Name of the Representative of the Bidder: [Signature]