

CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Agreement made and entered into by and between:

INDUSTRIAL TECHNOLOGY DEVELOPMENT INSTITUTE of the Department of Science and Technology (DOST), with principal office at DOST Compound, Gen. Santos Ave., Bicutan, Taguig City, represented herein by its Director, **DR. NUNA E. ALMANZOR** and hereinafter referred to as "ITDI",

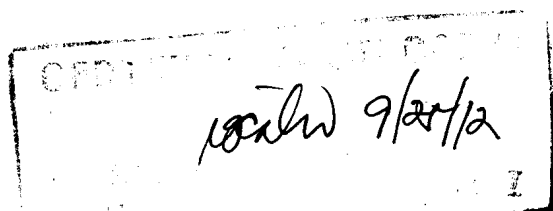
and

RITVIT CONSTRUCTION AND DEVELOPMENT CORP. with office address at 2nd Floor URCI Bldg., Alabang-Zapote Road, Pamplona, Las Piñas City, represented herein by its Vice President, **MR. ALEXANDER C. ROQUE** and hereinafter called the "CONTRACTOR".

WHEREAS, the ITDI is desirous that the Contractor execute the **Renovation of ITDI-EPCD Building for the Advanced Device and Materials Testing Laboratory (ADMATEL) for the Semiconductor and Electronics Manufacturing Industries**, hereinafter called "the Works" and the ITDI has accepted the Bid for **Thirty Five Million Five Hundred Forty Six Thousand Nine Hundred Fifty Seven Pesos & Forty Cts. (P 35,546,957.40)** 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 shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:



Handwritten signature: Nuna E. Almanzor

Handwritten signature: Alexander C. Roque

Description of Document

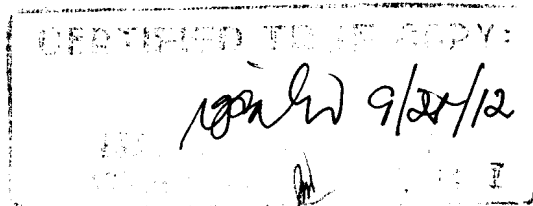
Annex

Invitation To Bid
 Instructions To Bidders
 Bid Data Sheet
 General Conditions of Contract
 Special Conditions of Contract
 Terms of Reference & Specifications
 Drawings
 Bill of Quantities/Detailed Estimates
 Bid Bulletins
 Bid Documents, including all the documents/statements
 contained in the Bidder's bidding envelopes
 Notice of Award of Contract and the Bidder's conforme
 Performance Security
 Insurances
 Construction Safety and Health Program
 Program of Work
 Construction Schedule with cash flow schedule and S-curve
 Manpower Schedule
 Construction Methods
 Equipment Utilization Schedule
 PERT/CPM
 Other contract documents that may be required by existing laws
 and/or the ITDI including BAC Resolutions

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3. The ITDI hereby covenants to pay the Contractor in consideration of the execution and completion of the Works, the Contract Price of **Thirty Five Million Five Hundred Forty Six Thousand Nine Hundred Fifty Seven Pesos & Forty Cts. (P 35,546,957.40)** or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.
4. In consideration of the payments to be made by the ITDI to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the ITDI to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all respects.
5. The whole works comprised in this Agreement shall be completed within Ninety (90) calendar days counted from receipt of Notice to Proceed. The Clean Room shall be completed and ready for use not later than August 30, 2012.
6. The "As built" drawings and/or operating and maintenance manuals shall be submitted to ITDI not later than five (5) calendar days from completion of the entire Works, for the Clean Room, not later than September 4, 2012. The amount to be withheld for failing to produce the "as built" drawings and/or

CERTIFIED TRUE COPY:
9/24/12


[Handwritten signature]

operating and maintenance manuals on the date required shall be equivalent to 10% of the cost of the Works.

7. In case the contractor refuses or fails to satisfactorily complete the Works stipulated herein within the specified contract time, plus any time extension duly granted, and is hereby in default under the contract, the contractor shall pay the ITDI liquidated damages for each calendar day of delay, in an amount to be determined and paid in accordance with the Implementing Rules and Regulations of R.A. 9184 and further stipulated in the General Conditions of the Contract Clause 9.
8. The implementation of this Agreement is further governed by the Contract Implementation Guidelines for Procurement of Infrastructure Projects issued by the Government Procurement Policy Board (GPPB) as Annex E of the IRR of R.A. No. 9184 as well as such other laws and issuances applicable to this Agreement.
9. This contract shall be effective within seven (7) days from receipt of the Notice to Proceed by the contractor.

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

**INDUSTRIAL TECHNOLOGY
DEVELOPMENT INSTITUTE**

By:


DR. NUNA E. ALMANZOR
Director

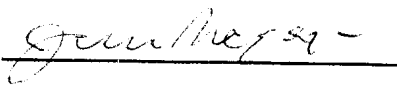
**RITVIT CONSTRUCTION AND
DEVELOPMENT CORP.**

By:



MR. ALEXANDER C. ROQUE
Vice President

Signed in the presence of:


DR. BLESSIE BASILIA
ADMATEL Project Leader



Funds Available:


SOLEDAD S. REYES
Chief Accountant

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9/20/12
ISABELA
ADMINISTRATIVE SERVICES, INC.

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES
Municipality of **CAS PIÑAS CITY**

On this _____ day of **JUL 31 2012**, 2012, personally appeared before me the following:

DR. NUNA E. ALMANZOR	Res. Cert No: <i>00 Int 431</i> Issued on : <i>FEB. 2, 2012</i> Issued at : <i>PACANAGUE CITY</i>
MR. ALEXANDER C. ROQUE	Res. Cert No: <i>PRC license 0016728</i> Issued on : Issued at :

Representing **Industrial Technology Development Institute and RITVIT Construction and Development Corp** respectively, known to me to be the same persons who executed the foregoing Contract and Acknowledged to me that the same is their free act and deed and the free act and Deed of the entities they respectively represent.

I hereby certify that this instrument consists of Four (4) pages including this page signed by the Parties and their respective witnesses.

IN WITNESS WHEREOF, I hereby affix my signature and notarial seal on the date and place herein above mentioned.

NOTARY PUBLIC

ATTY. JOHN PATRICK P. LUBATON
NOTARY PUBLIC
UNTIL **DECEMBER 31, 2013**
IBP No. **873867 / 12-15-11/PPLM**
PTR No. **10275204 / 01-05-12/LPC**
ROLL NO. **51301**
BLDG. 22-01. URCI. LAS PIÑAS CITY

Doc. No. 437 :
Page No. 28 :
Book No. 111 :
Series of 2012

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ISSUED BY:
ADMINISTRATOR