



Republic of the Philippines  
DEPARTMENT OF AGRICULTURE  
NATIONAL IRRIGATION ADMINISTRATION  
PANGASINAN IRRIGATION MANAGEMENT OFFICE

ESER ENTERPRISES  
(CONTRACTOR)

By: ELIEZER M. CUANIAS  
Proprietor

THIS AGREEMENT, made this MAY 08 2024 day of \_\_\_\_\_, between the National Irrigation Administration - Pangasinan Irrigation Management Office, Urdaneta City, Pangasinan, represented herein by its Acting Division Manager, JOHN N. MOLANO, MSME (hereinafter called the "Entity"), and ESER ENTERPRISES, Santan corner Gumamela Street, Villa Perpetua Subd., Tarlac City, Tarlac represented herein by its Proprietor, ELIEZER M. CUANIAS (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor executes the BAYAOAS SRIP (CY 2023) - CONSTRUCTION OF IRRIGATION FACILITIES & OTHER APPURTENANT STRUCTURES - PACKAGE 3 located at Aguilar, Pangasinan under Contract No. R1-PIMO-24-02-052 (hereinafter called the "Works"), and the Entity has accepted the Bid for the said project in the amount of TWELVE MILLION EIGHT HUNDRED FORTY-SEVEN THOUSAND FOUR HUNDRED SEVENTY-FIVE AND 29/100 PESOS ONLY. (PHP. 12,847,475.29) by the Contractor for the execution and completion of such works and remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

WITNESSES :

Francis Dave T. Ramirez  
FRANCIS DAVE T. RAMIREZ

NATIONAL IRRIGATION  
ADMINISTRATION

(NIA)

John N. Molano MSME  
JOHN N. MOLANO, MSME  
Acting Division Manager

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 required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as part of this Agreement, viz.:
  - a. Philippine Bidding Documents (PBDs);
    - i. Drawings/Plans;
    - ii. Specifications;
    - iii. Bill of Quantities;
    - iv. General and Special Conditions of Contract;
    - v. Supplemental or Bid Bulletins, if any;
  - b. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;
  - c. Performance Security;
  - d. Notice of Award of Contract and the Bidder's conforme thereto; and

Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;



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e. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.

4. In consideration for the sum of **TWELVE MILLION EIGHT HUNDRED FORTY-SEVEN THOUSAND FOUR HUNDRED SEVENTY-FIVE AND 29/100 PESOS ONLY. (PHP. 12,847,475.29)** or such other sums as may be ascertained, **ESER ENTERPRISES** agrees to execute and complete the project in accordance with its Bid.
5. The National Irrigation Administration - Pangasinan Irrigation Management Office agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

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

PROCURING ENTITY:

CONTRACTOR:

  
**JOHN N. MORAN MSMB**  
Acting Division Manager

  
**ELIEZER M. CUANIAS**  
Proprietor  
**ESER ENTERPRISES**

WITNESSES:

  
**FRANCIS DAVE T. RAMIREZ**

  
\_\_\_\_\_





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PANGASINAN IRRIGATION MANAGEMENT OFFICE

SPECIAL CONDITIONS of the CONTRACT

ESER ENTERPRISES  
(CONTRACTOR)

By: **ELIEZER M. CUANIAS**  
Proprietor

WITNESSES :

**FRANCIS DAVE T. RAMIREZ**

NATIONAL IRRIGATION  
ADMINISTRATION  
(NIA)  
**JOHN N. MOLANO, MSME**  
Acting Division Manager

GCC CLAUSE						
1.21	The <b>PROCURING ENTITY</b> is the <b>NATIONAL IRRIGATION ADMINISTRATION</b> , Pangasinan IMO, Urdaneta City, Pangasinan					
1.22	The <b>PROCURING ENTITY's REPRESENTATIVE</b> is <b>JOHN N. MOLANO, MSME, Acting Division Manager.</b>					
1.24	The site is located at <b>Aguilar, Pangasinan.</b>					
1.27	The start date is upon the receipt of Notice to Proceed					
The <b>WORKS</b> consist of the following:						
ITEM NO.	DESCRIPTION	UNIT	QTY.	Unit Price (Php)	Amount (Php)	
I.	PROJECT BILLBOARD (8ft. X 8ft.)	ls.	1.00	7,110.63	7,110.63	
II.	TEMPORARY WORKS (BODEGA/BUNKHOUSE)	ls.	1.00	80,000.00	80,000.00	
III.	CONSTRUCTION SAFETY AND HEALTH PROGRAM	ls.	1.00	424,350.00	424,350.00	
IV.	CANAL LINING - RIGHT MAIN CANAL					
a.	2400 PSI Class "B"	cu.m.	787.51	10,510.49	8,277,115.98	
b.	Reinforcing Steel Bars	kgs.	27,808.00	92.69	2,577,523.52	
c.	Gravel Bedding	cu.m.	105.26	1,610.07	169,475.97	
d.	Proc./Inst. Of 3/16" x 6" PVC Waterstop	l.m.	179.80	686.34	123,403.93	
e.	Proc./Inst. Of 1.15mm thk x 50mm wide Petrolatum Tape	l.m.	365.90	96.76	35,404.48	
f.	Proc./Inst. Of 12mm Ø x 60cm long Dowel Bars	pc.	882.00	60.00	52,920.00	
g.	Proc./Inst. Of Asphalt Sealant	ltrs.	35.10	227.14	7,972.61	
h.	Common Excavation (By Equipment)	cu.m.	697.01	164.81	114,874.22	
i.	Common Backfill with Compaction (By Equipment)	cu.m.	486.01	238.58	115,952.27	
j.	Disposal of Excavated Materials	cu.m.	211.00	243.90	51,462.90	
k.	Borrow Haul (By Equipment)	cu.m.	972.77	502.73	489,040.66	
V.	CANAL STRUCTURES - RIGHT MAIN CANAL					
a.	3000 PSI Class "A"	cu.m.	13.33	12,229.52	163,019.50	
b.	2400 PSI Class "B"	cu.m.	1.11	10,510.49	11,666.64	
SUB-TOTAL					12,701,293.32	

