



Republika ng Pilipinas  
**PAMAHALAANG LUNGSOD NG TACLOBAN**  
*(City Government of Tacloban)*  
*Kanhuraw Hill, Tacloban City 6500*  
*Tel. Nos. 325-3950*

**CONTRACT AGREEMENT**

THIS AGREEMENT, made this 7th day of June, 2021 between City Government of Tacloban of the Philippines (hereinafter called the "Entity") and KIJEN BUILDERS at Diversion Rd., Caibaan, Brgy. 95, Tacloban City (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute Development of Green Spaces at Tacloban North Memorial Park (Road, Drainage, & Gutter) at Brgy. 101 New Kawayan, Tacloban City; /POW# 21-012 (hereinafter called "the Works") and the Entity has accepted the Bid for Seven Million Two Hundred Eight Thousand Nine Hundred Seventy-one Pesos and 59/100 (Php7,208,971.59) 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 Seven Million Two Hundred Eight Thousand Seven Hundred Ninety-one Pesos & 59/100 (P7,208,791.59) or such other sums as may be ascertained, KIJEN BUILDERS agrees to execute and complete the Works and remedy any defects therein in accordance with his/her/its Bid.

4. The City Government of Tacloban agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
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".

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

**CITY GOVERNMENT OF TACLOBAN**  
 Owner  
 BY THE AUTHORITY OF THE CITY MAYOR  
**ALFRED S. ROMUALDEZ**  
 City Mayor  
 ATT (Party of the First Part)  
OFFICE OF THE CITY ADMINISTRATOR

**KIJEN BUILDERS**  
 Contractor  
**MARK JAYSON E. NIONES**  
 Authorized Representative  
 (Party of the Second Part)

SIGNED IN THE PRESENCE  
 IRENE D. DELA CRUZ  
 Notary Public

**AINA A. RAGANIT**  
 Notary Public

**ACKNOWLEDGEMENT**

Republic of the Philippines)  
 Province of \_\_\_\_\_ ) S.S.  
 Tacloban City )

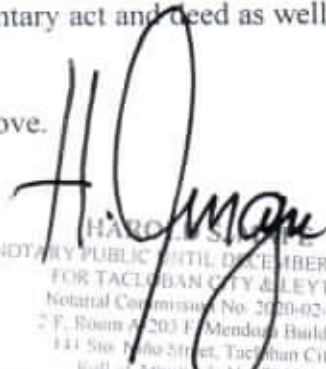
BEFORE ME, a Notary Public for in the above jurisdiction personally appeared the following:

1. **ALFRED S. ROMUALDEZ/**  
 Authorized Representative : \_\_\_\_\_  
 Competent Evidence of Identity : \_\_\_\_\_  
 Date/Place Issued : \_\_\_\_\_
2. **MARK JAYSON E. NIONES /**  
 Authorized Representative : Mark Jayson E. Niones  
 Competent Evidence of Identity : PRC # 0122699  
 Date/Place Issued : 12/09/2011 Tacloban City, Leyte

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. 149 \_\_\_\_\_;  
Page No. 31 \_\_\_\_\_;  
Book No. IV \_\_\_\_\_;  
Series of 2021

  
NOTARY PUBLIC UNTIL DECEMBER 31, 2021  
FOR TACLOBAN CITY & LEYTE  
Notarial Commission No. 2020-02-49  
2/F, Room A-203 E. Mendoza Building  
141 Sto. Niño Street, Tacloban City  
Roll of Attorneys No. 70476  
IBP OR No. 121379, Leyte Chapter, Jan 2, 2021  
PTR No. 8102704, 1-4-21, Tacloban City  
MCLE Compliance No. VI-0014378