

## CONTRACT AGREEMENT

THIS AGREEMENT, made this 20<sup>th</sup> day of March, 2023 between THE PROVINCIAL GOVERNMENT OF DAVAO DEL SUR with address at Capitol, Barangay Mati, Digos City, Davao del Sur (hereinafter called the "Entity") and EDSAL CONST. AND SUPPLY INC. with address at Block 6 Lot 6, Dakak Street, Skyline Phase 3, Catalunan Grande, Davao City (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute CONSTRUCTION OF LEVEL III POTABLE WATER SYSTEM AT BARANGAY SITE, KASUGA, MAGSAYSAY, DAVAO DEL SUR under IB No. C-138-22 (hereinafter called "the Works") and the Entity has accepted the Bid for ONE MILLION NINE HUNDRED NINETY SEVEN THOUSAND SIX HUNDRED FORTY FIVE PESOS AND 66/100 (P1,997,645.66) 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 ONE MILLION NINE HUNDRED NINETY SEVEN THOUSAND SIX HUNDRED FORTY FIVE PESOS AND 66/100 (P1,997,645.66) or such other sums as may be ascertained, EDSAL CONST. AND SUPPLY INC. agree to CONSTRUCTION OF LEVEL III POTABLE WATER SYSTEM AT BARANGAY SITE, KASUGA, MAGSAYSAY, 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.