

**RUMPHI DISTRICT COUNCIL**

**WORKS CONTRACT**

**MARCH 2023**

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Telephone: 01 372 244  
Our Ref. No. RDC/PDU/2021/22



Tel/ Fax No: 01 372 215  
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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

SIMEON CHIRWA ta

KHOZA BUILDING AND CIVIL CONTRACTORS,  
OF  
P.O BOX 302 KARONGA

PROJECT NAME: CONSTRUCTION OF DOUBLE  
CLASSROOM BLOCK COMPLETE WITH FIFTY  
DOUBLE SEATER DESKS AND ASSOCIATED WORKS  
AT MDIMWA PRIMARY SCHOOL

Ed

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Made the 23<sup>rd</sup> Day of **March** (Month) **2023**(Year)

## Contract Agreement

**Procurement Reference No: MW-RDA-320753-CW-RFB**

THIS AGREEMENT made the 23<sup>RD</sup> day of, March, **2023** between **SIMEON CHIRWA t/a KHOZA BUILDING AND CIVIL CONBTRACTORS** of P.O Box 302 Karonga. (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 Double classroom block complete with fifty double seater desks and associated works at Mdimwa Primary school 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 sum of

**Forty Three Million One Hundred Forty Five Thousand and Ninety Five Kwacha Fifty Tambala (Mk 43,145,095.50)** (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.  
This contract shall be executed for period of 90 days, effective 10<sup>th</sup> of April, 2023.
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; 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 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 Mobilisation and excavation and foundation	30 %	12,943,528.65
4.2 Substructure	20 %	8,629,019.10
4.3 Superstructure	15%	6,471,764.33
4.4 Roofing	15%	6,471,764.33
4.5 Finishes	10%	4,314,509.55
4.6 Retention	10%	4,314,509.55
<b>TOTAL</b>	<b>100%</b>	<b>43,145,095.50</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: E Bulukudi Position: DC

Witnessed by: [Signature]

Name: F. Mame Address: Box 224, Roma

Signed by: [Signature] (for the Contractor)

Name: Simon Chirwa Position: Managing Director

Witnessed by: [Signature]

Name: PASTORE MUTAMBA Address: Box 302, KARONGA