

ITB Reference No. : 2772067
 Contract Number : 362

CONTRACT

This AGREEMENT is made and entered this day 29th of September, 2014 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 JTM AGROCHEM, represented by its Proprietor, EVANGELINE MESA hereinafter called the "Second Party";

Whereas, the First Party invited a procurement for the supply and delivery of Assorted Vegetable Seeds (Pinakbet, Indigenous and Chopsuey Vegetable Seeds) and has accepted a Bid by the Second Party for the supply of those goods with the total amount of Five Hundred Ninety-Eight Thousand Pesos (Php598,000.00).

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) Specifications;
- b) Advertisement;
- c) License copy of the contractor;
- d) Certificate of availability of funds;
- e) Performance Bond;
- f) Bids and Abstract of Bids for Bid project;
- g) Resolution of the Bids and Awards Committee as the case may be;
- h) Approval of the Award by the Regional Director;
- i) Letter of Acceptance of the winning bidder

3. The Second Party hereby agrees to supply and deliver the Assorted Vegetable Seeds (Pinakbet, Indigenous and Chopsuey Vegetable Seeds) at DA-12 APCO SarGen Office, Lagao, General Santos City, within fifteen (15) calendar days with the following specifications, to wit:

a. PINAKBET (6 kinds) & Indigenous Vegetable Seeds (3 kinds)

- Chinese kangkong
- Pechay
- Radish
- Tomato
- Ampalaya
- Eggplant
- Okra
- Pole Sitao
- Squash

Specifications:

- 2,600 packs of 9 in 1 assorted vegetable seeds (6 kinds PINAKBET & 3 kinds Indigenous) at 45grams/pack
- 5 grams each kind

b. CHOPSUEY

- Patola
- Cauliflower
- Carrots
- Sweet pepper
- Cabbage

Specifications:

- 1,300 packs of 5 in 1 assorted vegetable seeds (CHOPSUEY) at 25grams/pack
- 5 grams each kind

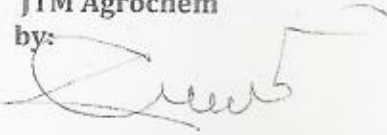
4. The **First Party** hereby covenants to pay the **Second Party** in consideration of the provision of the goods and services of high quality and efficiency and to remedy the defects therein, the contract price or such other sum as may become payable under the provisions of the contract at the time 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

JTM Agrochem
by:



EVANGELINE MESA
Proprietor

REVIEWED AND WITNESSED BY:


DANILO M. CENTILLAS
Regional HVCDP Coordinator


JIMMY M. OLIVO, PhD.
BAC Chairman

Allocation of Funds:


RAKMA B. BUISAN
Regional Budget Officer
Accountant

Availability of Funds:


ANNA MAE A. SIDEÑO
OIC - Regional

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	08628843	Koronadal City	January 17, 2014
2. Evangeline Mesa	08623601	Koronadal City	Jan. 7 2014

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 17 day of OCT 2014 at
Koronadal City South Cotabato


VERONICA A. DONDIEGO
Notary Public

UNTIL DECEMBER 31 2015

BP NO. 82466-00-01-0000

IR NO. 00000000000000000000

EXPIRES 07/2015

MCLE Exemption No. IV-000550

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