

NENO DISTRICT COUNCIL

FORM OF AGREEMENT: CONSTRUCTION CONTRACT

THIS AGREEMENT made on the 25th day of Dec (month),
2022 (year)

BETWEEN NENO DISTRICT COUNCIL of (address) P.O. BOX 11, Neno
(hereinafter called the "Employer") on the one part, and ELLIS CONSTRUCTION
(Name of Company) of (address)

P.O. Box 60896
Blantyre,

(hereinafter called the "Contractor") of the other part,

WHEREAS the Employer wishes to have carried out the following Works, viz.:
**CONSTRUCTION OF MASONRY RETAINING WALL AND DRAINAGE FOR
ZALEWA TRUCKYARD ACCESS ROAD** and has accepted a Tender by the Contractor
for the construction and completion of such Works and remedying of any defects therein
in the sum of **MK 12, 740,775.00** (and in words) ...**Twelve Million Seven Hundred Forty
Thousand Seven Hundred and Seventy Five Kwacha Only** which shall constitute the
Contract Price for completion within **90** days.

NOW IT IS HEREBY AGREED 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 shall form part of this Agreement, viz.
 - (a) The Letter of Acceptance
 - (b) Any correspondence relating to the Offer
 - (c) The Conditions of Contract
 - (d) The Specifications
 - (e) The priced Bill of Quantities
 - (f) The Drawings

3. **Activities to be done**

#	Activity
1	Mobilization
2	Site clearing and setting out
	Excavation
3	Fill and Compaction
4	Concrete Works
5	Masonry Retaining Wall
6	Masonry Drain
7	Finishes
8	Miscellaneous Works

3. In consideration of the payments to be made by the Employer to the Contractor, the Contractor will perform and complete the Works in conformity in all respects with the provisions of the Contract.

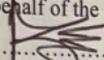
4. The Employer will pay the Contractor such sums as shall become payable at the times and in the manner prescribed by the Contract.

5. **Mode of Payment :**

#	Stage of Completion	% of Contract Value	Amount	Retention (10%)	Amount Payable
1	Advance Payment	20%	2,548,155.00	254,815.50	2,293,339.50
2	Second Payment	30%	3,822,232.50	382,223.25	3,440,009.25
3	Third Payment	30	3,822,232.50	382,223.25	3,440,009.25
4	Final Payment	20%	2,548,155.00	254,815.50	2,293,339.50
5	TOTAL	100 %	12,740,775.00	1,274,077.47	11,466,697.50

AS WITNESS the hands of the parties hereto:

Signed for and on behalf of the "Employer"

SIGNATURE: 

Full Name: Hudean Kuyha

THE DISTRICT COMMISSIONER
NENO DISTRICT COUNCIL
DATE: 23 DEC 2022
P.O. BOX
NENO

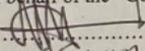
In the presence of (witness):

SIGNATURE: 

Full Name: Pemphero Chikuse

DATE: 22/12/2022

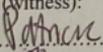
Signed for and on behalf of the "Contractor".

SIGNATURE: 

Full Name: C. S. SIMIA

DATE: 22/12/2022
(Owner of Company).

In the presence of (witness):

SIGNATURE: 

Full Name: Patricia Mumba

DATE: 22/12/2022

DESIGNATION: Operations Manager