

CONTRACT OF AGREEMENT

DESIGN AND BUILD SCHEME INFRASTRUCTURE PROJECT FOR THE PROPOSED CONSTRUCTION OF TWO-STOREY DATA CENTER OF ROMBLON STATE UNIVERSITY- MAIN CAMPUS (ABC: PHP15,000,000.00, QTY: 1 LOT)

THIS AGREEMENT, made this 12th day of December 2022 between:

The **ROMBLON STATE UNIVERSITY**, a public Higher Education Institution, created and existing under Republic Act (R.A) No. 9721, with principal office at Brgy. Liwanag, Odiongan Romblon, duly represented herein by its **President, MERIAN P. CATAJAY-MANI, Ed.D, CESE**, (hereinafter called the "**ROCURING ENTITY**");

-and-

PERFORMANCE BUILDERS AND DEVELOPERS CORPORATION, a private business entity duly organized and existing under and by virtue of the laws of the Philippines, with business address at #34 Emerald St., Fairview, Quezon City, duly represented by its **President, ENGR. CHRISTOPHER P. MORALES** (hereinafter called the "**CONTRACTOR**").

WHEREAS, the **PROCURING ENTITY** is desirous that the Contractor execute the **DESIGN AND BUILD SCHEME INFRASTRUCTURE PROJECT FOR THE PROPOSED CONSTRUCTION OF TWO-STOREY DATA CENTER OF ROMBLON STATE UNIVERSITY-MAIN CAMPUS (ABC: PHP15,000,000.00, QTY: 1 LOT)** (hereinafter called "the Works") and the Entity has accepted the Bid of **FOURTEEN MILLION, SEVEN HUNDRED TEN THOUSAND EIGHTY-FOUR PESOS AND NINETY-FIVE CENTAVOS ONLY (PHP14,710,084.95)** 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 **FOURTEEN MILLION, SEVEN HUNDRED TEN THOUSAND EIGHTY-FOUR PESOS AND NINETY-FIVE CENTAVOS ONLY (PHP14,710,084.95)** or such other sums as may be ascertained, **PERFORMANCE BUILDERS & DEVELOPERS CORPORATION** agrees to execute and complete the Works and remedy any defects therein in accordance with his/her/its Bid.
4. The **ROMBLON STATE UNIVERSITY** 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 on the day and year first before written.

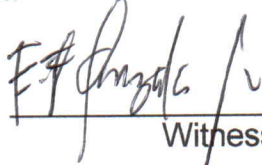

MERIAN P. CATAJAY-MANI, Ed.D., CESE
University President
Romblon State University


ENGR. CHRISTOPHER P. MORALES
President
Performance Builders and Developers
Corporation

Signed in the presence of:



Witness



Witness

ACKNOWLEDGEMENT

Republic of the Philippines

(QUEZON CITY) S. S.

BEFORE ME, this 21 DEC 2022 day of _____, 2022 in
QUEZON CITY, Philippines personally came and appeared
the following:

	I.D. No.	Place of Issue	Date of Issue
MERIAN P. CATAJAY-MANI, Ed.D., CESE	<u>01-01</u>	<u>Odiangan, Romblon</u>	<u>July 30, 2020</u>
ENGR. CHRISTOPHER P. MORALES	<u>0056123</u>	<u>PRC MANILA</u>	<u>August 10, 1989</u>

Known to me to be the same persons who executed the foregoing instrument consisting of three (3) pages including the page on which this Acknowledgement is written and they confirmed and acknowledged to me that the same is their own free and voluntary deed and that of the agency, which they respectively represent.

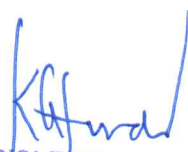
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day, year and place written.

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Series of 2022


ATTY. KRISLEEN GRACE T. URDAS
Notary Public
Until December 31, 2023
IBP No. 169522 / 11-29-21 / Q.C
PTR No. 303534 DJ5-12-22/Q.C
Roll No. 63450
TIN: 313-914-928-000
Adm. Matter No. NP-015 (2022-2023)
MCLE No. 04/13/22 / VII-0015528
Add. 100 Pontiac Cor. Consul St.,
Fairview, Quezon City