

CONTRACT AGREEMENT

THIS AGREEMENT is made this NOV 29 2023, 2023 between The **DEPARTMENT OF AGRICULTURE - WESTERN VISAYAS**, with office address at DA WESVIARC, Buntatala, Jaro, Iloilo City, represented herein by its Regional Executive Director, **DENNIS R. ARPIA**, and hereinafter referred to as the "ENTITY" of the one part and **Nesmark Construction Enterprises** with address at **Maybato North, San Jose Antique** pursuant to the laws of the Republic of the Philippines represented herein by its AMO, **NESTOR D. MACAVINTA** and hereinafter referred to as the "SUPPLIER" of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly for the **Procurement of Works for the Construction of Rice Processing Center III (Warehouse) at Numancia, Aklan** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Nineteen Million Six Hundred Twenty Thousand Seven Hundred Forty Pesos & 66/100 (Php 19,620,740.66)** hereinafter called "the Contract Price".

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 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 integral part of this Agreement, viz.:
 - i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any
 - ii. 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;
 - iii. Performance Security;
 - iv. Notice of Award of Contract; and the Bidder's conforme thereto; and
 - v. 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 **Nineteen Million Six Hundred Twenty Thousand Seven Hundred Forty Pesos & 66/100 (Php 19,620,740.66)** or such other sum as may be ascertained, **Nesmark Construction Enterprises** with address at **Maybato North, San Jose Antique** pursuant to the laws of the Republic of the Philippines represented herein by its **AMO, NESTOR D. MACAVINTA** and hereinafter referred to as the "**SUPPLIER**" agrees for the **Procurement of Works for the Construction of Rice Processing Center III (Warehouse) at Numancia, Aklan** in accordance with his/her/its Bid.
4. The **DEPARTMENT OF AGRICULTURE - WESTERN VISAYAS** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

**DEPARTMENT OF AGRICULTURE -
WESTERN VISAYAS**

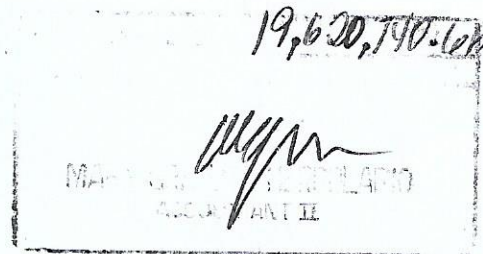
BY:

DENNIS R. ARPIA
Head of the Procuring Entity (HOPE)

Nesmark Construction Enterprises

BY:

NESTOR D. MACAVINTA
AMO



ACKNOWLEDGMENT

Republic of the Philippines)
City of Iloilo Sc.
X-----X

NOV 29 2023

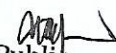
BEFORE ME, a Notary Public on this _____ day of _____ 2023 in the City of Iloilo, Philippines personally appeared:

Name	Proof of Identity
DENNIS R. ARPIA	927-629-732
NESTOR D. MACAVINTA	PRC ID 0018133

Known to me to be the same persons who executed this foregoing instrument including this acknowledgment page signed by the parties concerned and their instrumental witnesses in every page thereof and that the same is their free and voluntary act and deed and that of the entity they represent.

IN WITNESS THEREOF, I hereto set my hand and affixed my Notarial Seal at the place and date first above written.

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Page No. 78
Book No. 23
Series of 2023.


Notary Public
ATTY. LUZERMINDO A. CALMORIN
NOTARY PUBLIC
ROLL NO. 29514 5-15-79
PTR NO. 8083531 01-03-23
IBP NO. 270206 01-03-23
TIN NO. 125-10-746
MCLE COM. NO. V 0018120
DATE OF COMMISSION 03-02-23 TO 12-30-24
REG NO. 169
CITY AND PROVINCE OF ILOILO