

RUMPHI DISTRICT COUNCIL

WORKS CONTRACT

DECEMBER 2021

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Telephone: 01 372 244

Our Ref. No. RDC/PPDU/2021/22

Commissioner,

Tel/ Fax No: 01 372 215

E-mail: rumpfidistrictcouncil@ml.mil.mw
Malawi.



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

P.O. Box 224,
Rumphi,

CONTRACT AGREEMENT

BETWEEN

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

AND

CHILONGOZI BUILDING CONTRACTORS,
OF P.O BOX 40575, MZUZU

PROJECT NAME: CONSTRUCTION OF POLICE UNIT
AT LIVINGSTONIA AND ASSOCIATED WORKS

Made the..... Day of **December** (Month) **2021** (Year)

Contract Agreement

Procurement Reference No: RDCNCR/GESD/LPU/21-22/05

THIS AGREEMENT made the 29th day of, Dec 2021 between **CHILONGOZI BUILDING CONTRACTORS** of P.O Box 40575, MZUZU (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 Police Unit office block and associated works at Livingstonia in Rumphii 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 Two Million One Hundred Ninety Four Thousand Seven Hundred Eighty Five Kwacha and Sixty Eight Tambala (MK42, 194, 785-68) (hereinafter called the Contract Price) Of which the sum of **Forty One Million Eight Hundred Fifty Thousand Three Hundred Thirty Eight Kwacha and Forty Five Tambala (MK41, 850, 338.45)** being payment due to the Supplier, **Three Hundred Forty Four Thousand Four Hundred Forty Seven Kwacha and Twenty Three Tambala** being payment Construction Industry Council and **Three Hundred Forty Four Thousand Four Hundred Forty Seven Kwacha and Twenty Three Tambala** being payment to Public Procurement Disposal Authority

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; andIn 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.
3. 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.
4. The Contract Price or such other sum as may be payable shall be paid in Malawi Kwacha.

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: FRED MUYETE Position: DISTRICT COMMISSIONER

Witnessed by: [Signature]

Name: N. Mwendu Address: Box 224, Nairobi

Signed by: [Signature] (for the Contractor)

Name: Miles Ngũgũ Position: Managing Director

Witnessed by: [Signature]

Name: S. Ndlovu Address: PO Box 1002 NY