



CONTRACT AGREEMENT

BETWEEN

**GOVERNMENT OF THE REPUBLIC OF MALAWI
Acting through
NTCHEU DISTRICT COUNCIL**

AND

**ANDREW KHUMALO
Carrying on business as
MANDALA CONSTRUCTION COMPANY
FOR
CONSTRUCTION OF NAMITENGO SCHOOL BLOCK**

**CONTRACT NUMBER: 091/NUDC/GESD/WORKS/NAMITENGO
SCHOOL BLOCK/21/22FY/05**

DATE: 10th JANUARY 2022

AGREEMENT

THIS AGREEMENT made the 10th day of January, 2022, between GOVERNMENT OF THE REPUBLIC OF MALAWI acting through Ntcheu District Council of Private bag 1, Ntcheu (hereinafter called the "employer") of the one part, and Brady F. Mandalacarrying on business as Mandala Construction Company of Post Office Box 30987, Lilongwe (hereinafter called "the contractor"), of the other part (collectively referred to as "Parties").

WHEREAS the Employer is desirous that the Contractor carries out *construction of Namitengo Double Classroom Block* in Ntcheu 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 **MK 23,105,985.50 (Twenty Three Million One Hundred and Five Thousand Nine Hundred Eighty-Five Malawi Kwacha Fifty Tambala)** (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 Price Activity Schedules or Priced Bill of Quantities submitted by the Contractor;
 - (e) the Employers Notification to the Contractor of award of Contract; and
 - (f) the Award Acceptance letter by the Contractor
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 defect 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 provision 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.

The Contract Price or Such other sum as may be payable shall be paid in Malawi Kwacha.

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 specified in the day, month and year indicated above.

Signed by: Signature

Name

Position

(For the Employer)

Witnessed by: Signature

Name

Address

Position

(For the Employer)

Signed by: Signature

Name

Position

(For the Contractor)

Witnessed by: Signature

Name

Address

Position

(For the Contractor)