1.30





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By: ELIEZER M. CUANIAS  
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WITNESSES :

Francis Dave T. Ramirez  
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NATIONAL IRRIGATION  
ADMINISTRATION  
(NIA)

John N. Molano MSME  
JOHN N. MOLANO MSME  
Acting Division Manager

	ITEM NO.	DESCRIPTION	UNIT	QTY.	Unit Price (Php)	Amount (Php)
	c.	Reinforcing Steel Bars	kgs.	477.00	92.69	44,213.13
	d.	Proc./Inst. Of 24" Ø RCP	l.m.	14.00	5,952.67	83,337.38
	e.	Gravel Bedding	cu.m.	2.94	1,610.07	4,733.61
	f.	Structure Excavation (By Equipment)	cu.m.	18.41	219.70	4,044.68
	g.	Structure Backfill with Compaction (By Equipment)	cu.m.	8.87	238.58	2,116.20
	h.	Borrow Haul (By Equipment)	cu.m.	10.18	502.73	5,117.79
	i.	Disposal of Excavated Materials	cu.m.	10.74	243.90	2,619.49
	SUB-TOTAL					146,182.27
	TOTAL					12,847,475.59
4.1	The <b>Intended Completion Date</b> is <b>Three Hundred (300)</b> Calendar Days from the effectivity of the Contract					
7.2	<i>In case of semi-permanent structures, such as buildings of types 1, 2, and 3 as classified under the National Building Code of the Philippines, concrete/asphalt roads, concrete river control, drainage, irrigation lined canals, river landing, deep wells, rock causeway, pedestrian overpass, and other similar semi-permanent structures: Five (5) years.</i>					
10	No <b>dayworks</b> are applicable to the contract.					
	The amount of the <b>advance payment</b> is fifteen percent (15%) of the Contract Price, to be made as per herein schedule: a. First (1st) Installment, <i>7.5% of the Contract Price</i> – upon submission to and acceptance by NIA of an irrevocable Standby Letter of Credit from a commercial bank, a bank guarantee or a surety bond, callable upon demand in accordance with Clause 39.2 and duly signed Construction Safety and Health Program approved by the DOLE. b. Second (2nd) Installment, <i>7.5% of the Contract Price</i> – after the Contractor has fully mobilized the initial equipment and manpower required for the project as specified in this Bid Documents; and/or c. The advance payment of 15% of the Contract Price maybe claim if the Contractor is able to comply and submit all above-mentioned documentary requirements.					
14	Unassembled materials delivered on the site shall not be included for payment.					
15.1	The date by which "as built" drawings are required is prior to the submission of the Final Billing Claims.					
15.2	The amount to be withheld for failing to produce "as built" drawings by the date required is <u>1%</u> of the total contract amount.					






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**ACKNOWLEDGEMENT**

REPUBLIC OF THE PHILIPPINES )  
\_\_\_\_\_ ) S.S.

Before me, a Notary Public, for and in URDANETA CITY, PANGASINAN, Philippines, personally appeared the following:

  
**JOHN N. MOLANO, MSME**  
Acting Division Manager

**ELIEZER M. CUANIAS**  
Proprietor  
**ESER ENTERPRISES**

Valid Gov't I.D. No.	: A05-02-057896
Issued on	: September 9, 2019
Valid Until	: August 25, 2024
Valid Gov't I.D. No.:	<b>N13 - 74 - 005345</b>
Issued on	: <b>2023 / 01 / 27</b>
Valid Until	: <b>2033 / 02 / 04</b>

known to me and to me known to be the same persons who executed and signed the foregoing instrument and who acknowledged to me that the same is their true and voluntary acts and deeds, and that of the agency/entity they respectively represent.

This instrument is a Contract Agreement for the **BAYAOAS SRIP (CY 2023) - CONSTRUCTION OF IRRIGATION FACILITIES & OTHER APPURTENANT STRUCTURES - PACKAGE 3** located at **Aguilar, Pangasinan** under Contract No. **R1-PIMO-24-02-052**, consisting of Five (5) pages including this page where the acknowledgement is written. Pages 1, 3 and 4 are signed on the left margin thereof and page 2 is signed on the corresponding spaces provided thereof by the Parties and their instrumental witnesses and sealed with Notarial Seal.

WITNESS MY HAND AND SEAL this       **MAY 08 2024**       day of \_\_\_\_\_  
, at       **URDANETA CITY, PANGASINAN**      .

Doc. No.       **178**      ;  
Page No.       **177**      ;  
Book No.       **16**      ;  
Series of       **7014**      .

  
Notary Public  
Until \_\_\_\_\_  
PTR No. \_\_\_\_\_  
Issued at \_\_\_\_\_  
on \_\_\_\_\_  
Notarial and Law Office, Alexander S.L. Urdaneta City, 2428 Pangasinan  
Email: [slurdaneta@yahoo.com](mailto:slurdaneta@yahoo.com)  
Telephone No. 09566219939