

CONTRACT AGREEMENT

Repair and Rehabilitation of 60 Tonner Toledo Truckscale At NFA Compound in Brgy. Balagtas, Batangas City

THIS AGREEMENT made this 8th day of November 2016 at the **NATIONAL FOOD AUTHORITY Regional Office IV** in Barangay Balagtas, Batangas City, Philippines by and between:

The **NATIONAL FOOD AUTHORITY (NFA)**, a government agency created pursuant to Proclamation No. 1081 and by virtue of Presidential Decree No. 4 as amended by Presidential Decrees 1485 and 1770 with principal and main office at Philsugen Building, North Avenue, Diliman, Quezon City represented by its Regional Director **PIOLITO C. SANTOS**, hereinafter referred to as the **PROCURING ENTITY**;

and

GREAT SWISS METAL BUILDERS CORP. represented by its President/CEO **ENGR. VICENTE I. CANTOS** with address at Diversion Road, Barangay Bolbok, Batangas City hereinafter referred to as the **CONTRACTOR**;

WHEREAS, the Procuring Entity is desirous that the Contractor execute this Contract of Agreement for the **Repair and Rehabilitation of 60 Tonner Toledo Truckscale at NFA Compound in Brgy. Balagtas, Batangas City** under Project Reference No. RO4-INFR-2016-06 and the Procuring Entity has accepted the Bid for **One Million Three Hundred Ninety Five Thousand Four Hundred Eighty Nine Pesos and 51/100 only (P1,395,489.51)**, 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 meaning as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement, to wit:
 - a. General and Special Conditions of the Contract;
 - b. Drawing/Plans;
 - c. Specifications;


NATIONAL FOOD AUTHORITY BY:


PIOLITO C. SANTOS
Regional Director


GONDEL M. ALDA
Asst. Regional Director

GREAT SWISS METAL BUILDERS CORP. BY:


ENGR. VICENTE I. CANTOS
President/CEO


GIMEL M. CANTOS
Contractor's Witness

Signed in the Presence of:

Funds Available:


REBECCA H. ANDAL
OIC - Regional Accountant


- d. Invitation to Bid;
 - e. Instructions to Bidders;
 - f. Bid Data Sheet;
 - g. Addenda and/or Supplemental/Bid Bulletins, if any;
 - h. The Bid Form, including all 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 Procuring Entity.
3. In consideration of the payments to be made by the Procuring Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Procuring Entity to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all respects
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 therein, 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.


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

Signed, sealed, delivered by **Mr. PIOLITO C. SANTOS**, Regional Director of **National Food Authority, Regional Office IV** (for the Procuring Entity).

Signed, sealed, delivered by **Engr. VICENTE I. CANTOS**, President/CEO of **Great Swiss Metal Builders Corp.** (for the Contractor).

NATIONAL FOOD AUTHORITY BY:

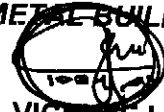

PIOLITO C. SANTOS
Regional Director


GONDELINA U. ALDA
Asst. Regional Director

Funds Available:


REBECCA H. ANDAL
OIC - Regional Accountant

GREAT SWISS METAL BUILDERS CORP. BY:


ENGR. VICENTE I. CANTOS
President/CEO

Signed in the Presence of:



GIMEL M. CANTOS
Contractor's Witness


SPECIAL CONDITIONS OF CONTRACT (SCC)

Repair and Rehabilitation of 60 Tonner Toledo Truckscale At NFA Compound in Brgy. Balagtas, Batangas City

GCC Clause	PARTICULARS
1.16	The Intended Completion Date is _____ (that is, 60 calendar days from the date of commencement of work as specified in the Notice to Proceed).
1.21	The Procuring Entity is: NATIONAL FOOD AUTHORITY (NFA) REGIONAL OFFICE IV Balagtas, Batangas City
1.22	The Procuring Entity's Representative is: MR. PIOLITO C. SANTOS Regional Director NFA Regional Office IV Barangay, Balagtas, Batangas City
1.23	The Site is locate at NFA Compound Brgy. Balagtas, Batangas City

