

# Negotiated Procurement Under Two-Failed Biddings of the Proposed Renovation of Four (4) Classrooms at USTP-Jasaan Campus

## CONTRACT AGREEMENT

THIS AGREEMENT, made this 15<sup>th</sup> day of December, 2022 between *University of Science and Technology of Southern Philippines (USTP) – CDO Campus, with office address at C.M. Recto Ave., Lapasan, Cagayan de Oro City* (hereinafter called the “Entity”) and *Trench Engineering and Construction Services, 198 Corrales Avenue, Cagayan de Oro City* (hereinafter called the “Contractor”).

**WHEREAS**, the Entity is desirous that the Contractor execute *Negotiated Procurement Under Two-Failed Biddings of the Proposed Renovation of Four (4) Classrooms at USTP-Jasaan Campus (Contract No. USTP-IFPB-09-2022-1276-061)* (hereinafter called “the Works”) and the Entity has accepted the Bid for **ONE MILLION ONE HUNDRED FIFTEEN THOUSAND FIVE HUNDRED NINETY-THREE PESOS AND 71/100 ONLY (P1,115,593.71)** with a C.A. No. 22-12-0005 by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

**WHEREAS**, the Works are further described as follows:

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
1.0	Mobilization and Demobilization	1.00	lot	11,445.00	11,445.00
2.0	Demolition and Restoration Works	66.36	sq.m	1,723.53	114,373.35
3.0	Scaffolding Works	1.00	lot	63,441.00	63,441.00
4.0	Ceiling Works	251.30	sq.m	890.72	223,839.00
5.0	Carpentry Works	23.04	sq.m	3,308.38	76,224.96
6.0	Masonry Works				
6.1	Block Laying, Mortar Filler & Plastering	33.50	sq.m	1,906.27	63,859.95
6.2	Masonry Reinforcement	92.50	kgs	453.57	41,954.85

7.0	Roof framing and Roofing Works	431.20	sq.m.	768.45	331,353.54
8.0	Installation of Windows	8.64	sq.m.	3,660.27	31,624.74
9.0	Installation of Doors	16.80	sq.m.	1,945.13	32,678.10
10.0	Painting Works	307.84	sq.m.	377.41	116,180.82
11.0	Site Clearing	1.00	lot	8,618.40	8,618.40
<b>TOTAL PROJECT COST</b>					<b>1,115,593.71</b>

**WHEREAS**, the Works comprised in this Contract shall be completed within *NINETY (90) CALENDAR DAYS*, in accordance with the provisions of the bid documents.

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;
  - 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 *ONE MILLION ONE HUNDRED FIFTEEN THOUSAND FIVE HUNDRED NINETY-THREE PESOS AND 71/100 ONLY (P1,115,593.71)* or such other sums as may be ascertained, *Trench Engineering and Construction Services* agrees to *Renovation of Four (4) Classrooms at USTP-Jasaan Campus* in accordance with his/her/its Bid.
4. The *USTP-CDO* 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 (USTP) – CDO Campus**

**TRENCH ENGINEERING &  
CONSTRUCTION SERVICES**

ENTITY

CONTRACTOR

By:

By:

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

  
**ENGR. ROALD Y. DY**  
Proprietor

Certified as to Availability of Funds:

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

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

**ACKNOWLEDGMENT**

BEFORE ME this DEC 23 2022 day of December, 2022, in the City of Cagayan de Oro, personally appeared DR. AMBROSIO B. CULTURA, II and ENGR. ROALD Y. DY, with the following proofs of identity:

DR. AMBROSIO B. CULTURA, II : PRC ID NO. 000 3037  
ENGR. ROALD Y. DY : PRC ID NO. 0073741

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.

NOTARY PUBLIC

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Book No. CXXII  
Series of 2022.

**RAMIL G. CARREON**  
Notary Public NC-2022-51  
PTR No. 5172260 A, 12-14-2021 CDOC  
IBP No. 170545, 12-16-2021 Mis Or.  
Both IBP & PTR for 2022  
TIN 922-710-579  
ROLL No. 51523, 5-10-2006  
CAGAYAN DE ORO CITY  
MCLE Comp. No. VII-0015256, 04-11-2022