

# Negotiated Procurement Under Two-Failed Biddings for the Proposed Construction of the Two (2) Storey Mock Hotel Building for Food Processing and Technology Program at USTP-Oroquieta Campus (Phase 1) CY 2023

## CONTRACT AGREEMENT

THIS AGREEMENT, made this 19<sup>th</sup> day of December, 2023 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 *Primax Konstruct, Inc., of P6 Poblacion, Lantapan, Bukidnon* (hereinafter called the “Contractor”).

**WHEREAS**, the Entity is desirous that the Contractor execute *Negotiated Procurement Under Two-Failed Biddings for the Proposed Construction of the Two (2) Storey Mock Hotel Building for Food Processing and Technology Program at USTP-Oroquieta Campus (Phase 1) CY 2023 (Contract No. USTP-IFPB-08-2023-1229-9815)* (hereinafter called “the Works”) and the Entity has accepted the Bid for *SEVEN MILLION NINE HUNDRED NINETY-FOUR THOUSAND NINE HUNDRED NINETY-NINE PESOS AND 99/100 (P7,994,999.99) ONLY* with C.A. No. 23-12-1319 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
<b>A. GENERAL REQUIREMENTS</b>					
A.1.1	Permits and Clearances (including Legworks, Payments, Processing, Signing, Sealing and Designing Analysis for Geodetic, Electrical, Plumbing, Fire Protection, Mechanical, and Electronics)	1.00	l.s.	150,000.00	150,000.00
A.1.2	Facilities for Engineers (Field Office , 2 pcs Office Table, 2 pcs Office chairs, and Office Supplies)	1.00	l.s.	50,000.00	50,000.00
B.9	Mobilization and Demobilization	1.00	l.s.	66,596.10	66,596.10
B.7	Occupational Safety and Health	1.00	l.s.	20,000.00	20,000.00
B.5	Project Billboard	2.00	each	5,000.00	10,000.00

*Contract Agreement of the Negotiated Procurement Under Two-Failed Biddings for the Proposed Construction of the Two (2) Storey Mock Hotel Building for Food Processing and Technology Program at USTP-Oroquieta Campus (Phase 1) CY 2023*

<b>B. EARTHWORKS</b>					
803(1)a	Structure Excavation(common soil)	117.15	cu.m.	300.00	35,145.00
804(1)b	Embankment from Common Borrow by Equipment	118.13	cu.m.	300.00	35,439.00
1000(1)	Soil Poisoning	12.00	Liters	200.00	2,400.00
804(4)	Gravel Bedding	20.93	cu.m.	1,800.00	37,674.00
<b>C. STRUCTURAL WORKS</b>					
901(1)	Lean Concrete	4.71	cu.m.	4,500.00	21,195.00
902(1)b	Reinforcing Steel of Reinforced Concrete Structures (Deformed)	28,097.54	kgs	95.00	2,669,266.30
903(2)	Formworks and Falseworks	1,167.57	sq.m.	600.00	700,541.99
900(1)a1	Structural Concrete	123.86	cu.m.	8,500.00	1,052,810.00
1047(2)a	Structural Steel Truss	2,793.67	kg	100.00	279,367.00
1047(3)c	Metal Structure Accessories, Turnbuckle	28.00	each	350.00	9,800.00
1047(4)	Metal Structure Accessories, Cross Bracing	223.52	kg	100.00	22,352.00
1047(7)a	Metal Structure Accessories, Anchor Bolts	76.00	pcs	350.00	26,600.00
1047(7)b	Metal Structure Accessories, Sagrods	143.20	kg	100.00	14,320.00
1047(2)b	Structural Steel Purlins	1,002.09	kg	100.00	100,209.00
<b>D. ARCHITECTURAL WORKS</b>					
1014	Prepainted Metal Sheets (0.50m. Rib Type Long Span) Roofing	170.45	sq.m.	750	127,837.50
1046	150mm thk. CHB Non-Load Bearing Wall (including reinforcing steel)	325.20	sq.m	1,300.00	422,760.00
1027(1)	Cement Plaster Finish 1/2"thk Plain cement plastering both faces	650.37	sq.m.	300.00	195,111.00
1045(1)	Aluminum Composite Panel, 4mm thk	35.30	sq.m.	1,800.00	63,540.00
1003(1)a	Ceiling (4.5mm thick Fiber Cement on Metal Frames)	42.67	sq.m.	750.00	32,002.50
1032(1)a	Painting Works (Masonry Walls)	650.37	sq.m.	260.00	169,096.20
1032(1)d	Painting Works (Fibercement Board Ceiling)	42.67	sq.m.	260.00	11,094.20

