

CONSTRUCTION CONTRACT

2023-09-0840

KNOW ALL MEN BY THESE PRESENTS:

This Construction Contract (Contract) made and entered into by and between:

The **PHILIPPINE RICE RESEARCH INSTITUTE**, a government-owned and controlled corporation created by virtue of Executive Order No. 1061, with its Central Experiment Station at Maligaya, Science City of Muñoz, Nueva Ecija, represented herein by its OIC, DED for Administrative Services and Finance, **SOPHIA T. BORJA**, hereinafter referred to as "PHILRICE";

- and -

The **ASIA ELECTRIC TECHNICAL MARKETING CORPORATION**, a duly licensed construction firm with office address, 115 B Levitown Avenue Betterliving Subdivision Brgy. Don Bosco, Parañaque City, Metro Manila, represented, herein by its Vice President, **MARCO FELI L. DE LEON** herein after referred to as "CONTRACTOR".

WITNESSETH:

WHEREAS, a public bidding was held on **August 2, 2023**, at **PhilRice Maligaya, Science City of Muñoz, Nueva Ecija**, for the project **Construction of Cistern and Installation of the Fire Pump for the Crop Biotechnology Center at PhilRice-CES** under **Public Bidding No. PB Infra 23-03-04**.

WHEREAS, the **Bids and Awards Committee for Civil Works** recommended to the **Executive Director** that the project shall be awarded to the CONTRACTOR, its offer being the most advantageous to the Philippine Government;

NOW, THEREFORE, for and in consideration of the foregoing premises, the parties hereto agree as follows:

1. The CONTRACTOR, in consideration of the sum **THREE MILLION SEVEN HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED FORTY-SIX PESOS ONLY (PhP 3,722,746.00)** payable based on monthly progress billing for actual work completed and approved by the Owner's Representative/s, shall pursue and deliver to PHILRICE the project entitled "**Construction of Cistern and Installation of the Fire Pump for the Crop Biotechnology Center at PhilRice-CES (PB Infra 23-03-04)**" located at **Brgy. Maligaya, Science City of Muñoz, Nueva Ecija**, as described in the BID DOCUMENTS and summarized in Annex "A", within **One Hundred Fifty Calendar Days (150 CD)**.
2. The minimum facilities required by the Building Code, the Fire Code, the Sanitation Code and other relevant Codes which have not been properly reflected in the Bid Documents, shall nevertheless, be provided by the CONTRACTOR at no additional cost to PHILRICE.
3. In the implementation of the project, the CONTRACTOR shall perform his obligations as an independent contractor with sufficient tools, equipment, and workers. This Contract does not establish an employer-employee relationship between PHILRICE and the CONTRACTOR and his workers.
4. The provisions of RA 9184 and its IRR, shall govern and are deemed written into this Contract. In addition to any of the causes for termination of this Contract as provided for in RA 9184 and its Implementing Rules and Regulations, and the Bid Documents, any of the following shall also constitute as sufficient ground for the termination of this Contract by PHILRICE:
 - a) Failure to comply and strictly observe the Labor Code and the Social Security System requirements.

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- b) Failure to submit to PHILRICE a bio-data of each of the Contractor's personnel complete with their pictures and their usual signatures and fingerprints before deployment, and failure of his workers to wear identification cards at all times while inside the PHILRICE premises.
 - c) Giving or promising to give any money or gift to any official or employee of PHILRICE to secure and implement this Contract.
 - d) Non-compliance or non-conformance with the Integrated Management System (IMS) and Intellectual Property Policies of PHILRICE.
 - e) Conduct or behavior constituting infractions, offenses, felonies or other crimes by the Contractor or his workers, against PHILRICE and its employees, and third parties while inside the PHILRICE Compound, such as but not limited to taking out any materials, supplies, utilities, or garbage.
5. Disbursement of funds under this Contract shall be in accordance with the existing government accounting and auditing rules and regulations.
6. The exclusive venue of any action arising from this Contract shall be the **Regional Trial Court of Baloc, Sto. Domingo, Nueva Ecija**, or the **Municipal Trial Court in Cities (MTCC) of the Science City of Muñoz, Nueva Ecija**.

IN WITNESS HEREOF, the parties have set their hands this 21 SEP 2023 at Science City of Muñoz, Nueva Ecija.

