

Republic of the Philippines
INDUSTRIAL TECHNOLOGY DEVELOPMENT INSTITUTE
Department of Science and Technology
Gen. Santos Ave., DOST, Compound Bicutan, Taguig City

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, **MARIA PATRICIA V. AZANZA, Ph.D.** and hereinafter referred to as "ITDI",

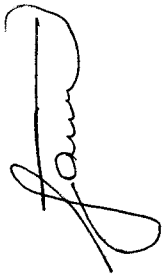
and

INCORE BUIDERS & DEVELOPMENT with office address at #713 Magiting St., Riverside II., Sto. Domingo Cainta Rizal, represented herein by its Manager, **MR. JULIO D. TALAY** and hereinafter called the "CONTRACTOR".

WHEREAS, the ITDI is desirous that the Contractor execute the **Repair/ Renovation of the Materials Science Specialized Laboratories**, hereinafter called "the Works" and the ITDI has accepted the Bid for **THREE MILLION NINE HUNDRED FORTY EIGHT THOUSAND NINE HUNDRED NINETY FIVE & 00/100 Only (Php3,948,995.00)** 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 shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:



Description of Document

Annex

Invitation To Bid	A
Instructions To Bidders	B
Bid Data Sheet	C
General Conditions of Contract	D
Special Conditions of Contract	E
Terms of Reference & Specifications	F
Drawings	G
Bill of Quantities/Detailed Estimates	H
Bid Bulletins	I
Bid Documents, including all the documents/statements contained in the Bidder's bidding envelopes	J
Notice of Award of Contract and the Bidder's conforme	K
Performance Security	L
Insurances	M
Construction Safety and Health Program	N
Program of Work	O
Construction Schedule with cash flow schedule and S-curve	P
Manpower Schedule	Q
Construction Methods	R
Equipment Utilization Schedule	S
PERT/CPM	T
Other contract documents that may be required by existing laws and/or the ITDI including BAC Resolutions	U



3. The ITDI hereby covenants to pay the Contractor in consideration of the execution and completion of the Works, the Contract Price of **Three Million Nine Hundred Forty Eight Nine Thousand and Nine Hundred Ninety Five Pesos and 00/100 Only (Php3,948,995.00)** 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 One Hundred Twenty (120) calendar days counted from receipt of Notice to Proceed. The Repair/Renovation of the Materials Science Building and Facilities LFP-2014-005 of shall be completed and ready for use not later than November 30, 2015.
6. The "As built" drawings shall be submitted to ITDI not later than five (5) calendar days from completion of the entire Works, not later than November



2015. The amount to be withheld for failing to produce the "as built" drawings and/or 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.

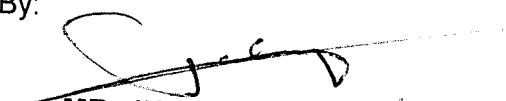
IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

**INDUSTRIAL TECHNOLOGY
DEVELOPMENT INSTITUTE**

**INCORE BUILDERS &
DEVELOPMENT**

By:

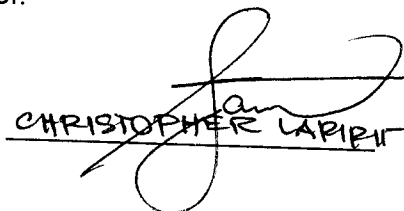
By:



MARIA PATRICIA V. AZANZA, Ph.D.
Director

MR. JULIO D. TALAY
Proprietor

Signed in the presence of:


_____
CHRISTOPHER LAPITAN

Funds Available:


SOLEDAD S. REYES
Chief Accountant

OB.R # 2015080991 - ₱ 3,948,995.00

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES
Municipality of MANILA) S.S


On this 21st day of May, 2015, personally appeared before me the following:


MARIA PATRICIA V. AZANZA	PASSPORT NO. EB 8455700 Res. Cert No: Issued on : May 13, 2015 Issued at : DFA NCR EAST
MR. JULIO D. TALAY	PRC No: <u>DLR 85015074</u> Issue on: <u>12-12-14</u> Issued at: <u>DLRC Robinson's Pasig</u>

Representing **Industrial Technology Development Institute and Incore Builders & Development** 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.


 ATTY. AGUSTIN B. CABREDO
 Notary Public for Manila
 NOTARY PUBLIC
 Notarial Commission No. 2015-030 Unit 01-02, 2015
 Roll No. 26047
 PTR No. 3837962 / 1-5-15 / Manila
 IBP Lifetime Member 05097
 MCLE No. V-0003138 / 7-25-14


 Doc. No. 230 :
 Page No. 4 :
 Book No. 32 :
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