

**"REBIDDING OF THE IMPROVEMENT OF GUARDHOUSE BUILDING IN DEPED
CAR REGIONAL OFFICE"**

CONTRACT AGREEMENT

THIS AGREEMENT, made this _____ day of NOV 29 2024, 2024 between:

DEPARTMENT OF EDUCATION- CORDILLERA ADMINISTRATIVE REGION (DEPED-CAR), a government agency duly organized and existing under the laws of the Republic of the Philippines with principal address at Wangal La Trinidad, Benguet represented herein by ESTELA P. LEON- CARIÑO EdD, CESO III, Director IV/ Regional Director referred to as the **"ENTITY"**

-and-

"GEGA ENGINEERING AND CONSTRUCTION" a single proprietorship with business address at #30 Purok 2, Pinsao, Pilot Project, Baguio City, represented herein by its Proprietor/ owner **GERALD C. GAYMEN** hereinafter referred to as the **"CONTRACTOR"**.

WITNESSETH

WHEREAS, the **PROCURING ENTITY** is desirous that the **CONTRACTOR** execute the project: **"REBIDDING OF THE IMPROVEMENT OF GUARDHOUSE BUILDING IN DEPED CAR REGIONAL OFFICE"** (hereinafter called "the Works") and the Procuring Entity has accepted the Bid for **EIGHT HUNDRED NINETY FIVE THOUSAND FIFTY THREE Pesos and 29/ 100 (P 895,053.29) Only** by the **CONTRACTOR** for the execution and completion of such Works and the remedying of any defects therein.

NOW THEREFORE, for and in consideration of foregoing premises, the parties hereto agree 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;
 - 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.**


Contractor's Witness


GERALD C. GAYMEN
GEGA ENGINEERING AND CONSTRUCTION


MAKSIM A. BOTILAS
End-User


ESTELA P. LEON-CARIÑO
Regional Director, DepEd- CAR



3. In consideration for the sum of **EIGHT HUNDRED NINETY FIVE THOUSAND FIFTY THREE Pesos and 29/ 100 (P 895,053.29) Only** or such other sums as may be ascertained, the **CONTRACTOR** agrees to execute and complete the works within **120 calendar days upon receipt of Notice to Proceed** in accordance with its Bid/Quotation.
4. The **PROCURING ENTITY** hereby covenants to pay the **CONTRACTOR** in consideration of the execution and completion of the Works and the remedying of defects wherein, the Contract Price or such sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.
5. The **CONTRACTOR** shall install separate sub meter for their electric consumption and shall be responsible for the payment of bills;
6. The **CONTRACTOR** is obligated to arrange for their own water supply during the "WORKS". They are expressly prohibited from using or accessing water sources belonging to the "PROCURING ENTITY,"

7. LIQUIDATED DAMAGES

Once the contract duration expires, including any time extension duly granted, and the **CONTRACTOR** refuses or fails to satisfactorily complete the work, DepEd-CAR shall impose upon the contractor, liquidated damages. Liquidated damages is an amount equal to at least one tenth (1/10) of one (1) percent of the cost of the unperformed portion of the works for every day of delay. In case the total sum of liquidated damages reaches ten percent (10%) of the total contract price, DepEd- CAR has the following options:

1. Terminate the contract pursuant to the Guidelines on Termination of Contract and forfeit the contractor's performance security. or
2. Allow the contractor to continue the works without prejudice to the continued imposition of liquidated damages until the works have been completed. This does not, however, preclude DepEd-CAR in resorting to Termination of Contract.

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


ESTELA P. LEON- CARIÑO
 Regional Director, DepEd- CAR


GERALD C. GAYMEN
 GEGA ENGINEERING AND CONSTRUCTION

SIGNED IN THE PRESENCE OF:


MAKSIM A. BOTILAS
 End-User


 Contractors Witness

FUNDS AVAILABLE:


FREMALYN E. PACLOS
 Accountant III

ALLOTMENT AVAILABLE:


MARIANE B. WANSON
 Administrative Officer V

[Signature]
Contractor's Witness

REPUBLIC OF THE PHILIPPINES
DONE: LA TRINIDAD, BENGUET

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in LA TRINIDAD, BENGUET, Philippines, this
_____ day of NOV 29, 2024 personally appeared:

Name	Proof of Identity
ESTELA L. CARIÑO	TIN NO. 147-466-799
GERALD C. GAYMEN	PRC ID NO.: 0004287

Exhibited to me competent evidence of their identities written beside their names, known to me to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their free act and voluntary deed.

This Contract consisting of three (3) pages including the page on which this acknowledgment is written, have been signed by the parties and their instrumental witnesses on each and every page hereof.

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

Doc. No. 144
Page No. 30
Book No. 27
Series of 2024.

[Signature]
SHEKINA BOLCIO MANGHI
Notary Public for the Province of Benguet
Roll No. 83803; 06-14-22
PTR No. 7878235; 12/13/2023 for 2024; Benguet
IBP No. 273572; 827774; Baguio-Benguet Chapter
MCLE Compliance No. VIII-0001269; until 04/14/28
Room 215, Pines Hill Commercial Center Building II
Km. 5, Balili, La Trinidad, Benguet, Philippines

[Signature]
GERALD C. GAYMEN
GE GA ENGINEERING AND CONSTRUCTION

[Signature]
MAKSIM A. BOTILAS
Hand-User

[Signature]
ESTELA P. LEON-CARIÑO
Regional Director, DepEd- CAR