

CONTRACT OF AGREEMENT FOR

CONTRACT NO : 2024-078

TITLE : DESILTING ALONG TUCALAN CREEK

LOCATION : Nabannagan East, Lasam, Cagayan

KNOW ALL MEN BY THESE PRESENTS:

THIS CONTRACT made and entered into this 13th day of May, 2024 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: DESILTING ALONG TUCALAN CREEK @ NABANNAGAN EAST, LASAM, CAGAYAN has accepted the bid by the Contractor for the supply and completion of such works, for the amount of One Million Nine Hundred Ninety Eight Thousand Seven Hundred Ninety Eight Pesos and Twenty Six Centavos (1,998,798.26).

The whole works comprised in the contract shall be completed within 135 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.7	Construction Safety and Health	LOT	1.00	13,512.50	13,512.50
B.9	Mobilization/Demobilization	L.S.	1.00	15,723.75	15,723.75
100 (2)	Clearing and Grubbing	SQ.M.	2,226.00	22.22	49,461.72
SPL-1	Desilting	CU.M.	24,610.36	78.02	1,920,100.29
					P 1,998,798.26

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

RODOLFO M. URIAN
BAC Secretary

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.

JOSE A. REBULTAN JR.
BAC Chairman

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 A. URIAN
BAC Secretary

ACKNOWLEDGEMENT

BEFORE ME, Notary Public for in the Province of Cagayan personally appeared
HON. DANTE DEXTER A. AGATEP with Community Tax Certificate No. 16912151
issued on January 03, 2024 at Lasam, Cagayan, Local Government Unit, Lasam, Cagayan
and 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.

13 MAY 2024 IN WITNESS WHEREOF, I have hereunto affixed my signature and seal this
day of _____ at ALLACAPAN, CAGAYAN.

JOSE A. REBULTAN, JR.
BAC Chairman

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NOTARY PUBLIC
JOSE W. AGBAYANI
Notary Public
Until December 31, 2024
IBP O.R No. 374505-12-26-2023
PTR No. 13827481-01/02/2024
Allacapan, Cagayan
MCLE Compliance No. VII-0007009
valid until April 14, 2025
7-A Tolete St., Centro West, Allacapan, Cagayan
Roll of Attorney's No. 71869

NOTE:

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

ARISTOTLE P. DUPAYA
Contractor

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.

DANTE DEXTER A. AGATEP
Municipal Mayor