



ITB Reference No. : 2968790
Contract Number : 1093

CONTRACT JUL 30 2015

This **AGREEMENT** is made and entered this day ____ of _____, 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 **PELF PLANT NURSERY** with principal address at **Balindog, Kidapawan City**, represented by its **Proprietor, ELMER P. PORO** hereinafter called the "**Second Party**";

Whereas, the **First Party** invited a procurement for the **supply and delivery of 300,000 pcs. Rubber Budded Seedlings** and has accepted a Bid by the **Second Party** for the supply of those goods with the total amount **Ten Million Six Hundred Sixty-Five Thousand Six Hundred Pesos Only (Php10,665,600.00)**.

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 300,000 pcs. Rubber Budded Seedlings** with the following specifications, to wit:

Specifications:

- Variety : PB 260 and RRIM 600
- With 1 leaf storey
- Potted in 6" x 12" x 0.003 PE bag
- Good quality planting materials
- Free from pest and diseases
- Hardened pricked
- With no new flashing upon delivery to the site

Delivery schedule :

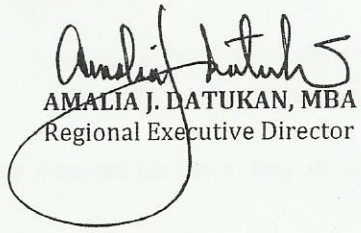
- North Cotabato Province : 75,000 pcs.
- South Cotabato Province : 75,000 pcs.
- Sultan Kudarat Province : 75,000 pcs.
- Sarangani Province : 75,000 pcs.

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;


4. 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;
5. 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";
6. Other provisions of RA 9184 and its IRR not stipulated in this contract are deemed applicable; and
7. 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.

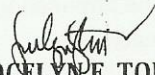
Department of Agriculture Region 12
by:



AMALIA J. DATUKAN, MBA
Regional Executive Director

Pelf Plant Nursery
by:

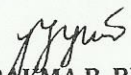

ELMER P. POROS
Proprietor

REVIEWED AND WITNESSED BY:

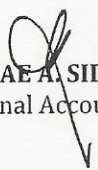

ENGR. JOCELYN F. TORRES
Regional HVCDP Focal Person


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

Contract, Supply and delivery of 300,000 pcs. Rubber Budded Seedlings
Php10,665,600.00

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. Elmer P. Poro	2383547	Balingtas, Kidapawan City	January 6, 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.

JUL 30 2015

~~KORONADAL CITY SOUTH DISTRICT~~ SEAL, this _____ day of _____, 2015 at

Veronica A. Dondiego
VERONICA A. DONDIEGO
 Notary Public
 Until December 31, 2016
 JOP No. 87087-2015-2-GSC
 BTR No. 138261-2015-KORONADAL CITY
 NICLE Exemption No. W-600559
 Roll No. 30229

Doc No. : 187
 Page No. : 98
 Book No. : V
 Series of 2015

Prepared by:

Monina M. Salendar
MONINA M. SALENDAR
 Head, BAC Secretariat

Contract Supply and delivery of 300,000 pcs Rubber Budded Seedlings
Php10,665,600.00