

CONTRACT

Between

**THE PROJECT MANAGEMENT COMMITTEE AND THE
CONTRACTOR**

FOR

THE PROPOSED CONSTRUCTION OF DORMITORY

AT

SINYOLO GIRLS HIGH SCHOOL

**CONTRACT AGREEMENT BETWEEN THE PROJECT
MANAGEMENT COMMITTEE AND THE CONTRACTOR**

**FOR
THE PROPOSED CONSTRUCTION OF DORMITORY**

**AT
SINYOLO GIRLS HIGH SCHOOL**

Prepared by

.....Kisumu WEST NG CDF.....

Funded by

Kisumu West CDF

DRAFT CONTRACT BETWEEN THE PROJECT MANAGEMENT

COMITTEE AND THE CONTRACTOR

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SECTION 1

CONTRACT AGREEMENT

ARTICLES OF AGREEMENT MADE THE 27TH day of APRIL 2022

BETWEEN SPYBLO GIRLS HIGH SCHOOL

(Hereinafter called "The Project Management Committee") of the one part and GASPERA ENTERPRISES LTD

of (or whose office is situated at) KIBOSWA (hereinafter called "The Contractor") of the other part.

WHEREAS the Project Management Committee is desirous of constructing a dormitory and its supporting infrastructure (hereinafter called the Works) constructed in accordance with the drawings and specifications approved by the Public Works Office and in accordance with the General Information at Section 2 and the General Conditions of Contract at Section 3.

AND WHEREAS the Contractor has submitted his offer dated 9TH day of APRIL 2022

Offering to complete and maintain the Works upon the said conditions and in accordance with the Drawings and Specifications.

AND WHEREAS the Project Management Committee has accepted the Contractor's offer conveyed in the said tender.

NOW IT IS HEREBY AGREED AS FOLLOWS:

- (1) For the consideration hereinafter mentioned, the Contractor shall complete and maintain the Works subjected to the said Conditions of Contract and in accordance with the Drawings and Specifications.
- (2) The Project Management Committee will pay the Contractor the sum of (Kshs 6,979,550 (six thousand, nine hundred and seventy nine thousand, five hundred and fifty

Payment schedule

1. Substructure	Kshs. 2,760,430
2. Reinforced concrete super-structure.....	Kshs. 2,414,780
3. Walling.....	Kshs. 676,690
4. Doors	Kshs. 28,000
5. Windows	Kshs. 132,200
6. External finishes	Kshs. 134,500
7. Internal finishes	Kshs. 382,950
2. Public works.....	Kshs 100,000
3. PMC	Kshs 80,000
4. Contingency.....	Kshs 20,000
5. Electrical works	Kshs 100,000
6. Mechanical works	Kshs 100,000
7. Documentation	Kshs 50,000

Totals

Kshs 6,979,550

DOMNIC OLUOKI OMTANGO





IN WITNESS hereof the parties have signed in the presence of the subscribing witness,

Signed for and on behalf of the Project Management Committee by:

Hellen Juma

PMC Secretary

PRINCIPAL
SINYOLO GIRLS HIGH SCHOOL
P. O. Box 979, KISUMU

DATE *27/4/22* SIGN *[Signature]*

In the presence of:

PETER OMINDE OBISA

[Signature]

PMC Chairman

DOMINIC OLUCH OYANGO - CASHERA ENTERPRISES

[Signature]

Contractor



In the presence of:

Naphtali M. Ochumu - [Signature]

F.A.M

[Signature]

NG CDF CHAIRMAN



SECTION 2

GENERAL INFORMATION

- 2.1 This draft of a contract between the Project Management Committee and the Contractor is intended to be used for the completion of the works which are within the scope of the Building Guidelines. Buildings outside the scope of the Building Guidelines are more complicated and any agreement between the Project Management Committee and the Contractor should be made using the standard agreements drafted by the major architectural and engineering institutions of the Kenya.
- 2.2 A standard contract for the works will contain drawings and specifications as approved by the Public Works Office, General Conditions for the execution of the Works which include the works itself.
- 2.3 This draft assumes that:
- 2.3.1 A person (the Project Management Committee) wishes to carry out works and has purchased or owns land suitable for the construction of a building.
 - 2.3.2 A designer has been engaged by the Project Management Committee to draw up plans for the building.
 - 2.3.3 The plans drawn are in accordance with the requirements of the Public Works Office and the relevant Regulations in all respects, and include adequate information on items such as the structure of the building, electricity, plumbing, septic tank, drainage, water cistern and guttering, access roadways, landscaping and descriptions of the materials to be used. **The contractor will be required to plant 100 assorted seedlings as an environmental factor and to maintain the plants for the period the works will be on-going.**
 - 2.3.4 The plans include adequate information (specifications) on the materials to be used so that the Project Management Committee or the Contractor can purchase the materials for the house. Such descriptions or specifications can be noted on the plans or in a separate document.

