



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. : 3618626
 Contract Number : 2015-1144

CONTRACT OF CONSTRUCTION

This **AGREEMENT** is made and entered this day MAR 18 of 2016, 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 **FREDEN CONSTRUCTION** with principal address at **Zone 7, Blk. 8, Brgy. Fatima, General Santos City**, represented by its **Proprietor, FREDDIE M. LAPADA** hereinafter called the **"Second Party"**;

WITNESSETH

Whereas, the **First Party** has a project of **Concreting of Purok Guadalupe, Conel - Purok 3, San Vicente Olympog FMR in Brgy. Olympog, General Santos City** with the Approved Budget for the Contract (ABC) of **Twenty-Seven Million Three Hundred Eighty-Eight Thousand Two Hundred Five Pesos and 87/100 Only (Php27,388,205.87)**;

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%) | : Php23,279,974.99 |
| LGU General Santos City (15%) | : 4,108,230.88 |
| Total Approved Budget for the Contract (ABC) | : Php27,388,205.87 |

Whereas, a public bidding was conducted last January 21, 2016 with two (2) participating bidders and **Freden Construction** owned by its Proprietor, **Freddie M. Lapada** was declared as winning bidder in the amount of **Twenty-Four Million Two Hundred Fifty-Two Pesos and 45/100 Only (Php24,000,252.45)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** which shall be completed **within two hundred fifty (250) calendar days** upon receipt of Notice to Proceed, with the following Project Description and Scope of Works, to wit:

Project Description : Concreting of 3,331 l.m. Concrete Road at 5.0 l.m. width and 20cm thickness with programmed road shouldering on both sides, Construction of 938.20 l.m. Open Lined Canal, Installation of RCP Cross Drainage Structures

Scope of Works:

| | | |
|--------------|--|----------------------------|
| Item 100-3 | - Individual Removal of Trees, small | : 19 pcs |
| Item 101-1A | - Removal of Existing Headwall | : 2 units |
| Item 101 -1B | - Removal of Existing open lined canal | : 6 l.m. |
| Item 103 | - Structure Excavation | : 1,022.77 m ³ |
| Item 102-2 | - Roadway Excavation (Surplus Common) | : 8,384.00 m ³ |
| Item 104 | - Embankment | : 6,552.00 m ³ |
| Item 105 | - Sub Grade Preparation | : 23,177.00 m ² |
| Item 201 | - Aggregate Base Course | : 5,957.10 m ³ |
| Item 311 | - Portland Cement Concrete Pavement | : 16,568.50 m ² |
| Item 404 | - Reinforcing Steel | : 4,959.14 kg. |
| Item 405 | - Structural Concrete | : 63.78 m ³ |
| Item 500-A | - Pipe Culvert & Storm Drains 18" Ø | : 6l.m. |
| Item 500-B | - Pipe Culvert & Storm Drains 24" Ø | : 8 l.m. |

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| | | |
|------------|-------------------------------------|-------------------------|
| Item 500-C | - Pipe Culvert & Storm Drains 36" Ø | : 23 l.m. |
| Item 506 | - Stone Masonry | : 34.23 m ³ |
| Item 508 | - Hand Laid Rock Embankment | : 12.52 m ³ |
| SPL 1 | - Open Lined Canal | : 938.20 l.m. |
| SPL 2 | - Painting Works | : 17.64 m ² |
| SPL 3 | - Plastering | : 888.30 m ² |
| SPL 4 | - formworks | : 810 bd ft. |
| SPL 5 | - Construction of Signages | : 8 units |

Location : Barangay Olympog, 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 stand-by 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

by:

AMALIA J. DATUKAN, MBA.
Regional Executive Director

FREDEN CONSTRUCTION

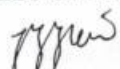
by:

FREDDIE M. LAPADA
Proprietor

REVIEWED AND WITNESSED BY:


ENGR. GINALYN F. C. CACHUELA
Project Manager
SOCKSARGEN ADPO


CARLENE E. COLLADO, CPA.
BAC Chairman

ALLOCATION OF FUNDS:


RAKMA B. BUISAN
Regional Budget Officer

AVAILABILITY OF FUNDS:


ANNA MAE A. SIDENIO
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. Freddie M. Lapada | _____ | _____ | _____ |

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.

Witness MY HAND AND SEAL, this MAR 18 day of 2016 at

CITY OF KORONADAL, SOUTH COTABATO


VERONICA A. DONDIEGO
Notary Public

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Series of 2016

MAR 18 2016
VERONICA A. DONDIEGO
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