

CONTRACT AGREEMENT

(Contract No. 2023-040)

THIS AGREEMENT, made this **SEP 18 2023** day of _____ 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-

TLN CONSTRUCTION SUPPLY AND SERVICES, with principal office address at 155 Enrico Spazio Bernardo Condominium, Champaca St. Novaliches Sauyo, Quezon City, represented here by **TIMOTEO L. NAPOLITANO** authorized under Resolution No. _____, Series of _____ (copy of which is attached as Annex B).

RECITALS

WHEREAS, TIEZA is desirous that the CONTRACTOR execute the **DEVELOPMENT OF MINI PARK AND BAYWALK ALONG SEAWALL, BRGY. WAWA, PANAMALAYAN, ORIENTAL MINDORO** and TIEZA has accepted the bid for **EIGHT MILLION THREE HUNDRED NINETY-THREE THOUSAND EIGHT HUNDRED FORTY-FIVE PESOS AND NINETY-SEVEN CENTAVOS (PhP8,393,845.97)** (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 prescribed by the GPPB that are subsequently required for submission after the contract's


TIMOTEO L. NAPOLITANO
FOR THE CONTRACTOR


MARK T. LAPID
FOR TIEZA

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 for **EIGHT MILLION THREE HUNDRED NINETY-THREE THOUSAND EIGHT HUNDRED FORTY-FIVE PESOS AND NINETY-SEVEN CENTAVOS (PhP8,393,845.97)** or such other sums as may be ascertained, CONTRACTOR agrees to the **DEVELOPMENT OF MINI PARK AND BAYWALK ALONG SEAWALL, BRGY. WAWA, PANAMALAYAN, ORIENTAL MINDORO** 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

TLN CONSTRUCTION SUPPLY AND SERVICES

By


MARK T. LAPID
Chief Operating Officer

By


TIMOTEO L. NAPOLITANO
Authorized Representative

SIGNED IN THE PRESENCE OF:

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)

MANILA) S.S.

BEFORE ME, a Notary Public in and for MANILA, Philippines, this **SEP 18 2023** day of 2023 personally appeared:

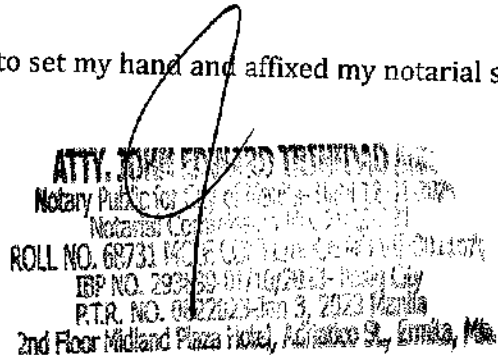
Name	ID Presented/ID No.	Date & Place Issued
MARK T. LAPID	TIEZA No. 2356	Pasay City
TIMOTEO L. NAPOLITANO		

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. 406
Page No. 8
Book No. X
Series of 2023.


ATTY. JOSE EDUARDO YESSILMAN
Notary Public for the Philippines
Notaries Commission No. 21023-01
ROLL NO. 68731 MCLE OF THE COMMISSION OF NOTARIES
IBP NO. 2928-89-01/10/2013-Pasay City
P.T.R. NO. 0822023-Jan 3, 2023 Manila
2nd Floor Midland Plaza Hotel, Agrifino St., Manila, Ph