

Proposed Construction of Additional Modular Classrooms at USTP-CDO Campus CY 2024

CONTRACT AGREEMENT

THIS AGREEMENT, made this 6th day of December, 2024 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 *Xytex Construction, 3779 San Lucas Street, Kauswagan, Cagayan de Oro City, Misamis Oriental* (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute *Proposed Construction of Additional Modular Classrooms at USTP-CDO Campus CY 2024* (Contract No. *USTP-IFPB-10-2024-2296-7356*) (hereinafter called "the Works") and the Entity has accepted the Bid for **ONE MILLION NINE HUNDRED THIRTY-FIVE THOUSAND THREE HUNDRED FIFTY-TWO PESOS AND 77/100 (P1,935,352.77) ONLY** with C.A. No. *24-12-1360a* 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	7,939.00	7,939.00
2.0 EARTHWORKS					
2.1	Excavation	59.20	cu.m.	172.59	10,217.26
2.2	Backfilling and Compaction	40.00	cu.m.	403.33	16,133.20
3.0	REINFORCEMENT WORKS	798.04	kgs.	109.53	87,407.86
4.0	FORMWORKS	1.00	lot	27,126.56	27,126.56
5.0	CONCRETE WORKS	25.16	cu.m.	8,806.92	221,582.05
6.0	SCAFFOLDING WORKS	1.00	lot	72,811.89	72,811.89
7.0 STEEL WORKS					
7.1	Steel Column	1.00	lot	150,964.32	150,964.32
7.2	Steel Roof and Wall Enclosure Framing	1.00	lot	410,355.02	410,355.02
8.0	ROOFING AND WALL ENCLOSURE	455.70	sq.m.	1,091.20	497,258.51

9.0	MASONRY WORKS	25.60	sq.m.	2,279.64	58,358.88
10.0	DOORS AND WINDOWS	21.12	sq.m.	8,099.28	171,056.86
11.0	PAINTING WORKS	1.00	lot	127,730.54	127,730.54
12.0	ELECTRICAL WORKS	1.00	lot	66,438.26	66,438.26
13.0	SITE CLEARING	1.00	lot	9,972.56	9,972.56
TOTAL PROJECT COST					P1,935,352.77

WHEREAS, the Works comprised in this Contract shall be completed within **SEVENTY-EIGHT (78) 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 NINE HUNDRED THIRTY-FIVE THOUSAND THREE HUNDRED FIFTY-TWO PESOS AND 77/100 (P1,935,352.77) ONLY* or such other sums as may be ascertained *Xytex Construction* agrees to *Construction of Additional Modular Classrooms at USTP-CDO Campus CY 2024* 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**

XYTEX CONSTRUCTION

ENTITY

CONTRACTOR

By:

By:


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


MR. XAVIER G. EGAM
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 21 MAR 2025 day of _____, in the City of Cagayan de Oro,
personally appeared DR. AMBROSIO B. CULTURA II and MR. XAVIER G. EGAM,
with the following proofs of identity:

DR. AMBROSIO B. CULTURA II
MR. XAVIER G. EGAM

: PRC ID NO: 0003037
: PRC ID NO: 0042183

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 five (5) 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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RAMIL G. CARREON
Notary Public NC 2024-37
Valid Until December 31, 2025
PTR No. 6158691-A, 01/02/2025 CDO
IBP No. 491298, 01/03/2025 Mis. Or.
TIN 9-1-710-579
ROLL NO. 51523, 5-10-2006
CAGAYAN DE ORO CITY
MCLE Comp. No. VIII-0010297, 07-10-2024