

THIS AGREEMENT, made this 29<sup>th</sup> day of September 2021, between the **City Government of Cagayan de Oro** (hereinafter called "the Entity") and **WDC Builders and Supplies** with office address at Blk. 5, Lot 22 CILRAI Puntod, Cagayan de Oro City (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute the **Road Opening of Baluarte to Pahiron, Lumbia (Phase 2); SN 110b - 2021**; Contract Reference Number: **7840997** (hereinafter called "the Works") and the Entity has accepted the Bid for **Three Million Nine Hundred Ninety One Thousand Four Hundred Eight and 10/100 Pesos (Php3,991,408.10)** by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, 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, as annexed, shall be deemed to form, and be read and construed as part of this Agreement, to wit:
  - A General and Special Conditions of Contract;
  - B Drawings/Plans;
  - C Specifications;
  - D Invitation to Bid;
  - E Instructions to Bidders;
  - F Bid Data Sheet;
  - G Addenda and/or Supplemental/Bid Bulletins, if any;
  - H Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes;
  - I Eligibility requirements, documents and/or statements;
  - J Performance Security;
  - K Notice of Award of Contract and the Bidder's conforme thereto;
  - L 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 Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Entity to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all respects.
4. The Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects wherein, the Contract Price or such other sum as may become payable under the provisions of this

Contract at the times and in the manner prescribed by this Contract.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

Binding Signature of PROCURING  
ENTITY:

**OSCAR S. MORENO**  
City Mayor

Binding Signature of CONTRACTOR:

**ANDREW WILSON J. CABANA**  
Proprietor  
WDC Builders and Supplies

Witnesses:

#### ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF MISAMIS ORIENTAL) S.S.  
CITY OF CAGAYAN DE ORO

**BEFORE ME** this SEP 29 2021 at Cagayan de Oro City, Philippines, personally appeared:

Name	Identification and ID No.	Issued at/Date of Expiry/Place of Issue
<u>Hon. Oscar S. Moreno</u>	<u>Passport No. P5778798A</u>	<u>January 25, 2028</u>
<u>Andrew Wilson J. Cabana</u>	<u>PRC No. : 0120487</u>	<u>October 24, 2029</u>

and their witnesses, known to me to be the same persons who executed the foregoing instrument, signed by them and their witnesses on every page, and they acknowledged before me that the same are their own free and voluntary act and deed. This instrument consisting of two (2) pages only, including the page on which this acknowledgement is written.

**WITNESS MY HAND AND SEAL** on the date and first mentioned above.

Doc. No.: 330  
Page No.: 66  
Book No.: 73  
Series of: 2021

**MIGUEL M. SABACAJAN**  
Notary Public  
Valid until December 31, 2022  
Roll of Attorney's No. 29862 NC. 2021-49  
PTR No. 4825715 11/18/20 (2021);  
IBP No. 131936 11/05/20 (2021);  
MCLE Compliance No. VII-0000857  
TIN No. 114-748-124  
Cagayan de Oro City