SECTION 3

STANDARD CONDITIONS OF CONTRACT

3.1 Commencement of the works

3.1.1 Date of signing of the contract: 27TH / APRIL 2022

3.1.2 Date of occupying the site by the Contractor 3/5/2022

3.2 Date of completion of the Works: 28/10/2022

3.3 Minimum number of workmen on the site: 4 PAX

3.4 Variations and alterations

3.4.1 The Project Management Committee has the right to request the Contractor to carry out all variations and alterations from the plans and specifications provided that such alterations and variations have been approved by the Public Works Office in accordance with the controlling legislation.

3.4.2 The Contractor shall price such variations and alterations within a reasonable amount of time of the receipt of the requests by the Project Management Committee to do so. Work shall not be carried out on the alterations and variations until the Project Management Committee and the Contractor have agreed to the prices charged by the Contractor for such work.

3.4.3 The Contractor shall state whether the alterations or variations requested will lead to an extension of time for the completion of the Works and he/she shall

give the Project Management Committee his/her best estimate of the extra time required.

3.5. Extension of time

3.5.1 As soon as the Contractor recognizes that the work will not be finished in the time agreed upon, he/she shall inform the Project Management Committee of the need for more time to complete the Works and the reason for the request for the increased time.

3.5.2 It is the duty of the Project Management Committee to consider the request for an extension of the contract time taking into account the reasons given by the Contractor for such extension, and to grant the request if considered reasonable in the circumstances of the construction of the Works.

3.6. Maintenance period

The Contractor is expected to make right any defects found in the Works for a period of up to six months after the completion of the Works and the granting of a Certificate of Occupancy by the Public Works Office.

3.7. Relations between the Contractor and the Project Management Committee

3.7.1 The Contractor shall carry out the Works in accordance with the drawings and specifications and in accordance with any reasonable instructions by the Project Management Committee or his/her representative.

3.7.2 As soon as possible after the signing of the contract between the Project Management Committee and the Contractor, the Project Management Committee shall inform the Contractor the name of his/her authorized representative who will represent the Project Management Committee for the construction of the Works.

3.7.3 As soon as possible after the signing of the contract the Contractor shall inform the Project Management Committee in writing the name of the person who shall

be authorized by the Contractor to represent the Contractor for the construction of the Works.

- 3.7.4 The Project Management Committee and the Contractor shall inform each other in writing when there is a change of the persons authorized to represent them for the construction of the Works.

3.7.5 All instructions from the Project Management Committee or his/her representative shall be given to the Contractor or his/her representative in writing.

3.8. Payment schedule.

The Project Management Committee shall pay to the Contractor the following percentages of the total cost of the contract for the Works as agreed upon between the Contractor and the Project Management Committee.:

IN WITNESS hereof the parties have signed in the presence of the subscribing witness,

Signed for and on behalf of the Project Management Committee by:

Hellen Inma
PMC Secretary

PRINCIPAL
SINYOLO GIRLS HIGH SCHOOL
P. O. Box 979, KISUMU

DATE: 22/4/20 SIGN: [Signature]

In the presence of:

PETER OMINDE OBISA
PMC Chairman

DOMNIC OLUUF OYANGO
Contractor



In the presence of:

Naphtaliy M. Ochuma
F.A.M

[Signature]
NG-CDF CHAIRMAN



PROPOSED CONSTRUCTION OF DORMITORY PHASE 1

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
	DORMITORY BLOCK PHASE 1 ELEMENT NO.1 (ALL RATES INCLUSIVE OF ALL TAXES SUBSTRUCTURE				
	<u>Excavation</u>				
A	Clear site of all shrubs and undergrowth including grubbing up of roots and dispose off as directed.	tot	SM	100	20,100
B	Excavate to remove black cotton soil not exceeding 1.5 metres deep	55	CM	400	22000
C	Excavate trenches for strip foundation not exceeding 1.5 metres for reduced level	65	CM	500	32500
D	Excavate for bases not exceeding 1.5 metres for reduced level	200	CM	400	80000
E	Extra over excavation from rock in any position	15	CM	600	21000
	<u>Filling and carting away</u>				
F	Return, fill and ram with selected and approved excavated material around excavations	60	CM	500	30000
G	Load and cart away excavated materials from site	80	CM	500	40000
H	Approved hardcore bed handpacked, well watered and compacted laid in layers of 150mm thick	201	CM	500	100500
J	50 mm selected fine material to hardcore surfaces, well rolled and leveled to receive concrete	201	SM	450	90450
K	Apply "Termidor" or any other similar and approved anti termite chemical treatment on blinded surfaces.	201	SM	250	50250
L	500 gauge polythene sheeting with sides and end laps as described laid on blinded surfaces	201	SM	100	20100
	<u>Plain concrete (1:4:8) in</u>				
M	50mm Thick blinding to foundation	51	SM	550	30250
N	50mm blinding to bases	88	SM	550	48400
					<u>585550</u>

