



Republika ng Pilipinas
PAMAHALAANG LUNGSOD NG TACLOBAN
(City Government of Tacloban)
 Kanhuraw Hill, Tacloban City 6500
 Tel. Nos. 888-3391

FORM of CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

THIS AGREEMENT made on the 28th day of December, 2020 by and between the CITY GOVERNMENT OF TACLOBAN represented by the City Mayor ALFRED S. ROMUALDEZ as the PARTY OF THE FIRST PART and KML BUILDERS AND CONSTRUCTION SUPPLY represented by **MARGARET DY LEUNG** (hereinafter called as the "CONTRACTOR") as the PARTY OF THE SECOND PART.

WHEREAS, the Entity is desirous that the Contractor execute the **Negotiated Procurement of Repair of Acrylic Built-up Letters Welcome Arc at Brgy.88 San Jose, Tacloban City** (hereinafter called "the Works") and the Entity has accepted the BID for **Two Hundred Thirty-five Thousand Seven Hundred Seventy-two Pesos & 25/100 (Php235,772.25)** only 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 Conditions of Contract hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as integral part of this Agreement, to wit:
 - a) General and Special Conditions of Contract;
 - b) Drawings/Plans;
 - c) Specifications;
 - d) Invitation to Bid;
 - e) Instructions of Bidders;
 - f) BID Data Sheet;
 - g) Addenda and/or Supplemental/Bid Bulletins, if any;
 - h) 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;
 - i) Eligibility requirements, documents and/or statements;
 - j) Performance Security;
 - k) Notice of Award of Contract and the Bidder's conforme thereto;
 - l) Other contract documents that may be required by existing laws and/or the Entity.
3. In consideration of the payments to be made by the Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Entity to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all aspects.
4. The Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects wherein, the Contract Price 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.

- 5. That in case of dispute or difference of any kind whatsoever shall arise between the parties in connection with the implementation of Contract, Section 59.2 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act shall govern.
- 6. Parties, further agree that any dispute arising from the implementation of the contract will be submitted for **ARBITRATION** in Tacloban City **ONLY** AND in accordance with RA 876 otherwise known as "The Arbitration Law".

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

CITY GOVERNMENT OF TACLOBAN
(Owner)

**KML BUILDERS AND
CONSTRUCTION SUPPLY**
(Contractor)

By the authority of the City Mayor:
ALFRED S. ROMUALDEZ
 Mayor
 (Party of the First Part)
 ATTORNEY AT LAW
 City Administrator


MARGARET DY LEUNG
 Proprietor
 (Party of the Second Part)

SIGNED IN THE PRESENCE

ACKNOWLEDGEMENT

Republic of the Philippines)
 Province of _____) S.S.
 Tacloban City)

BEFORE ME, a Notary Public for in the above jurisdiction personally appeared the following:

- 1. ALFRED S. ROMUALDEZ/
Authorized Representative : _____
- Competent Evidence of Identity : _____
- Date/Place Issued : _____
- 2. MARGARET DY LEUNG /
Authorized Representative : _____
- Competent Evidence of Identity : _____
- Date/Place Issued : _____

Known to me to be the same person/s who executed the foregoing instruments and acknowledgement to me that the same is their own free will and voluntary act and deed as well as the entity represented.

WITNESS my hand and seal on the date and place stated above.

Doc. No. 374 ;
Page No. X ;
Book No. XII ;
Series of 2020


ATTY. VIRGINIA A. BRAZIL
NOTARY PUBLIC
NOT. COM. #2020-01-44
UNTIL DEC. 31, 2020
IBP LIFETIME MEMBER
PTR NO. 7833741 01/06/20
MCLE NO. 6-0014588
ROLL NO. 50293
TACLOMAN CITY