

## CONTRACT AGREEMENT

THIS AGREEMENT, made this 23<sup>rd</sup> day of March, 2022 between THE PROVINCIAL GOVERNMENT OF DAVAO DEL SUR with address at Capitol, Barangay Matti, Digos City, Davao del Sur (hereinafter called the "Entity") and BAYTORR CONSTRUCTION AND DEVELOPMENT CORPORATION with address at Block 15 Lot 5, Agan Land Metro, Lagao, General Santos City (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute PROVISION OF POTABLE WATER SUPPLY BRGY. MANAGA, BANSALAN, DAVAO DEL SUR under IB No. C-001-22 (hereinafter called "the Works") and the Entity has accepted the Bid for SEVEN MILLION NINE HUNDRED EIGHTY-SEVEN THOUSAND NINE HUNDRED TWENTY PESOS (P7,987,920.00) by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

### NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as part of this Agreement, viz.:
  - a. Philippine Bidding Documents (PBDs);
    - i. Drawings/Plans;
    - ii. Specifications;
    - iii. Bill of Quantities;
    - iv. General and Special Conditions of Contract;
    - v. Supplemental or Bid Bulletins, if any;
  - b. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;

- c. Performance Security;
- d. Notice of Award of Contract and the Bidder's conforme thereto; and
- e. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.

3. In consideration for the sum of SEVEN MILLION NINE HUNDRED EIGHTY-SEVEN THOUSAND NINE HUNDRED TWENTY PESOS (P7,987,920.00) or such other sums as may be ascertained, BAYTORR CONSTRUCTION AND DEVELOPMENT CORPORATION agrees to PROVISION OF POTABLE WATER SUPPLY BRGY. MANAGA, BANSALAN, DAVAO DEL SUR in accordance with his/her/its Bid.



MDC

4. The **PROVINCIAL GOVERNMENT OF DAVAO DEL SUR** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.



*MDC Cagas*

MARC DOUGLAS IV CHAN CAGAS

Governor

*Jorge Bayonito*

JORGE RANDOLF T. BAYONITO

Proprietor

for.

THE PROVINCIAL GOVERNMENT OF  
DAVAO DEL SUR

for.

BAYTORR CONSTRUCTION AND  
DEVELOPMENT CORPORATION

**Acknowledgment**

REPUBLIC OF THE PHILIPPINES)  
Province of Davao Del Sur )  
Matti, Digos City

BEFORE ME, this MAR 23 2022 in DIGOS CITY personally  
appeared:

Name	Valid ID	Issued at	Issued on
JORGE RANDOLF T. BAYONITO	PRC LICENSE 0586856		
MARC DOUGLAS IV CHAN CAGAS	TIN 209-085-692-000		

Who represented to me to be the same persons who executed the foregoing instrument consisting two (2) pages including this Acknowledgment, and who acknowledged to me that the same is their voluntary and free act and deed.

IN WITNESS WHEREOF, I set my hand and affix my notarial seal on the date and place above written.

Doc. No. 97  
Page No. 90  
Book No. 6  
Series of 2022

*Notary Public*

**ATTY. JOSE CARLO C. PANCHO**

NOTARY PUBLIC  
NOTARIAL COMMISSION VALID UNTIL JUNE 30, 2022  
PTR NO. 3402014, 01/04/22, DIGOS CITY  
IBP NO 195649 1/4/22, DIGOS CITY  
TIN 285-844 152-000  
MCLE COMPLIANCE NO. VI- 0009767 ;  
VALID UNTIL 04/14/2022