

# CONTRACT OF AGREEMENT FOR

CONTRACT NO : 2023-038

TITLE : IMPROVEMENT OF LEVEL II WATER SYSTEM

LOCATION : Cabatacan West, Lasam, Cagayan

**KNOW ALL MEN BY THESE PRESENTS:**

THIS CONTRACT made and entered into this 28<sup>th</sup> day of March, 2023 by and between the Local Government Unit of Lasam, Cagayan, represented herein by the Municipal Mayor DANTE DEXTER A. AGATEP as LGU Lasam.

*(Hereinafter called the owner)*

PARTY OF THE FIRST PART and DECA CONSTRUCTION

*(Hereinafter called contractor)*

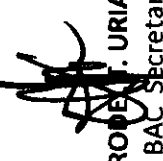
represented by ENGR. ARISTOTLE P. DUPAYA as PARTY OF THE SECOND PART.

WHEREAS, the owner is desirous that certain works should be supplied and delivered, namely: IMPROVEMENT OF LEVEL II WATER SYSTEM @ CABATACAN WEST, LASAM, CAGAYAN has accepted the bid by the Contractor for the supply and completion of such works, for the amount of Two Million Nine Hundred Ninety Six Thousand One Hundred Ninety Six Pesos & Twenty Four Centavos. (2,996,196.24).

The whole works comprised in the contract shall be completed within 181 calendar days, in accordance with the provisions of the Bid Documents.

The contractor, at his own proper cost expenses shall fully and faithfully perform all work, furnish all the materials, equipment and labor necessary for the supply and delivery consisting of the following items of work involved:

| ITEM NO. | DESCRIPTION  | UNIT  | QTY      | UNIT COST  | AMOUNT                |
|----------|--|-------|----------|------------|-----------------------|
| B.5      | Project Billboard  | each  | 1.00     | 4,530.50   | 4,530.50              |
| B.9      | Mobilization/Demobilization  | L.S.  | 1.00     | 29,452.50  | 29,452.50             |
| 1600(1)  | Excavation Beneath Proposed Structures                                 | cu.m. | 51.35    | 337.71     | 17,341.41             |
| 1600(2)  | Pipeline Trench Excavation   | cu.m. | 46.50    | 160.89     | 7,481.39              |
| 1601(1)  | Fill and Backfill  | cu.m. | 34.25    | 411.76     | 14,102.78             |
| 900(1)c1 | Structural Concrete  | cu.m. | 38.36    | 7,857.62   | 301,418.30            |
| 902(1)   | Reinforcing Steel  | kgs.  | 5,306.28 | 94.18      | 499,745.45            |
| 903      | Formworks and Falseworks   | L.S.  | 1.00     | 309,178.12 | 309,178.12            |
| 1016(1)a | Waterproofing  | sq.m. | 155.62   | 381.08     | 59,303.67             |
| 1001(10) | Pipes with Fittings Connection   | L.S.  | 1.00     | 276,676.27 | 276,676.27            |
| 1002(24) | Cold Water Lines   | L.S.  | 1.00     | 88,967.81  | 88,967.81             |
| 1603(1)  | Valve  | L.S.  | 1.00     | 87,281.25  | 87,281.25             |
| 1102(10) | Pole Mounted Distribution Transformer (OISC) with Complete Accessories | L.S.  | 1.00     | 368,369.50 | 368,369.50            |
| 1201(1)  | Water Pumping System   | L.S.  | 1.00     | 802,338.71 | 802,338.71            |
| 1724(16) | Pump House and Accessories   | L.S.  | 1.00     | 52,352.79  | 52,352.79             |
| 1027(1)  | Plain Cement Plaster Finish  | sq.m. | 245.42   | 316.42     | 77,655.80             |
|          |  |       |          |            | <b>P 2,996,196.24</b> |

