



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
 Regional Field Office XII
 Brgy. Carpenter Hill, General Santos Drive
 Koronadal City
 Tel. No./Fax No. : 083-520-0460

ITB Reference No. : **3661282**
 Contract Number : _____

CONTRACT OF CONSTRUCTION

MAR 21 2016

This **AGREEMENT** is made and entered this day _____ of _____, 2016 between the **DEPARTMENT OF AGRICULTURE-RFO XII, KORONADAL CITY, PHILIPPINES**, represented by its **Regional Executive Director, AMALIA J. DATUKAN, MBA.** hereinafter called the **"First Party"** and **COFEJOK CONSTRUCTION AND SUPPLY CORPORATION** with principal address at **Kalawag I, Isulan, Sultan Kudarat**, represented by its **President, FELIPA S. SOMODIO** hereinafter called the **"Second Party"**;

WITNESSETH

Whereas, the **First Party** has a project of **Concreting of Purok 7 - Purok 15 FMR Phase III (with exemption) in Brgy. Mabuhay, General Santos City** with the Approved Budget for the Contract (ABC) of **Thirteen Million Three Hundred Eighty-Six Thousand Twenty-One Pesos and 97/100 Only (Php13,386,021.97)**;

Whereas, the project shall be on **85/15** scheme wherein the **eighty-five percent (85%)** cost of the project shall be charged to **DA-RFO 12 SOCSKSARGEN Food Security Program CY 2016 Fund** and the **fifteen percent (15%)** cost shall be the **Local Government Unit (LGU)** of **General Santos City's** counterpart as shown below:

DA-12 SOCSKSARGEN Food Security Program (85%)	: Php11,378,118.67
LGU General Santos City (15%)	: 2,007,903.30
Total Approved Budget for the Contract (ABC)	: Php13,386,021.97

Whereas, a public bidding was conducted last February 24, 2016 with four (4) participating bidders and Cofejok Construction and Supply Corporation represented by its President, Felipa S. Somodio was declared as winning bidder in the amount of **Eleven Million One Hundred Fifty-Two Thousand One Hundred Forty-Three Pesos and 44/100 Only (Php11,152,143.44)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** which shall be completed **within two hundred (200) calendar days** upon receipt of Notice to Proceed, with the following Project Description and Scope of Works, to wit:

Project Description : Concreting of 1,520 l.m. road at 5.0 l.m. width and 20cm thickness with road shouldering on both sides, Construction of 900 l.m. Open Lined Canal, 40l.m. 450mm dia RCP cross drainage structure and 1- unit Box Culvert.

Scope of Works:

- Item 100(3) - Individual Removal of Trees, small : 16 pcs
- Item 102(2) - Roadway Excavation (Surplus Common) : 2,295.48 m³
- Item 103(1) - Structure Excavation : 554.52 m³
- Item 104(1) - Embankment (from roadway excavation) : 11.84 m³
- Item 105 - Sub Grade Preparation : 10,640 m²
- Item 201 - Aggregate Base Course : 2,736 m³
- Item 311 - Portland Cement Concrete Pavement : 7,600 m²
- Item 405 - Structural Concrete (Box Culvert w/ headwall & wingwall) : 4.50 m³
- Item 505 - Pipe Culvert and Storm Drains (crossdrains 450mm dia RCCP) : 40 l.m.

Handwritten signature/initials on the left margin.

Handwritten signature/initials at the bottom right.

Handwritten initials on the right margin.

SPL 1	- Open Lined Canal	: 900l.m.
SPL 2	- Plastering	: 720 m ²
SPL 3	- Backfill	: 41.63 m ³
SPL 4	- Construction Signages	: 8.0 units

Location : Barangay Mabuhay, General Santos City

NOW THEREFORE, for and in consideration of the following premises, the parties hereto agreed as follows:

