

CONTRACT AGREEMENT

THIS AGREEMENT, made this 23rd day of December, 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 HEAVY JOHN ENGINEERING CONSULTANCY with address at Del Carmen Vill., Brgy. Matina, Talomo St., Davao City, and ACGR DEVELOPMENT CONSTRUCTION AND SUPPLY CORPORATION (Joint Venture) with address at Fishcode St., Talomo River, Calinan, Davao City (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute **CONCRETING OF FMR AT PUROK VENUS** located at **MANAGA, BANSALAN, DAVAO DEL SUR** under **IB No. C-107-22** (hereinafter called "the Works") and the Entity has accepted the Bid for **SIX MILLION TWO HUNDRED NINETY THOUSAND PESOS (P6,290,000.00)** 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 **SIX MILLION TWO HUNDRED NINETY THOUSAND PESOS (P6,290,000.00)** or such other sums as may be ascertained, **HEAVY JOHN ENGINEERING CONSULTANCY** and **ACGR DEVELOPMENT CONSTRUCTION AND SUPPLY CORPORATION (Joint Venture)** agree to **CONCRETING OF FMR AT PUROK VENUS** located at **MANAGA, BANSALAN, DAVAO DEL SUR** in accordance with his/her/its Bid.