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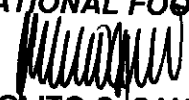
GREAT SWISS METAL BUILDERS CORP. BY:


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 President/CEO

Signed in the Presence of:

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 Contractor's Witness


GCC Clause	PARTICULARS
1.27	<p>The Start Date is <u>November 16, 2016</u> that is not later than seven (7) days from receipt of the Notice to Proceed.</p> <p>The effective date of the Contract will be the date of receipt by the winning bidder of the Notice to Proceed or the date provided in the Notice to Proceed.</p> <p>The Notice to Proceed for the Repair and Rehabilitation of 60 Tonner Toledo Truckscale at NFA Compound, Balagtas, Batangas City shall be provided to the winning bidder within three (3) days upon signing of the Contract.</p> <p>The contract shall expire upon NFA's issuance of Certificate of Completion and Final Acceptance</p>
1.30	<p>The Works consist of :</p> <ol style="list-style-type: none"> 1. Clearing/Demolition/Dismantling <ol style="list-style-type: none"> A. Truckscale Electronic components/parts. (with NFA personnel) B. All Structural Components 2. Structural Metal Works <ol style="list-style-type: none"> A. Cutting of beams based on the specified dimension/length B. Cutting of the 92 pieces Angular Bar to 180 mm length C. Cutting of the 92 pieces angular bar with hole diameter of 19.05mm (3/4") at a distance of 150mm in between holes D. Boring/drilling of the 46 pieces I-Beam with hole diameter of 19.05mm (4holes/beam) E. Cutting of Platform Deck Plates to fit the modified orientation of the lateral beams F. Welding of the 92 pieces Angular Bars to the main beam with a spacing distance of 500mm

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GCC Clause	PARTICULARS									
1.30	G. Re-assembly of the platform deck based on the new orientation of the deck plates H. Re-installation of the electronic components (with NFA-TRSD personnel) 3. Painting Works 4. Equipment Rentals 5. Safety and Health Program Provision of all necessary construction safety and health program for the duration of the project									
2.2	No further instructions									
5.1	The Procuring Entity gives possession of all parts of the Site to the Contractor on <u>November 9, 2016</u> (that is, upon issuance of the Notice to Proceed).									
6.5	The Contractor shall employ the following Key Personnel: <table border="1" data-bbox="548 1036 1430 1365" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>Name of Personnel</th> <th>Designation</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>ENGR. ARISTEO G. VALDES</td> <td>PROJECT/CIVIL ENGINEER</td> </tr> <tr> <td style="text-align: center;">2</td> <td>EDGARDO T. ARPIA</td> <td>FOREMAN</td> </tr> </tbody> </table> <p style="text-align: center;"><i>(Actual Names of key personnel and designation to be listed by the winning bidder)</i></p>		Name of Personnel	Designation	1	ENGR. ARISTEO G. VALDES	PROJECT/CIVIL ENGINEER	2	EDGARDO T. ARPIA	FOREMAN
	Name of Personnel	Designation								
1	ENGR. ARISTEO G. VALDES	PROJECT/CIVIL ENGINEER								
2	EDGARDO T. ARPIA	FOREMAN								

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GONDELINA UVALDA
 Asst. Regional Director


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GCC Clause	PARTICULARS
7.4 (c)	The performance security may be released by the Procuring Entity and returned to the Contractor after the issuance of the Certificate of Final Acceptance subject to the following conditions: (a) There is no pending claims against the Contractor or the surety company filed by the Procuring Entity; (b) The Contractor has no pending claims for the labor and materials filed against it
7.7	No further instructions.
8.1	Subcontracting is not allowed in this particular project.
10	The site investigation report is: An Affidavit of Site Inspection (using Standard Form INFR-51)
12.3	No further instructions.
12.5	The warranty against Structural Defects/ Failures, for Permanent Structures, shall be for Fifteen (15) years from final acceptance of the project.. Permanent structures will include buildings of types 4 and 5 as classified under the National Building code of the Philippines and other structures made of steel, iron, concrete, or masonry construction with walls, ceilings, and permanent partitions of incombustible resistance. The warranty security period or the duration of the effectivity of the warranty security required under 62.2.3.3 of the IRR, is one (1) year from date of the issuance of the certificate of final acceptance by the procuring entity.

