



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
 Regional Field Office XII
 Brgy. Carpenter Hill, General Santos Drive
 Koronadal City
 Tel. No./Fax No. : 083-228-3411 / 228-3413

ITB Reference No. : **3824336**
 Contract Number : **2016-0387**

CONTRACT OF CONSTRUCTION

This **AGREEMENT** is made and entered this day SEP 19 2016, 2016 between the **DEPARTMENT OF AGRICULTURE-RFO XII, KORONADAL CITY, PHILIPPINES**, represented by its **OIC-Regional Executive Director, CARLENE C. COLLADO, CPA** hereinafter called the "**First Party**" and **VERTICAL BUILDERS** with principal address at **Santiago Boulevard, Brgy. Lagao, General Santos City**, represented by its **Proprietor, JACKSON JOSEPH TIU KING** hereinafter called the "**Second Party**";

WITNESSETH

Whereas, the **First Party** has a project of **Concreting of Purok 4 -Purok 1 FMR Extension in Brgy. Simbo, Tupi, South Cotabato** with the Approved Budget for the Contract (ABC) of **Four Million Four Hundred Forty-Five Thousand Eight Hundred Thirty-Nine Pesos and 68/100 Only (Php4,445,839.68)**;

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 Provincial Local Government Unit (PLGU) of South Cotabato's counterpart** as shown below:

DA-12 SOCSKSARGEN Food Security Program (85%)	: Php3,778,963.73
PLGU South Cotabato (15%)	: 666,875.95
Total Approved Budget for the Contract (ABC)	: Php4,445,839.68

Whereas, a public bidding was conducted last May 24, 2016 with two (2) participating bidders and Vertical Builders owned by it Proprietor, Jackson Joseph Tiu King was declared as winning bidder in the amount of **Four Million Three Hundred Eighty-Four Thousand One Hundred Seventy-Two Pesos and 02/100 Only (Php4,384,172.02)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** which shall be completed **within one hundred twenty-five (125) calendar days** upon receipt of Notice to Proceed, with the following Project Description and Scope of Works, to wit:

Project Description : Concreting of 360 l.m. road at 5.0 l.m. width and 20cm thickness with 1.50 l.m.road shouldering on both sides, Construction of 1 unit 3.0mx3.0mx8.0m Box Culvert and Slope Protection Structure

PCCP

SPCL "A"	- Informative Signboard	: 1.00 l.s.
Item 100 (2)	- Clearing and Grubbing	: 1.00l.s.
Item 102(2)	-Surplus Common Excavation	: 681.87 m ³
Item 104(1)	- Embankment	: 1,191.81 m ³
Item 105	- Sub Grade Preparation	: 3,096.00 m ²
Item 201	- Aggregate Base Course	: 910.80 m ³
Item 311	- Portland Cement Concrete Pavement	: 1,800 m ²
3.0mx3.0mx8.0m BOX CULVERT		
Item 101	- Removal of Existing Concrete Structure	: 1.00 l.s.
SPCL "B"	- Rechanneling of Waterway	: 1.00 l.s.
SPCL "C"	-Detour Road	: 1.00 l.s.

Item 103	- Structure Excavation	:73.82 m ³
Item 405-A	-Lean Concrete (Class "B")	: 5.00 m ³
Item 405-B	-Structural Concrete (Class "A")	: 44.67m ³
Item 404	- Reinforcing Steel	:4,154.33 kg
SLOPE PROTECTION		
Item 103(1)	- Structure Excavation	: 29.59 m ³
Item 505(1)	- Grouted Riprap Class "A"	: 44.46 m ³
Item 103(3)	- Foundation Fill	: 46.62 m ³

Location : Brgy. Simbo, Tupi, South Cotabato

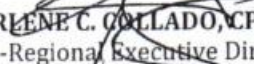
NOW THEREFORE, for and in consideration of the following premises, the parties hereto agreed as follows:

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.

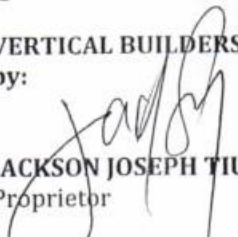
Handwritten signatures and initials, including a large signature at the top and several smaller initials below it.

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


DEPARTMENT OF AGRICULTURE-REGION 12
by:



CARLENE C. COLLADO, CPA
OIC-Regional Executive Director

VERTICAL BUILDERS
by:

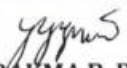

JACKSON JOSEPH TIU KING
Proprietor

REVIEWED AND WITNESSED BY:



ENGR. GINALYN FE C. CACHUELA
Project Manager
SOCSKSARGEN ADPO


LORNA P. VILBAR, PhD
BAC Chairman

ALLOCATION OF FUNDS:


RAKMA B. BUISAN
Regional Budget Officer

AVAILABILITY OF FUNDS:


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

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. Carlene C. Collado	01105150	Koronadal City	February 8, 2016
2. Jackson Joseph Tiu King	<u> ✓ </u>	<u> ✓ </u>	<u> ✓ </u>

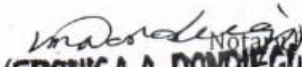
Known to me to be the same persons who executed the foregoing documents and acknowledged that the same are their voluntary acts and deeds.

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.

SEP 19 2016

Witness MY HAND AND SEAL, this _____ day of _____, 2016 at _____.

Doc No. : 805
Page No. : 81
Book No. : ✓
Series of 2016


VERONICA A. DONDIEGO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2016
REG. NO. 1013345-01-05-16-GSC
REG. NO. 1930201-01-04-16-KOR. CITY
SOLE EXEMPTION NO. V-000465
ROLL OF ATTY. NO. 30229