

## CONTRACT OF AGREEMENT

THIS AGREEMENT, made this 07 day of OCT 2020, 2020 between **TARLAC STATE UNIVERSITY of Romulo Blvd., San Vicente, Tarlac City** (hereinafter called the "Procuring Entity") and **PRIMARCH BUILDERS of Unit 7 Ten Bldg., Mac Arthur Highway, San Rafael, Tarlac City** (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute the **Construction of Three Storey Administration Office and Motorpool Building (Phase I)** (hereinafter called "the Works") and the Entity has accepted the bid for **Nine Million Nine Hundred Ninety Seven Thousand Six Hundred Thirty Pesos and 44/100 (PhP 9,997,630.44)** by the Contractor for the execution and completion of such Works and the repair/correction of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as respectively assigned to them in the Conditions of Contract herein after referred to.
2. The provisions of Section IV. General Conditions of the Contract in the Procurement of Works of the Government of the Republic of the Philippines (Fifth Edition, August 2016) which is hereto attached and deemed an integral part of this contract shall govern the whole contract between the Procuring Entity and the Contractor.
3. The following documents shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:
  - (a) Special Conditions of Contract;
  - (b) Drawings/Plans;
  - (c) Specifications;
  - (d) Invitation to Bid;
  - (e) Instructions to Bidders;
  - (f) Bid Data Sheet;
  - (g) Addenda and/or Supplemental/Bid Bulletins, if any;
  - (h) Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes;
  - (i) Eligibility requirements, documents and/or statements;
  - (j) Performance Security;
  - (k) Notice of Award of Contract and the Bidder's conforme thereto;
  - (l) Other contract documents that may be required by existing laws and/or the Entity.
4. In consideration of the payments to be made by the Procuring Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Entity to execute and complete the Works and repair/correct any defects therein in conformity with the provisions of this Contract in all respect

5. The Procuring Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the repair/correction of defects wherein, the 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.
  
6. This Agreement shall take effect upon date of receipt by the Contractor of **NOTICE TO PROCEED** from the Procuring Entity. The Contract shall remain in force until all obligations of both parties as contained in this contract have been fully complied with.
  
7. **PRIMARCH BUILDERS** shall commence execution of the project within ten (10) calendar days from the receipt of written Notice to Proceed from Tarlac State University and shall finish and complete the construction of the project within **one hundred eighty (180) calendar days** from the date of receipt by the Contractor of Notice to Proceed unless extended in accordance with the IRR of R.A. 9184.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written and have hereunto affixed their signatures this \_\_\_\_ day of Oct 07 2020, 2020 at Tarlac City, Philippines.

**TARLAC STATE UNIVERSITY**

By:

**MYRNA Q. MALLARI**  
President

**PRIMARCH BUILDERS**

By:

**DENNIS C. MOLINA**  
General Manager

Signed in the presence of:

Witnesses:

  
MARIJESS S. RODRIGUEZ

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**ACKNOWLEDGEMENT**


REPUBLIC OF THE PHILIPPINES)  
CITY OF TARLAC ) S. S.

Before me, this 06<sup>th</sup> 07 2020, 2020 at Tarlac City, Philippines, personally appeared **MYRNA Q. MALLARI** with Community Tax Certificate No. **23172849** issued at **Tarlac City on January 22, 2020** and **DENNIS C. MOLINA** with his Community Tax Certificate No. 23175295 issued at Tarlac City on **January 28, 2020** known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free act and voluntary deed.

This document refers to Contract and it consists of three (3) pages, including this page whereon this acknowledgement appears and is signed by the parties and their instrumental witnesses on each and every page thereof.

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

DOC NO. 3715  
PAGE NO. 73  
BOOK NO. VII  
SERIES OF. 3070

  
**ELIZARDO J. EMAS**  
NOTARY PUBLIC  
UNTIL DECEMBER 31, 2021  
PTR. NO. 3319894-D TARLAC CIT)  
JANUARY 2, 2020  
IBP NO. 594140/ROLL NO. 14535

