

## CONTRACT AGREEMENT

THIS AGREEMENT, made this 10<sup>th</sup> day of October 2023 between **Municipality of Orion** with office address at *San Vicente, Orion Bataan* represented by its **Municipal Mayor Antonio L. Raymundo Jr** (herein called the "Entity"; and **JMD Diamond Construction Services** with office address at *Monte Carla Heights, Tenejero, Balanga City* represented by its owner/manager **Jovy S. Dominguez** (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute **Labor and Materials for the Construction of Farm to Market Road at Sitio Mabato, Daan Pare, Orion, Bataan** (hereinafter called "the Works") and the Entity has accepted the Bid for **Six Million Five Hundred Ninety-Nine Thousand Nine Hundred Five Pesos and 20/100 (Php 6,599,905.20)** by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

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;
    - 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;

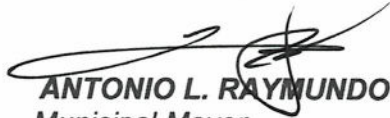
Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;

- 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 *Six Million Five Hundred Ninety-Nine Thousand Nine Hundred Five Pesos and 20/100 (Php 6,599,905.20)* or such other sums as may be ascertained, **JMD Diamond Construction Services** agrees to *construct the Farm to Market Road at Sitio Mabato, Daan Pare, Orion, Bataan* in accordance with his/her/its Bid.

4. The **Municipality of Orion Bataan** 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.



**ANTONIO L. RAYMUNDO JR**  
Municipal Mayor  
Municipality of Orion Bataan



**JOVY S. DOMINGUEZ**  
Owner / Manager  
**JMD Diamond Construction  
Services**

**ACKNOWLEDGEMENT**


(REPUBLIC OF THE PHILIPPINES)  
(CITY OF BALANGA, BATAAN) S.S.

BEFORE ME, in the City of Balanga, Bataan, this \_\_\_\_ day of OCT 10 2023 2023,  
personally appeared the following:

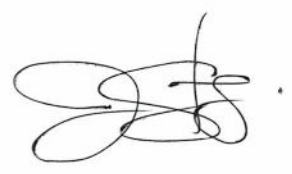
NAME	COMMUNITY TAX NO.,	PLACE AND DATE OF ISSUE
<u>ANTONIO L RAYMUNDO JR</u>	<u>165388888</u>	<u>January 4, 2023 Orion Bataan</u>
<u>JOVY S. DOMINGUEZ</u>	<u>133462100</u>	<u>January 4 2023 Balanga City</u>

Who represent to me to be the same persons who executed the foregoing instrument and acknowledged before me that the same is their free and voluntary act and deed as well as those of the entities they represent.

Said instrument refers to a Contract of Agreement consisting of 3 pages including this page of acknowledgement, signed by the parties and their witnesses and sealed with my notarial seal.

  
ATTY. TEODORO III O. CAMACHO  
NOTARIAL COMM. EXPIRES DEC. 31, 2023  
PTR NO. 8989751-1021/21 for 2022  
**NOTARY PUBLIC**  
ROLL OF ATTY. NO. 22568  
MCLE COMPLIANCE NO. VII-0013632  
IBP LIFETIME MEMBER NO. 03469

Book No. 461;  
Doc. No. 82;  
Page No. 716;  
Series of 2023



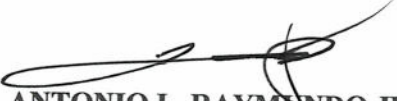





# Special Conditions of Contract

**Project Title :** Labor and Materials for the Construction of Farm to Market Road  
**Location :** Sitio Mabato, Daan Pare, Orion, Bataan

GCC Clause	
4.1	Intended completion is <b>One Hundred Twenty (120) calendar days</b> after issuance of notice to proceed. The site is located at Sitio Mabato, Daan Pare, Orion, Bataan
6	The site investigation reports are: <i>Sitio Mabato, Daan Pare, Orion, Bataan</i>
7.2	Fifteen (15) years.
10	a. Dayworks are applicable at the rate shown in the Contractor's original Bid.
11.1	The Contractor shall submit the Program of Work to the Procuring Entity's Representative within <i>ten (10)</i> days of delivery of the Notice of Award.
11.2	The amount to be withheld for late submission of an updated Program of Work is <b>Php 329,995.26</b>
13	The amount of the advance payment is <b>Php 989,985.78</b>
14	Materials and equipment delivered on the site but not completely put in place shall be included for payment.
15.1	The date by which operating and maintenance manuals not required  The date by which "as built" drawings are required is <i>fifteen (15) CD after project completion.</i>
15.2	The amount to be withheld for failing to produce "as built" drawings and/or operating and maintenance manuals by the date required is <b>Php 329,995.26.</b>

  
**ANTONIO L. RAYMONDO JR**  
 Municipal Mayor  
 Municipality of Orion Bataan

  
**JOVY S. DOMINGUEZ**  
 Owner / Manager  
 JMD Diamond Construction Services