CASHERA ENTERPRISES LIMITED
 ★ Carried to collection ★
 P. O. BOX 26-40127
 NYANG'ORI

PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
A	Vibrated reinforced concrete grade 14/20 (1:2:4) in: Strip footing	m	CM	10000	100000
B	Bases	40	CM	10000	400000
C	Stub columns	7	CM	10000	70000
D	150mm Thick ground bed	201	SM	1500	301500
E	Sawn formwork to: Sides of strip footing	56	SM	350	19600
F	Columns	94	SM	400	37600
G	Edges of floor bed 75 - 150mm high	60	LM	400	24000
H	Steel reinforcement as described including cutting to length, bending and fixing including all necessary tying wires and spacing blocks (all provisional)	530	KG	180	95400
J	8mm Diameter high tensile ribbed steel bar	636	KG	180	118080
K	10mm Ditto	1,673	KG	180	661500
L	16mm Ditto	201	SM	600	120600
M	Steel fabric mesh reinforcement to B.S. 4483 No. A 142 fabric weighing 2.22Kg/sqm fixed in bed	129	SM	1400	166600
N	Natural stone walling in cement and sand (1:3) mortar and including reinforcing with 20 x 3mm thick hoop iron in every alternate course	56	SM	500	28000
Q	200mm Thick walling Plinths 120mm thick cement and sand (1:3) render to plinths	1	ITEM	16000	16000
	Allow for keeping the whole of the excavations free from all water; include for draining or other wise keeping all works free from water as necessary over the entire contract period				
	Carried to collection:				<u>2158880</u>

PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
A	E ₂ Allow for maintaining and upholding sides of excavations and keeping excavations clear of all fallen materials, rubbish etc		ITEM	16000	16000
	Carried to collection				<u>16000</u>
	COLLECTION:				
	FROM PAGE E ₁				585550
	FROM PAGE E ₂				2158880
	FROM ABOVE				<u>16000</u>
	TOTAL FOR ELEMENT NO. 1 CARRIED TO				<u>2760430</u>
	(SUBSTRUCTURES) SUMMARY				<u><u>2760430</u></u>
	E ₃				



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PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
A	Raking string edge to staircases 300mm high (extreme) cut and fitted to profile of treads and risers	68	LM	150	10200
	Steel reinforcement as described including cutting to length, bending, hoisting and fixing including all necessary tying wires and spacing blocks (all provisional)				
	High tensile ribbed bars				
B	8mm Diameter bars	750	KG	180	135000
C	10mm Ditto	980	KG	180	176400
D	12mm Ditto	3,810	KG	180	690480
E	16mm Ditto	2,960	KG	180	532800
	Sundries				
G	Make or leave 75mm diameter hole through 150mm thick reinforced concrete	20	NO	150	3000
	Carried to Collection				1547880
	COLLECTION				866900
	FROM PAGE E4				1547880
	FROM ABOVE				2414780
	TOTAL FOR ELEMENT NO. 1				
	CARRIED TO				

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PROPOSED CONSTRUCTION OF DORMITORY PHASE 1

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
	ELEMENT NO. 3				
	WALLING				
A	200 mm wide approved quality 3-ply bituminous felt damp proof course under walls	100	LM	120	12000
B	150 mm thick Ditto	35	LM	100	3500
C	100 mm thick Ditto	15	LM	100	1500
	Natural stone (kidawa) walling in cement and sand (1:4) mortar reinforced with and including 25 x 3mm thick hoop iron in every alternate course				
C	200mm Thick walling externally	130	SM	1600	208000
	Solid concrete block walling in cement and sand (1:4) mortar reinforced with and including 25 x 3mm thick hoop iron in every alternate course				
D	200mm Thick walling internally	120	SM	1500	180000
E	150mm Thick walling internally	100	SM	1500	150000
F	100mm Thick walling internally Permanent ventilation	100	SM	1200	120000
G	Leave or form hole in 200mm thick wall size 225 x 225mm wide	90	NO	90	810
H	Ditto but to 150 mm thick wall ditto	88	NO	88	880
	TOTAL FOR ELEMENT NO. 3 CARRIED TO SUMMARY				<u>676690</u>

PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
A	<p>ELEMENT NO.4</p> <p>DOORS</p> <p>Mild steel Doors</p> <p>Mild steel pannel door comprising of 6No. Size 300 x 800mm high and 3No. Size 100 x 450mm high 10mm thick glass panels including 900 x 200mm and 900 x 300mm high double plates complete with 100 x 50 x 3mm RHS framing and metal lugs including purpose made hanging and locking accessories once primed with red oxide primer before delivery to the site size 1500 x 2250mm high (type D1)</p>		NO	14000	28000
	<p>TOTAL FOR ELEMENT NO.4 CARRIED TO SUMMARY</p>				<p>28000</p>