  
ROBERT M. URIAN  
BAC Secretary

  
JOSEFA A. REBUTAN, JR.  
BAC Chairman

  
ARISTOTLE P. DUPAYA  
Contractor

  
DANTE DEXTER A. AGATEP  
Municipal Mayor


**THIS AGREEMENT WITNESSETH AS FOLLOWS:**

1. The following documents shall deemed to form and be interpreted and construed as part of this agreement, viz:
  - a. Plans
  - b. Specifications and/or Proposal Booklets
  - c. General Conditions and Special Conditions
  - d. Advertisement or Evidence of Publication of Bids Projects
  - e. Contractor's License and Certificate of Renewal
  - f. Certificate of Availability of Funds
  - g. Performance Bond
  - h. Bids and Abstract of Bids
  - i. Approval of the Award by the BAC Chairman
  - j. Official Government Estimate by Work Items and Cost Components
  - k. Duly Approved Program of Work and Cost Estimates
  - l. Authority to the Contractor's Representative/Signatory to the Contract
  - m. PERT/CPM or Equivalent Schedule of Work
  - n. Cash Flow Projection and Quarterly Basis
  - o. Other Pertinent Documents as may be Reasonably Required by Owner
2. In consideration of the payment to be made by the Owner to the contractor are hereinafter mentioned, the contractors hereby covenants with the Owner to Supply, deliver and complete the work in conformity in all respects with the provisions of the contract.
3. The Owner hereby covenants to pay the contractor in consideration of the Supply, deliver and completion of the works, the contract price at the times and in all manner prescribed by the contract and specified in the Bid.
4. The implementing Rules and Guidelines regarding adjustment of Contract Price adopted and approved by the government will be applied in this contract.
5. The contractor warrants that he has not given nor promised to give money or gift to any employee of the Owner to secure this contract.
6. That the contractor shall comply with, and strictly observed, all laws regarding workmen's health and safety, workmen's welfare, compensation for injuries, minimum wages, hours of labor and other labor laws.
7. This agreement becomes valid and binding upon approval in accordance with the provisions of PD No. 1594.

IN WITNESS WHEREOF, the parties hereto have hereunto set their respective hands the day, month and year first above written.

  
**ARISTOTLE P. DUPAYA**  
Contractor

  
**DANTE DEXTER A. AGATEP**  
Municipal Mayor

  
**RODOLFO T. URIAN**  
BAC Secretary

  
**JOSE A. REBULTAN JR.**  
BAC Chairman

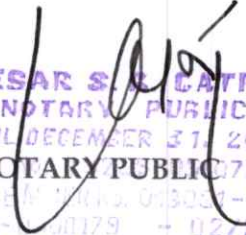
**ACKNOWLEDGEMENT**

BEFORE ME, Notary Public for in the Province of Cagayan personally appeared HON. DANTE DEXTER A. AGATEP with Community Tax Certificate No. 27369701 issued on January 03, 2023 at Lasam, Cagayan, Local Government Unit, Lasam, Cagayan and ENGR. ARISTOTLE P. DUPAYA with Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_ Cagayan known to me and to me known to be the same person who executed the foregoing CONTRACT OF AGREEMENT and they acknowledged to me that the same is their true act and deed for in behalf of the PARTIES they represent.

IN WITNESS WHEREOF, I have hereunto affixed my signature and seal this \_\_\_\_\_ day of MAR 28 2023 at PARAL, CAGAYAN.

  
**RODOLFO M. URIAN**  
BAC Secretary

  
**JOSE A. REBULTAN, JR.**  
BAC Chairman

  
**CAESAR S. CENTRAL**  
NOTARY PUBLIC  
UNTIL DECEMBER 31, 2024  
RO NOTARY PUBLIC 7193  
IBP LIFETIME MEMBERSHIP NO. 08303-05/05/2114  
MCLE No. VII-000179 - 02729/2019  
PTR No. 12777640-01/03/22  
APARRI, CAGAYAN

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**NOTE:**

That the provision of Republic Act No. 6685 and DPWH Ministry Order No. 17-A are incorporated in this Agreement.

Failure without good cause by the Contractor or Sub-Contractor to comply with the requirements of Section 1, 4 and 5 of RA No. 6685 shall be penalized by a fine of TWENTY THOUSAND PESOS (P 20,000.00) for the first offense; suspension of ONE YEAR from participating in the public bidding for the second offense; and perpetual disqualification from participating in the public works bidding for the third offense.

  
**ARISTOTLE P. DUPAYA**  
Contractor

  
**DANTE DEXTER A. AGATEP**  
Municipal Mayor