1032(1)e	Painting Works [Slab Soffits and beams]	126.86	sq.m.	260.00	32,983.60
1016(1)b	Liquid Water Proofing (CEMENTITIOUS)	11.89	sq.m.	650.00	7,728.50
1002(14)	Countertop with Complete Accessories	1.96	sq.m.	5,000.00	9,800.00
1002(29)	Metal Works for Stair, Ramp, and Hallway Railings, and Latticeworks (Stainless Steel 304 / Aluminum)	15.00	length	2,500.00	37,499.99
1002(18)	Stainless Steel Grab Bar, 40mm diameter	1.60	l.m.	2,500.00	4,000.00
1010(2)	Solid Core Wooden Doors with Automotive Paint Finished and Frames	13.86	sq.m.	5,000.00	69,300.00
1004(2)a	Finishing Hardware (Door Lockset, Cabinet Handles, and Hinges)	1.00	l.s.	10,000.00	10,000.00
1007	Frameless Double Leaf Tempered Glass Doors - 12 mm. Thick (D1)	4.64	sq.m.	19,000.00	88,160.00
1008(1)c	Glass and Glazing in Powder Coated Alum.Frames Combi.Fixed and Awning	96.04	sq.m.	5,000.00	480,200.00
1018(5)c	600X600 Unglazed Floor Tiles	22.09	sq.m.	1,600.00	35,344.00
<b>E. ELECTRICAL WORKS</b>					
1100(6)	20mmØ Polyvinyl Chloride (PVC) Pipes	117.00	length	300.00	35,100.00
1100(7)	50mmØ Polyvinyl Chloride (PVC) Pipes	4.00	length	600.00	2,400.00
1100(9)	PVC/RSC/IMC/EMT Conduit Fittings	1.00	l.s.	40,000.00	40,000.00
1100(11)	Junction/ Utility/ Pull/ Square Box	1.00	l.s.	40,000.00	40,000.00
1101(1)a	3.5 mm <sup>2</sup> - 5.5 mm <sup>2</sup> THHN/THWN Stranded Copper Wire	2,392.57	m	30.00	71,777.10
1101(1)b	14.0mm <sup>2</sup> THW Grounding Copper Wire	21.70	m	300.00	6,510.00
1101(1)d	80.0 mm <sup>2</sup> THHN/THWN Stranded Copper Wire	43.40	m	600.00	26,040.00
1102(1)b	Panel Board with Main Breakers and Branches	1.00	set	60,000.00	60,000.00
1101(15)	Power Outlets : Duplex, Simplex, Floor Type	47.00	pcs	1,200.00	56,399.99
1101(33)	Lighting Switches	16.00	pcs	500.00	8,000.00
1103(1)	Lighting Fixtures	102.00	pcs	1,300.00	132,600.01

<b>F. PLUMBING AND SANITARY WORKS</b>					
1001(1)a	50mmØ - 100mmØ PVC Pipe, Series 1000	253.00	m	500.00	126,500.01
1001(1)b	PVC Fittings, Series 1000	1.00	l.s	30,000.00	30,000.00
1002(2)a	25mmØ - 40mmØ Polypropylene Random Copolymer (PPR-C) Pipes, PN20	33.00	pcs	1,500.00	49,499.99
1002(2)b	Polypropylene Random Copolymer (PPR-C) Fittings - (all fittings necessary to complete the works to its intended purposes)	1.00	l.s.	40,000.00	40,000.00
1002(2)c	Hangers and Support	1.00	l.s.	15,000.00	15,000.00
1002(21)	Water Meter and Valves (Check / Gate)	12.00	pcs	2,000.00	24,000.00
1002(14)	Lavatory with Complete Accessories	5.00	set	5,000.00	25,000.00
1002(16)	Floor Drain	4.00	set	500.00	2,000.00
1002(16)b	Floor and Ceiling Cleanout	9.00	set	500.00	4,500.00
1002(17)	Hose Bibb / Faucet	1.00	set	500.01	500.01
1002(5)	Water Closet with Complete Accessories	4.00	set	7,500.00	30,000.00
1002(19)	Shower Head/Shower Valve	2.00	set	2,000.00	4,000.00
1001(5)	Catch Basin	5.00	set	3,000.00	15,000.00
1001(6)	Septic Tank	1.00	l.s	50,000.00	50,000.00
<b>TOTAL PROJECT COST</b>					<b>7,994,999.99</b>

**WHEREAS**, the Works comprised in this Contract shall be completed within **TWO HUNDRED FORTY (240) 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.:

*Contract Agreement of the Negotiated Procurement Under Two-Failed Biddings for the Proposed Construction of the Two (2) Storey Mock Hotel Building for Food Processing and Technology Program at USTP-Oroquieta Campus (Phase 1) CY 2023*

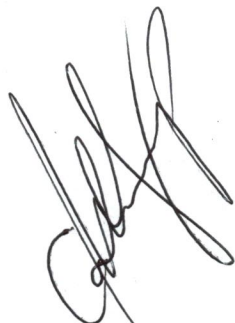
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- a. Philippine Bidding Documents (PBDs);
  - i. Drawings/Plans;
  - ii. Specifications;
  - iii. Bill of Quantities;
  - iv. General and Special Conditions of Contract;
- b. Winning bidder's bid, including the Eligibility requirements, Technical and 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 *SEVEN MILLION NINE HUNDRED NINETY-FOUR THOUSAND NINE HUNDRED NINETY-NINE PESOS AND 99/100 (P7,994,999.99) ONLY* or such other sums as may be ascertained *Primax Konstruct, Inc.* agrees to *Construction of the Two (2) Storey Mock Hotel Building for Food Processing and Technology Program at USTP-Oroquieta Campus (Phase 1) CY 2023* 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**

**PRIMAX KONSTRUCT, INC.**

ENTITY

CONTRACTOR

By:

By:

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

  
**MR. DAX REY D. CAHANAP**  
Authorized Representative

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 25 day of December, 2023, in the City of Cagayan de Oro, personally appeared DR. AMBROSIO B. CULTURA II and MR. DAX REY D. CAHANAP, with the following proofs of identity:


DR. AMBROSIO B. CULTURA II : PRC ID NO. 0203237  
MR. DAX REY D. CAHANAP : PRC ID NO. 0116109

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 seven (7) 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.

Doc. No. 306  
Page No. 63  
Book No. XVIII  
Series of 2023.

NOTARY PUBLIC  
  
JESUS CARLO JOEMIL A. QUIKAP  
Notary Public until 12/31/2024 (CDO & Mic. Or.)  
Roll No. 72520 / NC No. 2023-71  
PTR No. 547389A / CDO / 12/22/2022 (For 2023)  
IBP OR No. 238586 / 10/26/2022 (for 2023)  
MCLE Compliance No. VII-0000849  
TIN: 311-889-778