

CONTRACT OF AGREEMENT

DESIGN AND BUILD SCHEME INFRASTRUCTURE PROJECT FOR THE PROPOSED CONSTRUCTION OF DATA CENTER-PHASE II (THIRD FLOOR) OF ROMBLON STATE UNIVERSITY

(ABC: PHP7,000,000.00, QTY: 1 LOT)

THIS AGREEMENT, made this 17th day of August 2023 by and between:

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 "**PROCURING ENTITY**");

-and-

PERFORMANCE BUILDERS & 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 DATA CENTER-PHASE II (THIRD FLOOR) OF ROMBLON STATE UNIVERSITY (ABC: PHP7,000,000.00, QTY: 1 LOT)** (hereinafter called "the Works") and the Entity has accepted the Bid of **SIX MILLION, FOUR HUNDRED FIFTY-TWO THOUSAND, FOUR HUNDRED FIFTY-SEVEN PESOS AND SIXTY CENTAVOS ONLY (PhP6,452,457.60)** 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 the 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 law 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 Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.

3. In consideration for the sum of **SIX MILLION, FOUR HUNDRED FIFTY-TWO THOUSAND, FOUR HUNDRED FIFTY-SEVEN PESOS AND SIXTY CENTAVOS ONLY (Php6,452,457.60)** 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 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 & Developers
Corporation

Signed in the presence of:



Witness



Witness

ACKNOWLEDGEMENT

Republic of the Philippines

(Odiongan, Romblon) S. S.

BEFORE ME, this 17th day of August, 2023 in Odiongan, Romblon, Philippines personally came and appeared before me the following:

	I.D. No.	Place of Issue	Date of Issue
MERIAN P. CATAJAY-MANI, Ed.D., CESE	<u>01-01</u>	<u>Odiongan, Romblon</u>	<u>July 30, 2020</u>

Known to me to be the same persons who executed the foregoing instrument consisting of Four (4) 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.

Doc. No. 383
Page No. 77
Book No. 1
Series of 2023


PACIFICO M. BANTANG, JR.
Notary Public
Up to December 31, 2023
Roll No. 33986
IBP OR No. 114624/01-28-20
RTR No. 026310/01-02-23



ACKNOWLEDGEMENT

Republic of the Philippines

(QUEZON CITY) S. S.

BEFORE ME, this ___ day of 18 AUG 2023, 2023 in

QUEZON CITY, Philippines personally came and appeared before me the following:

	I.D. No.	Place of Issue	Date of Issue
ENGR. CHRISTOPHER P. MORALES	<u>P9519914A</u>	<u>DTA NCR NORTHEAST</u>	<u>NOV. 13, 2012</u>

Known to me to be the same persons who executed the foregoing instrument consisting of Four (4) 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.

Doc. No. 23
 Page No. 05
 Book No. XIX
 Series of 2023

Rosalinda Adriano-Montenegro
 ATTY. ROSALINDA ADRIANO-MONTENEGRO
 Notary Public
 Valid Until December 31, 2023-2024
 Roll No. 68465
 PTR No. 4028249-01/03/2023-2024 - O.C.
 IBP No. 263982; 01/03/2023-2024 - O.C.
 MCLE Compliance No. VII-0021872
 14 April 2025
 Unit 132 Bldg. 137 Malakas St.
 Brgy. Central, Quezon City