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In reply please quote:.....
The District Commissioner,

P.O. Box 224,
Rumphi, Malawi.

CONTRACT AGREEMENT

BETWEEN

MALAWI GOVERNMENT ACTING THROUGH RUMPHI
DISTRICT COUNCIL OF P.O BOX 224 RUMPHI

AND

FIDELIS BUILDING CONTRACTORS,
OF
P.O BOX 330, ZOMBA

PROJECT NAME: CONSTRUCTION OF GIRLS HOSTEL
BLOCK COMPLETE WITH 80 BEDS & ASSOCIATED
WORKS AT JUNJU COMMUNITY DAY SECONDARY
SCHOOL

A handwritten signature in black ink, consisting of a stylized 'D' followed by a diagonal line.

Made the 18th Day of January (Month) 2023 (Year)

Contract Agreement

Procurement Reference No: MW-RDA-320757-CW-RFB

THIS AGREEMENT made the 6th day of Jan, 2023 between Joseph Madaka t/a FIDELIS BUILDING CONTRACTORS of P.O Box 330, ZOMBA. (hereinafter called "the Contractor"), of the one part, and MALAWI GOVERNMENT acting through RUMPHI DISTRICT COUNCIL of P.O BOX 224, RUMPHI (hereinafter called "the Employer"), of the other part:

WHEREAS the Employer is desirous that the Contractor execute construction of Girls Hostel Block c/w 80 desks and associated works at Junju Community Day Secondary School in Traditional Authority Kachulu in Rumphi District. (hereinafter called "the Works") and the Employer has accepted the Bid by the Contractor for the execution and completion of such Works and the remedying of any defects therein for the period of Ninety (90) days starting from 6th February, 2023 at a total contract sum of Ninety Million Four Hundred Twenty Three Thousand Nine Hundred Eighty Seven Kwacha and Fifty Six Tambala (Mk90, 423, 987-56) (hereinafter called the Contract Price).

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 Contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement, viz:
 - (a) the General Conditions of Contract;
 - (b) the Special Conditions of Contract;
 - (c) the Schedule of Requirements;
 - (d) the Bid Submission Form and the priced Activity Schedule or priced Bill of Quantities submitted by the Contractor;
 - (e) the Employer's Notification to the Contractor of award of contract;
 - (f) Contractor's letter of acceptance
 - (g) Contractor's Acceptance to World Bank Anti-Corruption Regulation and Guidelines and

In consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Employer to execute and complete the Works and remedy any defects therein in conformity in all respects with the provisions of the Contract.

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 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.

The Contract Price or such other sum as may be payable shall be paid in Malawi



6. Kwacha
Subject to deductions noted in Section 9.
Kwacha subject to deductions noted in section 9 and 10 below the client agrees to pay the following amounts for each stage of work completed:

<u>Stage of completion</u>	<u>% of Contract Value</u>	<u>Mk Amount</u>
4.1 Mobilization	25%	22, 605, 996.89
4.2 Substructure	30%	27, 127, 196.27
4.3 Superstructure	15%	13, 563, 598.13
4.4 Roofing	15%	13, 563, 598.13
4.5 Finishes	10%	9, 042, 398.76
4.6 Retention	5%	4, 521, 199.38
TOTAL	100%	90, 423, 987.56



ELIJAH F. ZIMBA

Director of Public Works

6. IN WITNESS whereof the parties thereto have caused this Agreement to be executed in accordance with the law specified in the Special Conditions of Contract on the day, month and year indicated above.

Signed by: [Signature] (for the Employer)

Name: _____

Position: DC

Witnessed by: [Signature]

Name: Elyah Zimba

Address: Box 224, Rumphi

Signed by: [Signature] (for the Contractor)

Name: Joseph Kapanda

Position: MARAGU DIRECTOR

Witnessed by: [Signature]

Name: MORGAN KAPANDA

Address: P.O BOX 332 ZIMBA