

CONTRACT AGREEMENT

THIS AGREEMENT, made this 4th day of December, 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 WINCH MECHANICAL INNOVATIONS AND GENERAL CONSTRUCTION, INC. with address at Airport Road, Fatima, General Santos City (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute REPAIR/IMPROVEMENT OF FLOOD CONTROL STRUCTURE located at SINAWILAN, DIGOS CITY, DAVAO DEL SUR under IB No. C-136-23 (hereinafter called "the Works") and the Entity has accepted the Bid for FIVE MILLION NINE HUNDRED NINETY EIGHT THOUSAND SIXTY SEVEN PESOS AND 46/100 (P5,998,067.46) 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 FIVE MILLION NINE HUNDRED NINETY EIGHT THOUSAND SIXTY SEVEN PESOS AND 46/100 (P5,998,067.46) or such other sums as may be ascertained, WINCH MECHANICAL INNOVATIONS AND GENERAL CONSTRUCTION, INC. agree to REPAIR/IMPROVEMENT OF FLOOD CONTROL STRUCTURE located at SINAWILAN, DIGOS CITY, 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.

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


YVONNE ROÑA CAGAS

Governor

HT




SAMUEL L. SIA

President

for:

THE PROVINCIAL GOVERNMENT OF
DAVAO DEL SUR

for:

WINCH MECHANICAL INNOVATIONS
AND GENERAL CONSTRUCTION, INC.

Acknowledgment

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

BEFORE ME, this DEC 04 2023 in DIGOS CITY personally
appeared:

Name	Valid ID	Issued at	Issued on
SAMUEL L. SIA	PRC ID 0003616		
YVONNE ROÑA CAGAS	TIN 462-993-018-000		

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. 120 ;
Page No. 25 ;
Book No. XII ;
Series of 2023 .

Notary Public


ATTY. JOSE CARLO C. PANCORANO
NOTARY PUBLIC
UNTIL: DEC. 31, 2023
PTR NO. 0915217-I-3-23, DIGOS CITY
PR NO. 263719-I-3-23, TIN NO. 285-844-18
MCLE NO. 58366; MCLE NO. VII-0010856:04-14-23