

# CONTRACT AND AGREEMENT

This contract, made and, executed this 3rd day of September 2021 between the Municipality of Santa Ignacia, Province of Tarlac represented by **MAYOR NORA T. MODOMO** (hereinafter called the “**ENTITY**”) and **MITATA KANSAS CONSTRUCTION** represented by **ANFERNI KIM V. MARTINEZ** with office address at Barangay Sta. Ines East, Santa Ignacia, Tarlac (hereinafter called the “**CONTRACTOR**”)

**WHEREAS**, the **ENTITY** is desirous that the **CONTRACTOR** execute the “**FURNISHING AND DELIVERING OF LABOR, MATERIALS AND EQUIPMENT FOR THE CONSTRUCTION OF SCHOOL BUILDING (2 CLASSROOM) FOR THE ESTABLISHMENT OF SANTA IGNACIA NATIONAL HIGH SCHOOL**” and the **ENTITY** has accepted the Bid of the **CONTRACTOR** in the amount of **ONE MILLION NINETY EIGHT THOUSAND ONE HUNDRED TWENTY SIX PESOS & 97/100** (P1,098,126.97) for the execution and completion of this contract and the remedying of any defects therein.

## **NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:**

1. In this contract, 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 shall be attached , deemed to form and be read and construed as part of this contract, to wit;
  - a. Bid form, including all the documents/ statements contained in the bidders bidding envelopes, as annexes;
  - b. Eligibility requirements, documents and /or statements;
  - c. Performance security;
  - d. Notice of award contract and the Bidder’s conformed thereto;
  - e. Other contract documents that may be required by existing laws and/or the **ENTITY**.
3. In consideration of the payments to be made by the Municipality of Santa Ignacia to the **CONTRACTOR** as hereinafter mentioned, the **CONTRACTOR** hereby covenant with the Municipality of Sta. Ignacia to execute and complete the delivery of labor and materials and remedy any defects therein in conformity with the provisions of this contract in all respect.
4. The **ENTITY** hereby covenant to pay the **CONTRACTOR** in consideration of the execution and completion of the delivery of materials and the remedying of any defects therein, the contract price or such sum as may become payable under the provisions of this contract at the time and manner prescribed by this contract.
5. The duration of the project shall be 70 calendar days which shall commence within 10 days upon receipt of Notice to Proceed.
6. After 70 days if the project is not fully accomplished, the **CONTRACTOR** shall be liable for damages incurred. The extent of liability for damages shall be determined by both parties.
7. The mode of payment shall be per accomplishment basis. This mode of payment shall be determined by both parties herein or their duly authorized representative.

**IN WITNESS WHEREOF**, the parties herein have caused this **CONTRACT** to be executed on the 3rd day of September 2021.

Signed, sealed, delivered by **MAYOR NORA T. MODOMO**, the **ENTITY** and representative of the Municipality of Santa Ignacia,

Signed, sealed, delivered by **ANFERNI KIM V. MARTINEZ**, the **CONTRACTOR**.

(Original Signed)  
**MAYOR NORA T. MODOMO**  
*ENTITY*

(Original Signed)  
**ANFERNI KIM V. MARTINEZ**  
*CONTRACTOR*

Republic of the Philippines        )  
PROVINCE OF TARLAC                ) S.S.  
MUNICIPALITY/CITY OF \_\_\_\_\_)

**ACKNOWLEDGMENT**

**BEFORE ME**, a notary public for and in the Province of Tarlac, personally appeared:

<b>Name</b>	<b>Community Tax Certificate No.</b>	<b>Date Issued</b>	<b>Place Issued</b>
<b>NORA T. MODOMO</b>	17623851	01/04/2021	Santa Ignacia, Tarlac
<b>ANFERNI KIM V. MARTINEZ</b>			

Known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their true act and deed for and in behalf of the parties they represent.

This instrument refers to a **CONTRACT FOR “FURNISHING AND DELIVERING OF LABOR, MATERIALS AND EQUIPMENT FOR THE CONSTRUCTION OF SCHOOL BUILDING (2 CLASSROOM) FOR THE ESTABLISHMENT OF SANTA IGNACIA NATIONAL HIGH SCHOOL”** and consisting of two (2) pages including this page and signed by the parties.

In witness hereof, I have hereunto affixed my signature and seal this 3rd day of September 2021 at \_\_\_\_\_, Philippines.

WITNESS MY HAND AND SEAL.

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