

# Contract Agreement

Procurement Reference No: MCC/ROADS/RESH/23/01

THIS AGREEMENT is made on the 14<sup>th</sup> day of, March, 2023, between Mzuzu City Council of P.O. Box 1, Mzuzu (hereinafter called "the Employer"), of the one part, and Mphamba Civil Works of P.O. Box 112, Mzuzu (hereinafter called "the Contractor"), of the other part:

WHEREAS the Employer is desirous that the Contractor execute **Reshaping and associated drainage works on selected roads in Mzuzu City** (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 The contract price is **K2, 624,375.00 (Two Million Six Hundred Twenty Four Thousand Three hundred Seventy Five kwacha only)**. (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.
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.

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 (for the Employer)  
Name: **Mr. Gomezgani E. Nyasulu**  
Authorized Representative Position  
Position: **Chief Executive Officer**  
Signature: \_\_\_\_\_

Date: \_\_\_\_\_

14/03/2023

Witness by name: **TITUS MULENGA** .....

Position: **ROADS FOREMAN** .....

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

14/03/2023

Signed by (Contractor)  
Name: **HASWELL WB MPHAMBWA**  
Authorized Representative Position

Position: **MANAGING DIRECTOR** .....

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

15/03/2023

Witness by name: \_\_\_\_\_

Position: \_\_\_\_\_

Signature: \_\_\_\_\_

**Salem Y Swire - Administrator** .....

Date: \_\_\_\_\_

15th March, 2023