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PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
ELEMENT NO.5 WINDOWS					
A	250 x 25mm Precast concrete window cill bedded and jointed with cement and sand (1:3) mortar	m		400	11,200
	Supply & fix the following purpose made steel casement window fabricated from standard sections complete with frames, mullions and transoms including all necessary burglar proofing, locking and window stays, screws and nuts once shop primed before delivery to site				
B	Steel casement window size 3000 x 1500mm high (Type W1)	NO		9000	81,000
C	Steel casement window size 600 x 600mm high (Type W2)	NO		4000	40,000
TOTAL FOR ELEMENT NO.5 CARRIED TO SUMMARY					<u>132,200</u>

PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
	ELEMENT NO. 6 EXTERNAL FINISHINGS				
	<u>Plaster: 12mm thick 2 No. coatwork, 9mm first coat of cement sand (1:6); 3mm second coat of cement and lime putty (1:10); steel troweled to concrete or blockwork base generally to: -</u>				
A	Beams	36	SM	500	18000
B	Walling	60	SM	400	24000
C	Extra over horizontal pointing in 10mm thick rod in cement and sand (1:3) mortar to external wall	185	SM	500	92500
	TOTAL FOR ELEMENT NO. 6 CARRIED TO SUMMARY				<u>134500</u>

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PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
	<u>ELEMENT NO. 7</u> <u>INTERNAL FINISHES</u>				
	<u>Plaster; 12mm thick 2 No. coatwork, 9mm first coat of cement sand (1:6); 3mm second coat of cement and lime putty (1:10); steel troweled to concrete or blockwork base generally to: -</u>				
A	<u>Walls</u> wall surfaces	612	SM	600	367 200
B	<u>Staircases</u> Sloping soffits of staircases	35	SM	450	15 750
C	Soffits of floors	201	SM	500	100 500
TOTAL FOR ELEMENT NO. 7 CARRIED TO SUMMARY					382 950
Eto					

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PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
SECTION SUMMARY					
ITEM	DESCRIPTION				AMOUNT
	SUBSTRUCTURES.....				2,760,430
	REINFORCED CONCRETE SUPERSTRUCTURE.....				2,414,780
	WALLING.....				676,690
	DOORS.....				28,000
	WINDOWS.....				1,322,000
	EXTERNAL FINISHES.....				1,345,000
	INTERNAL FINISHES.....				382,950
	TOTAL CARRIED TO GRAND SUMMARY				<u>6,529,550</u>

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PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
	PROVISIONAL SUMS The following provisional items are to be measured on completion of the works and priced in accordance with rates contained in these Bills of Quantities or pro-rata thereto or deducted in whole if not required.				
	<u>Provisional sum for:</u>				
A	Project management; One hundred thousand Shillings (Kshs. 100,000/=) only		1	100,000	100,000
B	Contingencies; Twenty thousand Shillings (Kshs. 20,000/=) only	ITEM	1	20,000	20,000
C	PMC; eighty thousand Shillings (Kshs. 80,000/=) only	ITEM	1	80,000	80,000
D	Documentation (fifty thousand)	ITEM	1	50,000	50,000
	PRIME COST SUMS				
E	Electrical piping; one hundred thousand Kenya Shillings (Kshs. 100,000.00) only	ITEM	1	100,000	100,000
G	Allow for profit (%)	%		—	—
	Allow for Attendance	ITEM	—	—	—
H	Mechanical works; one hundred thousand shillings (Kshs. 100,000/=) only	ITEM	1	100,000	100,000
	P.c 1				
					<u>450,000</u>

PROPOSED CONSTRUCTION OF DORMITORY PHASE I

ITEM	DESCRIPTION OF WORKS	UNIT	QTY	RATE	AMOUNT
GRAND SUMMARY					
ITEM	DESCRIPTION	TENDERERS AMOUNT (KES)		OFFICIAL USE ONLY	
A	PRELIMINARIES				-
B	BUILDERS WORK			6529550	-
C	P.C AND PROVISIONAL SUMS			450000	-
TOTAL CARRIED TO FORM OF TENDER				6979550	-
<p>SIX MILLION NINE SEVENTY NINE THOUSAND FIVE HUNDRED AND FIFTY ONLY</p> <p>SIGN </p> <p>CASHERA ENTERPRISES LTD BUT 26 - 40127 NYANG'ORI</p> <p>WITNESS - TOBIAS ONNGA </p>					
 <p>CASHERA ENTERPRISES LIMITED ★ ★ P. O. BOX 26-40127 NYANG'ORI</p>					

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