



THE REPUBLIC OF MALAWI
MINISTRY OF LOCAL GOVERNMENT

CONTRACT NO: MW-CZDC-316514-CW-RFB

**CONTRACT AGREEMENT FOR CONSTRUCTION OF
NG'OMBA UNDERFIVE CLINIC**

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF MALAWI

Acting through its

CHIRADZULU DISTRICT COUNCIL
P/Bag 1
CHIRADZULU

And

NAKARI/SITE GUYS/TULIPO GLYN JV
P.O BOX 2767
BLANTYRE

THIS CONTRACT AGREEMENT is made on the 20th day of January, 2023

Between

1. **CHIRADZULU DISTRICT COUNCIL**, acting on behalf of the Government of Malawi, Ministry of Local Government and having its principal place of business at **Private Bag 1, Chiradzulu Malawi** (hereinafter called "the Employer")

AND

2. **NAKALI/SITE GUYS/TULIPO GLYN JV** a corporation incorporated under the laws of **Malawi** having its principal place of business **Post Office Box 2767, Blantyre, Malawi** (hereinafter called "the Contractor")

Contact Details (Cell) _____

Whereas the Employer sourced bid for the works, describe as **Construction of Nakuyu Concrete bridge at Group Village Head Ng'omba, Chitera ward, West Constituency in Chiradzulu District** and has accepted a Bid by the Contractor for execution and completion of these works and remedying of any defects therein, and the Employer agrees to pay the Contractor the Contract Price or such other sum as may become payable under the provisions of the contract at the times and in the manner prescribed by the Contract.

Employer and the Contractor agree as follows:

In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Contract documents referred to.

The following documents shall be deemed to form and be read and construed as part of this Agreement. This Agreement shall prevail over other Contract documents.

- A. The Minutes of Contract Negotiations
 - B. The Acceptance letter
 - C. The Award letter
 - D. The Bid submission form
 - E. The Bid Securing Declaration Form
 - F. The Priced Bill of Quantities
 - G. The Proposed Personnel
 - H. The Drawings
 - I. The Code of Conduct
 - J. The Environmental Declaration Form
 - K. The Sexual Exploitation and Abuse (SEA)/ Sexual Harassment Performance Declaration
 - L. The Proposed programme of works
 - M. The letter of acceptance of World Bank Anti-Corruption Guidelines
 - N. The General conditions
 - O. The Special conditions
 - P. The Schedule of requirements
3. In consideration of the payments to be made by the Employer to the Contractor as indicated in this Agreement, the Contractor hereby covenants with the Employer to execute the Works and to remedy defects therein in conformity in all respects with the provisions of the Contract.
4. The Employer hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects therein, **the Contract Price MK59,954,838.00 (FIFTY NINE MILLION NINE HUNDRED AND FIFTY FOUR THOUSAND EIGHT HUNDRED AND THIRTY EIGHT KWACHA ONLY.** or such other sum as may become payable under the provisions of the **admeasurements Contract** at the times and in the manner prescribed by the Contract.
5. The Mobilisation (Advance Payment) will be equivalent to a limit of **20%** of the Contract Price. It will be paid to the **Contractor** no later **than 30 days.**

6. The Start Date shall be: **5 days after Contract signing** and the Intended Completion Date for the whole of the Works shall be: **120 Days after the start date.**

Agreement to be executed in accordance with the laws of **Malawi** on the day, month and year indicated above.

Name: Francis Matewere
Position: District Commissioner

Signature: _____

Date: 20/1/23

For and on behalf of the Employer,
CHIRADZULU DISTRICT COUNCIL

Name: Francis M'baya

Signature: _____
Witness: Chief Public Works Officer

Name: _____

Signature: _____

Date: 20/01/2023

NAKALI/SITE GUYS/TULIPO GLYN JV

Phone Number: 0881852054

Witness Name: James Buleya

Signature: _____

Date: 20/01/23

