



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 (Landscape Multi-Purpose Hall & Bike Parking) at Brgy. 101 New Kawayan, Tacloban City; /POW# 21-014 (hereinafter called "the Works") and the Entity has accepted the Bid for Fourteen Million Four Hundred Seventy-nine Thousand Seven Hundred Sixty-seven Pesos and 76/100 (Php14,479,767.76) 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 Fourteen Million Four Hundred Seventy-nine Thousand Seven Hundred Sixty-seven Pesos & 76/100 (P14,479,767.76) 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.

IN THE AUTHORITY OF THE CITY MAYOR
CITY GOVERNMENT OF TACLOBAN

Owner
ATT. ANITA ALIZA A. OUELLE
LOCAL ADMINISTRATOR
ALFRED S. ROMUALDEZ
City Mayor
(Party of the First Part)

KIJEN BUILDERS
Contractor

MARK JAYSON E. NIONES
Authorized Representative
(Party of the Second Part)

SIGNED IN THE PRESENCE

MAENE D. DE VENEZIA

AINA A. RAGANIT

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 # 0122079
Date/Place Issued : 12/09/2011 TAC-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.

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Book No. IV ;
Series of 2021


HAROLD B. MONTE
NOTARY PUBLIC UNTIL DECEMBER 31, 2021
FOR TACLOBAN CITY & BEYTE
Notarial Commission No. 2020-02-49
2F, Room A-03 F. Mendez building
141 Sto. Nino Street, Tacloban City
Roll of Attorney's No. 36476
IBP OR No. 121579, Leyte Chapter, Jan 2, 2021
PTR No. 8102794-1-4-21, Tacloban City
MCLE Compliance No. V1-0014378