PHILIPPINE RICE RESEARCH INSTITUTE

ASIA ELECTRIC TECHNICAL MARKETING CORPORATION

Contractor

BY:



SOPHIA T. BORJA

OIC, DED for Administrative Services and Finance
PhilRice Employment ID No. 02-1103
Issued on November 2002
Issued at Science City of Muñoz, Nueva Ecija



MARCO FELI L. DE LEON

Vice President
DL: 005-93-065686 | 9-19-2026

SIGNED IN THE PRESENCE OF:



RENATO B. BAJIT
Head, Implementing Unit



MARVIN L. DE LEON
Owner's Representative

CERTIFIED FUNDS AVAILABLE:



MARY GRACE D. CORPUZ
Head, Financial Management Division

2023-09-0840

Republic of the Philippines)
Province of Nueva Ecija) S.S.
Science City of Muñoz)

ACKNOWLEDGMENT

Before me this 21 SEP 2023, appeared the above-mentioned persons with PhilRice ID and Valid IDs indicated below their respective names and known to me to be the same persons who executed the foregoing Construction Contract signed by them and their instrumental witnesses and acknowledged the same to be their free voluntary act and deed and the corporations herein presented.

Doc. No. 406
Page No. 83
Book No. 4
Series of 2023.

[Handwritten Signature]
ATTY. RYAN MARVIN L. ALBERTO, CPA
Notary Public
For and in the Province of Nueva Ecija
Sworn in: 2023-005 valid until 12-31-2024
317 Tobias St., Bantug, SCM, N. Ecija
Roll No. 72708; 06-17-2019
PTR No. 6877137; 01-10-2023
IBP No. 275547; 01-07-2023
MCLE Compliance No.: Vli-0006310
valid until April 14, 2025
Tel. No. (044) 940-3227

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Construction Contract

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"Construction of Cistern and Installation of Fire Pump for the Crop the Crop Biotechnology Center at PhilRice-CES (PB Infra 23-03-04)"

ANNEX "A"
 Summary of Expected Outputs in the Project

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"Construction of Cistern and Installation of the Fire Pump for the Crop Biotechnology Center at PhilRice-CES under PB Infra 23-03-04"

I. GENERAL

The facilities shall present itself as beautiful and sturdy structures with excellent finishing and high-quality workmanship, fully functional, useful and free from any defect or substandard materials.

II. SITEWORK

All materials, equipment and other facilities necessary to be used in the site work shall be prepared before starting the work. All obstructions and hindrances shall be removed from the project site.

III. CIVIL WORKS

The work includes, but is not limited to, the following:

SCOPE OF WORKS AND FEATURES

LOT 1 - CIVIL WORKS

SITE WORKS

- Excavation works for cistern tank and water pipe line laying
- Backfilling works and gravel bedding for cistern tank and concrete path walk

CONCRETE WORKS

- Concreting of cistern tank and pump house roofing
- Concreting of proposed concrete path walk

REINFORCING STEEL BARS

- Reinforcing bars for all concrete works

FORMWORKS

- Formworks for all concrete works

MASONRY WORKS

- Masonry works for pump house walling

ROOFING AND METAL WORKS

- Roofing works of pump house and roof framing
- Fabrication and installation of stainless ladder rung

ELECTRICAL WORKS

- Electrical works for pump house to supply

OTHERS

- Fabrication and installation of steel door
- HDPE Pipe laying from source to cistern tank
- Restoration of affected landscape during construction
- Professional Fees, PPEs, Signages, Temporary Barrier, etc.

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LOT II - MECHANICAL WORKS

- Mechanical work, supply and installation of fire pump and jockey pump system, including pipe laying from pump house up to building and electrical wirings of pumps to panel board or control panel

General

1. Cleaning and clearing of site. Upon completion, the right of way, borrow pits, and all ground occupied by the contractor in connection with the Work shall be cleaned of all excess materials, operation of the building ready for occupancy; and
2. Compliance to the Integrated Management System (IMS) Policy of PhilRice.

----- *Nothing follows* -----

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2023-09-0840

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"Construction of Cistern and Installation of Fire Pump for the Crop the Crop Biotechnology Center at PhilRice-CES (PB Infra 23-03-04)"

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