

CONTRACT AGREEMENT

(Contract No. 2022-*DM*)

THIS AGREEMENT, made this SEP 15 2022 day of 2022 in CITY OF MANILA between:

The **TOURISM INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY**, an attached body corporate of the Department of Tourism by virtue of Republic Act No. 9593, with principal office address at 6th and 7th Floors, Tower 1 Double Dragon Plaza, DD Meridian Park, Macapagal Avenue corner EDSA Extension, Pasay City, Metro Manila, represented herein by its Chief Operating Officer, **MARK T. LAPID** (hereafter referred to as "TIEZA"),

-and-

NESMARK CONSTRUCTION ENTERPRISES, with principal office address at Maybato North, San Jose, Antique, represented herein by its Owner, **NESTOR D. MACAVINTA** (hereafter called the "CONTRACTOR").

RECITALS


WHEREAS, TIEZA is desirous that the contractor execute the **CONSTRUCTION OF MUNICIPAL FOOD TERMINAL/PUBLIC MARKET SAN JOSE DE BUENEVISTA, ANTIQUE** and TIEZA has accepted the bid for **TWO MILLION SEVEN HUNDRED FORTY-SIX THOUSAND NINE HUNDRED SIXTY-FOUR PESOS AND FIVE CENTAVOS (PhP2,746,964.05)** (hereafter called "the Contract Price") by the CONTRACTOR for the execution and completion of such Works and the remedying of any defects therein.

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

1. In this Agreement, words and expressions shall have the same meaning as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents, as applicable, shall be attached, deemed to form, and be read and construed as part of this Agreement:
 - a. BAC Resolution recommending award;
 - b. Bid Bulletin/s, Addendum or Supplement, if any;
 - c. Bid Data Sheet;
 - d. Bid Forms, including all the documents and statements contained in the bid envelopes;
 - e. Cash Flow Chart;
 - f. Construction Schedule (PERT/CPM);
 - g. Drawings/Plans;
 - h. Eligibility requirements, documents/statements;
 - i. Financial and Technical Component;
 - j. General and Special Conditions of Contract;
 - k. Invitation to Apply for Eligibility and to Bid;
 - l. Instructions to Bidders;
 - m. Notice of Award of Contract and the Bidder's *conforme*;
 - n. Performance Security
 - o. Program of Work (POW) / Terms of Reference;
 - p. Specifications;
 - q. TWG Evaluation and Recommendation/Resolution;
 - r. Warranty Security;
 - s. Other supporting documents.

The enumeration above shall not be construed as a limitation to the inclusion of other relevant documents submitted and/or required to be submitted by applicable law, issuances, or TIEZA.


NESTOR D. MACAVINTA
FOR THE CONTRACTOR


MARK T. LAPID
FOR TIEZA

3. In consideration of the payment to be made by TIEZA to the CONTRACTOR, the latter binds and obligates itself to faithfully undertake and accomplish the WORKS and remedy any defect in conformity with all the provisions of this Agreement in all aspects.
4. TIEZA hereby covenants to pay the CONTRACTOR, in consideration of the execution and completion of the Works and the remedying of defects, the Contract Price or such other sum as may become payable under the provisions of this Contract at the time and in the manner prescribed herein.

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the date and place first above-written.

TOURISM INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY

NESMARK CONSTRUCTION ENTERPRISES

By


MARK T. LAPID
 Chief Operating Officer

By


NESTOR D. MACAVINTA
 Owner

SIGNED IN THE PRESENCE OF:

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
 _____) S.S.

CITY OF MANILA

BEFORE ME, a Notary Public in and for _____, Philippines, this _____ day of _____ 2022 personally appeared:

CITY OF MANILA

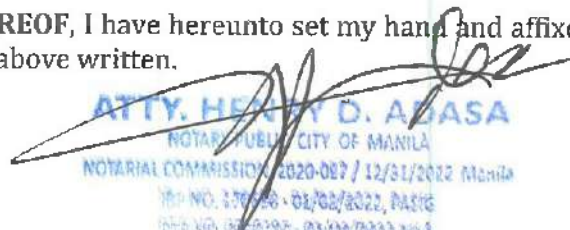
SEP 15 2022

Name	ID Presented/ID No.	Date & Place Issued
MARK T. LAPID	TIEZA No. 2356	Pasay City
NESTOR D. MACAVINTA		

all known to me to be the same persons who executed the foregoing Contract Agreement and acknowledged to me that the same is their free and voluntary act and deed and that of the entities they respectively represent.

This instrument consists of **TWO (2) pages**, including this page where this acknowledgment is written.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal on the date and at the place first above written.


ATTY. HENRY D. AZASA
 NOTARY PUBLIC, CITY OF MANILA
 NOTARIAL COMMISSION: 2020-087 / 12/31/2022 Manila
 ID NO. 170126 - 01/08/2022, PASIG
 PTA NO. 01-02397 - 03/08/2002, MIA
 ROLL NO. 42579, PIN: 872-828-620
 MCLE CODE: NO. VII-0500100-026/2016, Valid April 14, 2025
 URBAN DECA HONORARIUM MANILA, D-2, UNIT 355, TONDOL, MALAY

Doc No. _____
 Page No. _____
 Book No. _____
 Series of 2022.