

**RUMPHI DISTRICT COUNCIL**

**WORKS CONTRACT**

**JANUARY 2023**

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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

RHODA NDOVI CHIWAYA t/a CHIGOMEZGO AND  
BONGANI INVESTMENTS,  
OF  
P.O BOX 84, LUMBADZI

PROJECT NAME: CONSTRUCTION OF BOMA YOUTH  
CENTRE BLOCK & ASSOCIATED WORKS AT RUMPHI  
COMMUNITY STADIUM – RUMPHI BOMA

Made the 18<sup>th</sup> Day of January (Month) 2023 (Year)

## Contract Agreement

Procurement Reference No: MW-RDA-320752-CW-RFB

THIS AGREEMENT made the 18<sup>th</sup> day of January, 2023 between Rhoda Ndovie Chiwaya t/a Chigomezgo & Bongani Investments of P.O Box 84, LUMBADZI. (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 Boma Youth Centre and associated works at Rumphu Community Stadium in Traditional Authority Chikulamayembe in Rumphu 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 6<sup>th</sup> February 2022, at a total contract sum of Sixty Million One Hundred Five Thousand Seven Hundred Two Kwacha and Thirty Five Tambala (Mk62, 105, 702-35) (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
3. 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.
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 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.

5. The Contract Price or such other sum as may be payable shall be paid in Malawi Kwacha Subject to deduction 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 Mobilisation	20 %	12, 421, 140.47
4.2 Substructure	30 %	18, 631, 710.71
4.3 Superstructure	20%	12, 421, 140.47
4.4 Roofing	15%	9, 315, 855.35
4.5 Finishes	10%	6, 210, 570.24
4.6 Retention	5%	3, 105, 285.12
<b>TOTAL</b>	<b>100%</b>	<b>62, 105, 702.35</b>



ELIJAH 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: Bulubulu Position: DC

Witnessed by: [Signature]  
Name: Elijah Zimba Address: Box 224, Rumphe

Signed by: [Signature] (for the Contractor)  
Name: Rhoda Chiwaya Position: Director

Witnessed by: Roseice CHUMBA  
Name: [Signature] Address: Box 84, Lumbanzi