

## CONTRACT OF AGREEMENT

THIS AGREEMENT, made this 22<sup>nd</sup> day of MAY, 2019 between **TARLAC STATE UNIVERSITY of Romulo Blvd., San Vicente, Tarlac City** (hereinafter called the "Procuring Entity") and **PRIMARCH BUILDERS of Unit 7 Ten Bldg., Mac Arthur Highway, San Rafael, Tarlac City** (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute the **Refurbishment of Classrooms and Laboratory Rooms (Phase IV)** (hereinafter called "the Works") and the Entity has accepted the bid for **Twenty Two Million Four Hundred Ninety Two Pesos and 79/100 (PhP 22,000,492.79)** by the Contractor for the execution and completion of such Works and the repair/correction of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as respectively assigned to them in the Conditions of Contract herein after referred to.
2. The provisions of Section IV. General Conditions of the Contract in the Procurement of Works of the Government of the Republic of the Philippines (Fifth Edition, August 2016) which is hereto attached and deemed an integral part of this contract shall govern the whole contract between the Procuring Entity and the Contractor.
3. The following documents shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:
  - (a) Special Conditions of Contract;
  - (b) Drawings/Plans;
  - (c) Specifications;
  - (d) Invitation to Bid;
  - (e) Instructions to Bidders;
  - (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) Notice of Award of Contract and the Bidder's conforme thereto;
  - (l) Other contract documents that may be required by existing laws and/or the Entity.
4. In consideration of the payments to be made by the Procuring Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Entity to execute and complete the Works and repair/correct any defects therein in conformity with the provisions of this Contract in all respects.

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*Refurbishment of Classrooms and Laboratory Rooms (Phase IV)*

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5. The Procuring Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the repair/correction 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.
  
6. This Agreement shall take effect upon date of receipt by the Contractor of **NOTICE TO PROCEED** from the Procuring Entity. The Contract shall remain in force until all obligations of both parties as contained in this contract have been fully complied with.
  
7. **PRIMARCH BUILDERS** shall commence execution of the project within ten (10) calendar days from the receipt of written Notice to Proceed from Tarlac State University and shall finish and complete the construction of the project within **one hundred twenty (120) calendar days** from the date of receipt by the Contractor of Notice to Proceed unless extended in accordance with the IRR of R.A. 9184.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written and have hereunto affixed their signatures this \_\_\_\_ day of MAY 22 2019, 2019 at Tarlac City, Philippines.


**TARLAC STATE UNIVERSITY**

**PRIMARCH BUILDERS**

By:

  
**MYRNA Q. MALLARI**  
 President


By:

  
**DENNIS C. MOLINA**  
 General Manager

Signed in the presence of:

Witnesses:

\_\_\_\_\_

  
 Mary Grace A. Milan

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)


CITY OF TARLAC ) S. S.

Before me, this \_\_\_\_\_ day of MAY 22 2019, 2019 at Tarlac City, Philippines, personally appeared **MYRNA Q. MALLARI** with Community Tax Certificate No. **19746256** issued at Tarlac City on **January 8, 2019** and **DENNIS C. MOLINA** with his Community Tax Certificate No. **19759108** issued at **Tarlac City** on **January 24, 2019**, known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free act and voluntary deed.

This document refers to Contract and it consists of three (3) pages, including this page whereon this acknowledgement appears and is signed by the parties and their instrumental witnesses on each and every page thereof.

WITNESS MY HAND AND SEAL at the place and on the date first above written.

DOC No: 286  
PAGE No: 04  
BOOK No: 2211  
SERIES No: 209

  
**ELIZARDO I. EMAS**  
NOTARY PUBLIC  
UNTIL DECEMBER 31, 2019  
PTR No. 5755976X TARLAC CITY  
JANUARY 3, 2012  
IBP No. 5941407/ROLL No. 14535 