

# Re-bidding of the Proposed Construction of Food Innovation Center Building for USTP-CDO

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## CONTRACT AGREEMENT

THIS AGREEMENT, made this 25<sup>th</sup> day of June, 2021 between *University of Science and Technology of Southern Philippines (USTP)*, with office address at *C.M. Recto Ave., Lapasan, Cagayan de Oro City* (hereinafter called the “Entity”) and *Mortar Masters and Concrete Builders, #083 District 4, Canitoan, Cagayan de Oro City, Misamis Oriental* (hereinafter called the “Contractor”).

WHEREAS, the Entity is desirous that the Contractor execute *Re-bidding for the Proposed Construction of Food Innovation Center Building for USTP-CDO (Contract No. USTP-IFPB-04-2021-1250-001)* (hereinafter called “the Works”) and the Entity has accepted the Bid for *FORTY FOUR MILLION NINE HUNDRED NINETY NINE THOUSAND NINE HUNDRED NINETY NINE PESOS AND 96/100 ONLY (P44,999,999.96)* 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 *FORTY FOUR MILLION NINE HUNDRED NINETY NINE THOUSAND NINE HUNDRED NINETY NINE PESOS AND 96/100 ONLY (P44,999,999.96)* or such other sums as may be ascertained, *Mortar Masters and Concrete Builders* agrees to *Construction of Food Innovation Center Building for USTP-CDO* in accordance with his/her/its Bid.
  4. The *USTP* agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

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

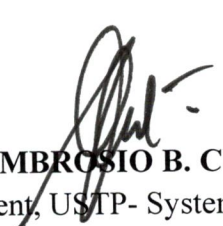
**UNIVERSITY OF SCIENCE AND  
TECHNOLOGY OF SOUTHERN  
PHILIPPINES**

**MORTAR MASTERS AND  
CONCRETE BUILDERS**

ENTITY

CONTRACTOR

By:

  
**DR. AMBROSIO B. CULTURA, II**  
President, USTP- System

By:

  
**MS. FLORA MAE D. BRIONES**  
Proprietress

Certified as to Availability of Funds:

  
**MS. CHERRY ANN D. SALUSOD, CPA**  
Accountant III

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

### ACKNOWLEDGMENT

BEFORE ME this 25<sup>th</sup> day of June, 2021, in the City of Cagayan de Oro, personally appeared DIONEL O. ALBINA and ENGR. JAIME L. CUÑADO, with the following proofs of identity:

DR. AMBROSI O B. CULTURA, II : PRC Registration Number: 0003037  
MS. FLORA MAE D. BRIONES : K64-09-00511

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 three (3) 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.

NOTARY PUBLIC

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