

## CONTRACT AGREEMENT

THIS AGREEMENT, made this 22<sup>nd</sup> day of March, 2023 between THE PROVINCIAL GOVERNMENT OF DAVAO DEL SUR with address at Capitol, Barangay Matti, Digos City, Davao del Sur (hereinafter called the "Entity") and CMBUEN CONSTRUCTION SERVICES with address at Villa Doneza St., Bansalan, Davao del Sur (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute INSTALLATION OF LED SOLAR POWERED STREET LIGHTS located at (1) CROSSING SAN JOSE, NEW VISAYAS TO POBLACION, (2) BARANGAY KIBAO TO PUROK 5, BARANGAY SAN VICENTE (3) BARANGAY TAMLANGON TO BARANGAY BANGKAL, MATANAO, DAVAO DEL SUR under IB No. C-033-23 (hereinafter called "the Works") and the Entity has accepted the Bid for TWO MILLION THREE HUNDRED NINETY NINE THOUSAND PESOS (P2,399,000.00) 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 TWO MILLION THREE HUNDRED NINETY NINE THOUSAND PESOS (P2,399,000.00) or such other sums as may be ascertained, CMBUEN CONSTRUCTION SERVICES agree to INSTALLATION OF LED SOLAR POWERED STREET LIGHTS located at (1) CROSSING SAN JOSE, NEW VISAYAS TO POBLACION, (2) BARANGAY KIBAO TO PUROK 5, BARANGAY SAN VICENTE (3) BARANGAY TAMLANGON TO BARANGAY BANGKAL, MATANAO, DAVAO DEL SUR in accordance with his/her/its Bid.

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