



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. : **3661467**
 Contract Number : _____

CONTRACT OF CONSTRUCTION

This **AGREEMENT** is made and entered this day MAR 18 2016 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 **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 New Dumangas - Laconon FMR in Brgy. New Dumangas, T'boli, South Cotabato** with the Approved Budget for the Contract (ABC) of **Twenty-One Million Three Hundred Eighty-Four Thousand Four Hundred Thirty-Six Pesos and 31/100 (Php21,384,436.31)**;

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%)	: Php18,176,770.86
PLGU South Cotabato (15%)	: 3,207,665.45
Total Approved Budget for the Contract (ABC)	: Php21,384,436.31

Whereas, a public bidding was conducted last February 24, 2016 with only one (1) bidder and **Freden Construction** owned by its **Proprietor, Freddie M. Lapada** was declared as **Single Calculated and Responsive Bid** in the amount of **Twenty-One Million One Hundred Eighty-Three Thousand One Hundred Seventy-Four Pesos and 63/100 Only (Php21,183,174.63)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** which shall be completed **within two hundred eleven (211) calendar days** upon receipt of **Notice to Proceed**, with the following **Project Description and Scope of Works**, to wit:

Project Description : Concreting of 1,850 l.m. road at 6.70 l.m. width and 20cm thickness with road shouldering on both sides, Construction of RCPC cross drainage structures, slope protection structure and 1unit 1.5m x 1.5m x 3.0m box culvert

Scope of Works:
PCCP

SPCL "A"	- Information Signboard	: 1 l.s.
Item 100(2)	- Clearing & Grubbing	: 1 l.s.
Item 102(2)	- Surplus Common Excavation	: 14,277.55 m ³
Item 104 (1)	- Embankment	: 4,741.90 m ³
Item 105(1)	- Sub Grade Preparation	: 18,500 m ²
Item 201	- Aggregate Base Course (Base & Shoulder)	: 5,328m ³
Item 311	- Portland Cement Concrete Pavement	: 12,395 m ²

PIPE CULVERT & LINED CANAL

Item 101(1)	- Removal of structures and Obstruction	: 1 l.s.
Item 103(6)	- Structure Excavation	: 214 m ³
Item 500(3a)	- RCPC 910mm dia	: 13 l.m.
Item 506	- Stone Masonry (Line Canal & Headwall)	: 172.73 m ³
Item 103(4)	- Back Fill	: 107 m ³
1.50m x 1.50m x 8.0m box culvert (normal)		
Item 100(1)	- Clearing & Grubbing	: 1 l.s.
Item 103	- Structure Excavation	: 37.80 m ³
SPCL "B"	- Detour Road	: 1 l.s.
Item 405(b)	- Structural Concrete Class "B"	: 2.28 m ³
Item 404	- Reinforcing Steel	: 3,272.85 kg
Item 405(a)	- Structural Concrete Class "A"	: 33.99 m ³
Item 103(3)	- Foundation Fill	: 15 m ³

SLOPE PROTECTION

Item 505(1)	- Grouted Riprap Class "A"	: 107 m ³
Item 103(1)	- Structure Excavation	: 60 m ³
Item 103(3)	- Foundation Fill	: 49.40 m ³

Location : Brgy. New Dumangas, T'boli, South Cotabato

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

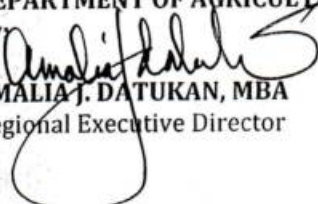
- The following documents shall be deemed to form and be read and construed as part of this agreement, viz:
 - Funded and Approved Purchase Request;
 - Approved Programs of Works and Detailed Estimates;
 - Approved Plans and Designs;
 - Advertisement;
 - Approved Notice of Award;
 - Performance Bond;
 - PERT/CPM of equivalent schedule of work;
 - License copy of contractor;
 - Abstract of Bids for Bid project;
 - Resolution of the Bids and Awards Committee as the case may be; and
 - Other pertinent documents as may be reasonable required by the First Party.
- 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;
- 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:
 - Letter request for 15% advance payment;
 - Standby irrevocable letter of credit/security bond/bank guarantee which corresponds to the amount of the 15% mobilization fee;
 - Installation of project billboard;
 - Construction of bunnhouse; and
 - Mobilization of initial equipment and personnel.
- 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:

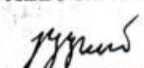

FREDDIE M. LAPADA
Proprietor

REVIEWED AND WITNESSED BY:

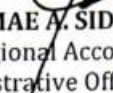

ENGR. GINALYNNE C. CACHUELA
Project Manager
SOCKSARGEN ADPO


CARLENE G. COLLADO, CPA
BAC Chairman

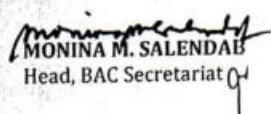
ALLOCATION OF FUNDS:


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