

CONTRACT AGREEMENT

(Contract No. 2023-027)

THIS AGREEMENT, made this JUL 03⁹ day of 2023 2023 in _____ between:

The **TOURISM INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY (TIEZA)**, an attached body corporate of the Department of Tourism by virtue of Republic Act No. 9593 holding office 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**, duly authorized for this purpose under Board Resolution _____, Series of _____ (copy of which is attached as Annex A);

-and-

BASTIAN BUILDERS, with principal office address at Doña Angelina Subd. Brgy. Tenejero, Balanga City, Bataan, represented here by **BENJAMIN M. CARAIG, JR.** authorized under Resolution No. _____, Series of _____ (copy of which is attached as Annex B).

RECITALS

WHEREAS, TIEZA is desirous that the CONTRACTOR execute the **MUSEUM CURATORIAL REDESIGN AND EXECUTION OF THE "BATAAN WORLD WAR II MUSEUM: THE LEGACY OF BATAAN AND ITS HEROES" AT THE MT. SAMAT FLAGSHIP TOURISM ENTERPRISE ZONE UNDER THE DESIGN AND BUILD SCHEME** and TIEZA has accepted the bid for **EIGHTEEN MILLION NINE HUNDRED NINETY-SEVEN THOUSAND FIVE HUNDRED PESOS AND ELEVEN CENTAVOS (PhP18,997,500.11)** (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 contract documents that may be required by existing laws or by TIEZA.
- CONTRACTOR agrees that additional contract documents or information

Benjamin M. Caraig, Jr.
FOR THE CONTRACTOR

Mark T. Lapid
FOR TIEZA

prescribed by the GPPB that are subsequently required for submission after the contract's execution, such as the Notice to Proceed, Variation Orders and Warranty Security, shall likewise form part of the Contract.

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.

3. In consideration of sum of **EIGHTEEN MILLION NINE HUNDRED NINETY-SEVEN THOUSAND FIVE HUNDRED PESOS AND ELEVEN CENTAVOS (Php18,997,500.11)** or such other sums as may be ascertained, CONTRACTOR agrees to the construction of the **MUSEUM CURATORIAL REDESIGN AND EXECUTION OF THE "BATAAN WORLD WAR II MUSEUM: THE LEGACY OF BATAAN AND ITS HEROES" AT THE MT. SAMAT FLAGSHIP TOURISM ENTERPRISE ZONE UNDER THE DESIGN AND BUILD SCHEME** in accordance with its bid.
4. TIEZA agrees to pay the above-mentioned sum in accordance with the terms of the bidding.

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

BASTIAN BUILDERS

By
Mark T. Lapid
MARK T. LAPID
Chief Operating Officer

By
Benjamin M. Caraig, Jr.
BENJAMIN M. CARAIG, JR.
General Manager

SIGNED IN THE PRESENCE OF:

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
_____) S.S.

BEFORE ME, a Notary Public in and for _____, Philippines, this _____ day of **JUL 03 2023** 2023 personally appeared:

Name	ID Presented/ID No.	Date & Place Issued
MARK T. LAPID	TIEZA No. 2356	Pasay City
BENJAMIN M. CARAIG, JR.	_____	_____

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.

Doc No. 201;
Page No. 17;
Book No. 6;
Series of 2023.

ATTY. GEORGE V. DE JOYA
Notary Public
Pasig San Juan Pateros
Until Dec. 31, 2024
App. No. 1 (2023-2024)
Roll No. 34154/06-02-86
MCLE Compliance No. VII-0023866/10-18-22
PTR No. 0164128 / 01-12-23 / Pasig City
IBP Lifetime No. 06817 (Pasig Chapter)
No. 32 G. Raymundo St., Malinao, Pasig City