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M |
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GCC Clause	PARTICULARS
12.5	The warranty security posted by the contractor shall be retained by the procuring entity for the duration of the warranty security period and returned thereafter regardless of the type of the infrastructure facility involved. However, even after the lapse of the warranty security period, the contractor continues to be responsible/liable for any structural defect/failure that will occur on the infrastructure facility due to its fault for the duration of the applicable warranty period, i.e., fifteen (15) years for permanent structures.
13	No additional provision. <i>However, if the Contractor is a joint venture, "All partners to the joint venture shall be jointly and severally liable to the Procuring Entity".</i>
18.3(h)(i)	No further instructions.
21.2	The Arbiter is: CONSTRUCTION INDUSTRY ARBITRATION COMMISSION 3rd Floor, Jupiter Building 56 Jupiter Street, Bel-air Village, Makati City, Metro Manila Tel. Nos. (02) 897-0853 Telefax: (02) 897-9313 E-mail addresses: ciac_ciap@yahoo.com; ciac@dti.gov.tph
29.1	No day works are applicable to the contract.
31.1	The Contractor shall submit the Program of Work to the Provincial Manager of NFA Batangas in Brgy. Balagtas, Batangas City within seven (7) calendar days from the receipt of the Notice to Proceed

NATIONAL FOOD AUTHORITY BY:


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GCC Clause	PARTICULARS
31.3	The period between Program of Work updates is fifteen (15) days. The amount to be withheld for late submission of an updated Program of Work is equivalent to the value/amount of accomplishment report not covered by the updated Program of Work
34.3	The funding source is the Government of the Philippines (GOP) through the NFA Corporate Operating Budget of 2016
39.1	The amount of the advance payment shall not exceed 15% of the contract price to be paid to the Contractor in lump sum. Upon written request of the Contractor, the NFA may make an Advance Payment.
40.1	Materials and equipment delivered on site but not completely put in place shall be included for payment
51.1	The date by which operating and maintenance manuals are required is not applied. The date by which "as built" drawings required from the Contractor for the Repair and Rehabilitation of 60 Tonner Toledo Truckscale is within 21 calendar days after completion date of the Project.
51.2	The amount to be withheld for failing to produce "as built" drawings by the date required for the Repair and Rehabilitation of Truckscale is TEN THOUSAND PESOS (P 10,000.00) Certificate of Completion and Final Acceptance shall be issued after the completion of calibration works to be done by TRSD Central Office.

NATIONAL FOOD AUTHORITY BY:


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41
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ACKNOWLEDGEMENT

Republic of the Philippines)
Batangas City) s.s.
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JAN 04 2017 BEFORE ME, Notary Public, for and in Batangas City, Philippines, this ____ day of _____ 2016 personally appeared **Mr. PIOLITO C. SANTOS** in his official capacity as Regional Director of the NATIONAL FOOD AUTHORITY (NFA) with Driver's License No. P-02-98-003058 issued in Batangas City with expiry date on May 31, 2019 and **ENGR. VICENTE I. CANTOS** of Great Swiss Metal Builders Corp. with Driver's License No. D01-06-00953 issued in Batangas City with expiry date on January 22, 2017 known to me to be the same persons who executed the foregoing Contract Agreement **Repair and Rehabilitation of 60 Tonner Toledo Truckscale at NFA Compound in Brgy. Balagtas, Batangas City** consisting of 9 pages including this page on which the acknowledgment is written signed by both parties and their instrumental witnesses on each and every page whereof and acknowledge that the same is their free and voluntary acts and deed as well as that of the entities represented.

CIPRIANO U. ASILO

Notary Public

WITNESS MY HAND AND SEAL at the place and on the date first mentioned above. Until December 31, 2018

BATS. CITY

BY Lifetime No. 02591/Atty's Roll No. 3792/

Not. Com No. 2015-10/Tin-154-157-021

MCLE Exception No. V-110525 Valid Until April 14, 2017

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Series of 2017

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