1. The following documents shall be deemed to form and be read and construed as part of this agreement, viz:
 - a) Funded and Approved Purchase Request;
 - b) Approved Programs of Works and Detailed Estimates;
 - c) Approved Plans and Designs;
 - d) Advertisement;
 - e) Approved Notice of Award;
 - f) Performance Bond;
 - g) PERT/CPM of equivalent schedule of work;
 - h) License copy of contractor;
 - i) Abstract of Bids for Bid project;
 - j) Resolution of the Bids and Awards Committee as the case may be; and
 - k) Other pertinent documents as may be reasonable required by the First Party.
2. In consideration of the payments to be made by the **First Party**, the **Second Party** hereby covenants/agrees with the Department of Agriculture to construct and completed the works in conformity with all aspects with the provisions of this contract;
3. The **First Party** hereby covenants to pay the **15% mobilization fee** of the total cost of the project to the **Second Party** as advance payment, upon compliance of the following:
 - a) Letter request for 15% advance payment;
 - b) Standby irrevocable letter of credit/security bond/bank guarantee which corresponds to the amount of the 15% mobilization fee;
 - c) Installation of project billboard;
 - d) Construction of bunkhouse; and
 - e) Mobilization of initial equipment and personnel.
4. The project shall be covered by retention money, in an amount equivalent to ten percent (10%) of the total contract price, or a bank guarantee in a form of an irrevocable standby letter of credit. Said amount shall be released after the completion of the project;
5. Should the **Second Party** incur delay, Section 68, Rule XXII of RA 9184, partly states, "xxx.The amount of the liquidated damages shall be at least equal to one tenth (1/10) of one percent (1%) of the cost of the unperformed portion of every day of delay. Xxx";
6. Other provisions of RA 9184 and its IRR not stipulated in this contract are deemed applicable; and
7. This agreement shall be valid and binding upon approval of both parties:



IN WITNESS WHEREOF, the parties hereto set their signatures on the day written above.

DEPARTMENT OF AGRICULTURE-REGION 12

COFEJOK CONSTR'N. AND SUPPLY CORPORATION

by:




AMALIA J. DATUKAN, MBA.
Regional Executive Director

by:

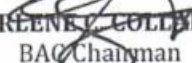


FELIPA S. SOMODIO
President

REVIEWED AND WITNESSED BY:

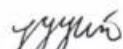


ENGR. GINALYN FE C. CACHUELA
Project Manager
SOCSKSARGEN ADPO



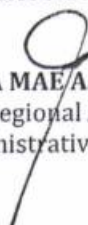
CARLENE C. COLLEDO, CPA.
BAC Chairman

ALLOCATION OF FUNDS:



RAKMA B. BUISAN
Regional Budget Officer

AVAILABILITY OF FUNDS:



ANNA MAE A. SIDEÑO
OIC-Regional Accountant/
Administrative Officer V

Prepared by:



MONINA M. SALENDAB
Head, BAC Secretariat

ACKNOWLEDGMENT

Republic of the Philippines)
City of Koronadal)SS

Before me, a Notary Public for Koronadal City personally appeared the following:

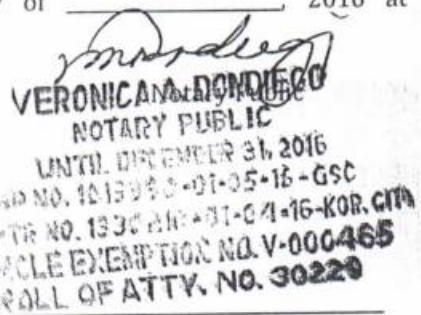
NAME	Res. Cert.	Issued at	Issued on
1. Amalia J. Datukan, MBA	01095321	Koronadal City	January 20, 2016
2. Felipa S. Somodio			

Known to me to be the same persons who executed the foregoing documents and acknowledged that the same are their voluntary acts and deeds.

This instrument consists of three (3) pages including this page in which the acknowledgement is written, and signed in the left hand margin of each and every page thereof by parties and their witnesses.

MAR 21 2016

Witness MY HAND AND SEAL this _____ day of _____, 2016 at
CITY OF KORONADAL



VERONICA A. DONDEIGO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2016
I.D. NO. 1013000-01-05-16-GSC
PTR NO. 1330210-01-04-16-KOR. CIT
MCLE EXEMPTION NO. V-000465
ROLL OF ATTY. NO. 30220

Doc No. : 271
Page No. : 55
Book No. : 15
Series of 2016