



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

CONTRACT AGREEMENT

THIS AGREEMENT, is made and entered into this 5th day of October, 2021, in Tacloban City, Philippines, between **THE CITY GOVERNMENT OF TACLOBAN** of the Philippines (hereinafter called "the Entity") of the one part and **JELM CONSTRUCTION** of REAL, BUNTAY, TANAUAN, LEYTE (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute **Consolidated Projects: Installation of Solar Powered Street Lights at Brgy.06, Brgy.56, Brgy.56-A, Brgy.88, Tacloban City and Installation of Brgy. Street Lights at Brgy. 59-B, Tacloban City** with POW# 21-027-A; 21-027-B; 21-027-C; 21-027-D; 21-027-E (hereinafter called the "Works"), and the Entity has accepted the Bid for **One Million Ninety-two Thousand Two Hundred Forty-three Pesos and 76/100 (Php1,092,243.76)** 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. POW;
 - d. PERT/CPM
 - e. Performance Security;
 - f. Notice of Award of Contract and the Bidder's conforme thereto; and
 - g. 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 **One Million Ninety-two Thousand Two Hundred Forty-three Pesos & 76/100 (Php1,092,243.76)** or such other sums as may be ascertained, **JELM CONSTRUCTION** 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.

BY THE AUTHORITY OF THE CITY MAYOR
CITY GOVERNMENT OF TACLOBAN
 Owner
ATTY. ANNALIZA A. QUILIOPE
 LIC-CITY ADMINISTRATOR
ALFRED S. ROMUALDEZ
 City Mayor
 (Party of the First Part)

JELM CONSTRUCTION
 Contractor
ELMER C. MAGDALAGA
 Authorized Managing Officer
 (Party of the Second Part)

SALVADOR A. ABINA JR. SIGNED IN THE PRESENCE
~~CITY ACCOUNTANT~~ **ACKNOWLEDGEMENT**
MARIA EYDUN V. MACARAIG

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 : ATTY ANNALIZA A. QUILIOPE
 Competent Evidence of Identity : TIN ID / 422-363-320
 Date/Place Issued : 05/22/2012
- 2. **ELMER C. MAGDALAGA /**
 Authorized Managing Officer : [Signature]
 Competent Evidence of Identity : TIN ID : 924 - 671 - 508 - 000
 Date/Place Issued : JULY 09, 2009

All known to me to be the same persons who executed the foregoing CONTRACT AGREEMENT, and that they acknowledged to me that the same is their free and voluntary act and deed as well as the respective entities represented.

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

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 Book No. XLIV :
 Series of 2021

DANIEL E. PEN
 NOTARY PUBLIC
 UNTIL DECEMBER 31, 2021
 PTR No. 5313247 (12/15/2020), Tacloban City
 [BP No. 136384 (12/22/2020), Leyte Chapter
 Rol# No. 48870, NC No. 2020-01-381 1/29/20]