

ITB Reference No. : 3004254  
Contract Number : 059**CONTRACT**

This AGREEMENT is made and entered this day 4<sup>th</sup> of April, 2015 between DEPARTMENT OF AGRICULTURE-RFO XII, Koronadal City, Philippines, represented by its Regional Executive Director, AMALIA J. DATUKAN, MBA hereinafter called the "First Party" and SOUTH COTABATO SEED PRODUCERS, MPC with principal address at Lower Balmores Street, Koronadal City, represented by its Manager, ARNIE Z. ANIVERSARIO hereinafter called the "Second Party";

Whereas, the First Party invited a procurement for the supply and delivery of 24,285 bags Certified Palay Seeds and has accepted a Bid by the Second Party for the supply of those goods with the total amount Thirty-Three Million Twenty-Four Thousand Two Hundred Ninety-Seven Pesos and 19/100 Only (Php33,024,297.19).

**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 Conditions of Contract referred to;
2. The following documents shall be deemed to form and be read and construed as part of this agreement, viz.:
  - a) Funded and Approved Purchase Request;
  - b) Specifications;
  - c) Advertisement;
  - d) License copy of the contractor;
  - e) Certificate of availability of funds;
  - f) Performance Bond;
  - g) Bids and Abstract of Bids for Bid project;
  - h) Resolution of the Bids and Awards Committee as the case may be;
  - i) Approval of the Award by the Regional Director;
  - j) Letter of Acceptance of the winning bidder
3. The Second Party hereby agrees to supply and deliver the 24,285 bags Certified Palay Seeds with the following specifications, to wit:

## Specifications:

- 40kg/bag
- The packaging should bear DA and Agri-Pinoy logo (3" diameter)
- Printed with "NOT FOR SALE" (back to back)
- Print size : 3 inches
- Delivery schedule :

Delivery site	Schedule of Delivery	
	April, 2015	May, 2015
DA-CEMIARC, Tupi, So. Cot.	2,075 bags	2,008 bags
NFA Kidapawan City	4,105 bags	4,105 bags
NFA Tacurong City	5,996 bags	5,996 bags

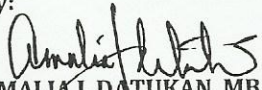


4. The **First Party** hereby covenants to pay the **Second Party** in consideration of the provision of the goods and services of high quality and efficiency and to remedy the defects therein, the contract price or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract;
5. The **Second Party** hereby obliged to give demo and trainings for the recipients and after sales service must be strictly observed which include parts, maintenance and services within one year warranty period. Failure to comply this mechanism would be a ground for disqualification from any bidding processes of the Department of Agriculture, Region XII;
6. Should the **Second Party** incur delay, Section 68, Rule XXII of RA 9184, partly states, "xxx.The amount of the liquidated damages shall be at least equal to one tenth (1/10) of one percent (1%) of the cost of the unperformed portion for every day of delay. Xxx";
7. Other provisions of RA 9184 and its IRR not stipulated in this contract are deemed applicable; and
8. This agreement shall be valid and binding upon approval by both parties.

IN WITNESS WHEREOF, the parties hereto set their respective signatures on the day written above.

Department of Agriculture Region 12

by:

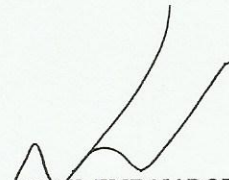
  
**AMALIA J. DATUKAN, MBA**  
 Regional Executive Director

South Cotabato Seed Producers, MPC

by:


  
**ARNIE Z. ANIVERSARIO**  
 Manager

REVIEWED AND WITNESSED BY:

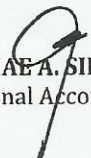
  
**RAY H. EMBAJADOR**  
 Regional Rice Focal Person

  
**JIMMY M. OLIVO, PhD.**  
 BAC Chairman


Allocation of Funds:

  
**RAKMA B. BUISAN**  
 Regional Budget Officer

Availability of Funds:

  
**ANNA MAE A. SIDEÑO**  
 OIC - Regional Accountant

Verified and Found in Order:

  
**CARLENE C. COLLADO, CPA.**  
 OIC Chief, Finance Division

**ACKNOWLEDGMENT**

Republic of the Philippines)  
City of Koronadal)SS

Before me, a Notary Public for Koronadal City personally appeared the following:

NAME	Res. Cert.	Issued at	Issued on
1. Amalia J. Datukan	37420215	Koronadal City	January 12, 2015
2. Arnie Z. Aniversario	34870007	DANAGA, SOUTH COT.	JANUARY 19, 2015

Known to me to be the same persons who executed the foregoing documents and acknowledged that the same are their voluntary acts and deeds.

This instrument consists of three (3) pages including this page in which the acknowledgement is written, and signed in the left hand margin of each and every page thereof by parties and their witnesses.

Witness MY HAND AND SEAL, this APR 08 2015 day of     , 2015 at

~~KORONADAL CITY SOUTH COTABATO~~

*Veronica A. Domingo*  
**VERONICA A. DOMINGO**  
 Notary Public  
 PRC No. 1017016  
 RPT No. 1017016 CSC  
 PRC No. 1017016 Not. City  
 MOLE DIVISION OFFICE IV-000550  
 Roll No. 30229

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 Page No. : 25  
 Book No. : 14  
 Series of 2015

Prepared by:

*Monina M. Salendab*  
**MONINA M. SALENDAB**  
 Head, BAC Secretariat

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Contract Supply and delivery of 24,285 bags Certified Palay Seeds  
 Php33,024,297.19