

CONTRACT AGREEMENT

PROPOSED PROCUREMENT OF CONSULTANCY SERVICES FOR THE CREATION OF LAND USE DEVELOPMENT AND INFRASTRUCTURE PLAN (LUDIP) FOR USTP CDO CAMPUS

THIS AGREEMENT, made this 17th day of September, 2021 between the University of Science and Technology of Southern Philippines (USTP) – Cagayan de Oro Campus, with office address at C.M. Recto Ave., Lapasan, Cagayan de Oro City (hereinafter called the “Entity”), represented by its Chancellor, Atty. Dionel O. Albina, and ER & B Associates, Co., with office address at Climaco Sts., Cebu City (hereinafter called the “Consultant”), represented by its Managing Partner, Mr. Regulo Y. Toring.

WHEREAS, the Entity is desirous that the Consultant execute the Consultancy Services for the creation of Land Use Development and Infrastructure Plan (LUDIP) for USTP CDO Campus (hereinafter called “the Consulting Services”) and the Entity has accepted the Bid for TWO MILLION PESOS AND 00/100 (P2,000,000.00) with a C.A. No. 21-09-0003 by the Consultant for the execution and completion of such Consulting Services 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 are hereto attached, deemed to form, and be read and construed as part of this Agreement, to wit:
 - (a) General and Special Conditions of Contract;
 - (b) Terms of Reference;
 - (c) Request for Expression of Interest;
 - (d) Instructions to Bidders (ITB);
 - (e) Bid Data Sheet (BDS);
 - (f) Bid Forms, including all the documents/statements contained in the Bidder’s bidding envelope as annexes, and all other documents submitted, including corrections to the bid, if any, resulting from the Procuring Entity’s bid evaluation;
 - (g) Eligibility requirements, documents and/or statements;
 - (h) Appendices;

- (i) Comprehensive Report of Negotiations;
 - (j) Performance Security;
 - (k) Notice of Award (NOA) of Contract and the Bidder's *conforme* thereto; and
 - (l) Other contract documents attached hereto or required by the Entity or existing laws.
3. In consideration of the payments to be made by the Entity to the Consultant as hereinafter mentioned, the Consultant 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 respects.
4. The Entity hereby covenants to pay the Consultant in consideration of the execution and completion of the Works and the remedying of defects wherein, the Total 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.

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

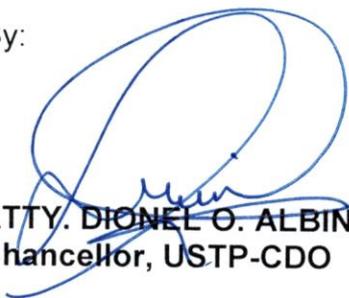
UNIVERSITY OF SCIENCE AND
TECHNOLOGY OF SOUTHERN
PHILIPPINES-CAGAYAN DE ORO
CAMPUS

ER & B ASSOCIATES, CO.

ENTITY

CONSULTANT

By:



ATTY. DIONEL O. ALBINA
Chancellor, USTP-CDO

By:



MR. REGULO Y. TORING
Managing Partner

Certified as to Availability of Funds:



MS. JANICE C. VECINA
Accountant In-charge – STF



MR. KENNETH C. ARADO



WITNESS

- WITNESSES -

and

REPUBLIC OF THE PHILIPPINES)
CITY OF CAGAYAN DE ORO) S.S.

A C K N O W L E D G M E N T

BEFORE ME this SEP 28 2021 day of September, 2021, in the City of Cagayan de Oro, personally appeared ATTY. DIONEL O. ALBINA and MR. REGULO Y. TORING, with the following proofs of identity:

ATTY. DIONEL O. ALBINA : P2458089A / Passport
MR. REGULO Y. TORING : GOI-04-310005 / LTO

issued by official agency to establish their respective identities as very same persons who executed the above Contract Agreement, known to me and known to be the same persons who executed the foregoing agreement and acknowledged to me that the same is their free and voluntary act and deed as well as the free and voluntary act and deed of the entities they respectively represent.

This instrument consisting of four (4) pages including the page wherein this acknowledgment is written has been signed by the parties and their instrumental witnesses at the left hand margin of each and every page and sealed with my notarial seal.

WITNESS MY HAND AND SEAL on the date and at the place first above written.

ROWELL B. VALLEDOR
Notary Public and Dep. Sec. 81
TIN No. 9330656-901
NOTARY PUBLIC
IBP O.R. No. 038478-1 (Gen)
PTR No. 4929017A, 01/04/20
Roll No. 67069; NC No. 2002-09
MCLE Compliance No. VI-0000007
Tel. No. 0995-704-9722
Cagayan de Oro City

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