



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
 Regional Field Office XII
 Brgy. Carpenter Hill, General Santos Drive
 Koronadal City
 Tel. No./Fax No. : 083-228-3413 / 228-3411

ITB Reference No. : 3751431
 Contract Number : 2016-022R

CONTRACT
Negotiated Procurement

JUN 27 2016

This Agreement is made and entered this day _____ of _____, 2016 between the **DEPARTMENT OF AGRICULTURE- RFO XII, KORONADAL CITY, PHILIPPINES**, represented by its **Regional Executive Director, AMALIA I. DATUKAN, MBA.** hereinafter called the **"First Party"** and **GREEN SEEDS GARDEN AND PLANTERS DEPOT TRADING** with principal address at **62 National Road, Buco, Talisay, Babugas**, represented by its **Proprietor, FERNANDO C. SIMBORIO** hereinafter called the **"Second Party"**;

Whereas, the **First Party** invited a procurement for the **supply and delivery of 200,000 pcs. Coffee Planting Materials (Robusta-Stem Clones)** and has accepted a Bid by the **Second Party** for the supply of those goods with the total amount of **Three Million Seven Hundred Sixty Thousand Pesos (Php3,760,000.00)**.

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 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) Funded and Approved Purchase Request;
 - b) Advertisement;
 - c) License copy of contractor;
 - d) Performance Bond;
 - e) Bids and Abstract of Bids for Bid project;
 - f) Resolution of the Bids and Awards Committee as the case may be;
 - g) Approval of the Award by the Regional Director;
 - h) Letter of Acceptance of the winning bidder.
3. The **Second Party** hereby agrees to supply and deliver the **200,000 pcs. Coffee Planting Materials (Robusta-Stem Clones)** within **ninety (90) calendar days** with the following specifications, to wit:

Specifications:

- Variety : Robusta (stem clones)
- Size of Polybag : 6"x 8" PE bag
- At least 1 foot high
- Good quality planting materials
- Free from pest and diseases
- With no new flashing upon delivery to different municipalities
- 5% mortality rate
- Delivery site :
 - a. PLGU-North Cotabato = 49,284 pcs.
 - b. PLGU-South Cotabato = 50,124 pcs.
 - c. PLGU-Sultan Kudarat = 48,166 pcs.
 - d. PLGU-Sarangani = 52,426 pcs.

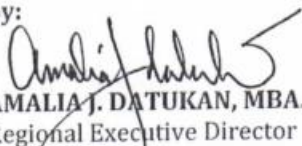
Note : See attached "ANNEX A" for the Breakdown of Deliveries per Province.

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 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. 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 of 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 of both parties.

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

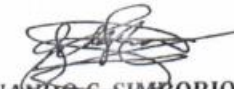
DEPARTMENT OF AGRICULTURE-REGION 12

by:

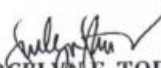

AMALIA J. DATUKAN, MBA.
 Regional Executive Director

GREEN SEEDS GARDEN AND PLANTREES DEPOT TRADING

by:

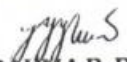

FERNANDO C. SIMBORIO
 Proprietor

REVIEWED AND WITNESSED BY:


JOELYN F. TORRES
 AP-HVCDP Focal Person


CARLENE C. COLLADO, CPA
 BAC Chairman

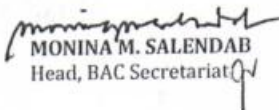
ALLOCATION OF FUNDS:


RAKMA B. BUISAN
 Regional Budget Officer

AVAILABILITY OF FUNDS:


ANNA MAE A. SيدةÑO
 OIC-Regional Accountant/
 Administrative Officer V

Prepared by:


MONINA M. SALENDAB
 Head, BAC Secretariat

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, MBA | 01095328 | Koronadal City | January 20, 2016 |
| 2. Fernando C. Simborio | 04912125 | Koronadal City | January 07, 2016 |

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 27 day of JUN 2016 at

~~CITY OF KORONADAL SOUTH COTABATO~~

Notary Public

Doc No. : 100
Page No. : 20
Book No. : 10
Series of 2016

Veronica A. Dondiego
VERONICA A. DONDIEGO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2016
IBP NO. 101330-01-05-15-GSC
PTR NO. 130020-01-04-15-KOR. CITY
MCLE EXEMPTION NO. V-000465
ROLL OF ATTY. NO. 30229