



Republic of the Philippines  
DEPARTMENT OF AGRICULTURE  
Regional Field Office 12  
Regional Center, Carpenter Hill, Koronadal City  
BAC Secretariat Office Tel. / Fax No. 083-2283411

ITB Reference No. 3850419  
Contract No. 2016-0464

**CONTRACT**

KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered this \_\_\_\_ day of NOV 25 2016 by and between the **DEPARTMENT OF AGRICULTURE, REGIONAL FIELD OFFICE 12, KORONADAL CITY**, represented by the **Regional Executive Director, ENGR. MILAGROS C. CASIS**, hereinafter called the **First Party** and **MODERN TIME ENTERPRISES, INC.** with principal address at **Door 1-6 SPK Bldg. Km7, Lanang, Davao City**, represented by its **Sales and Marketing Director, JIM ALAN E. DIENTE**, hereinafter called as the **Second Party**;

**WITNESSETH**

Whereas, the **First Party** has a procurement for the **supply and delivery of 13,600 bags Complete Fertilizer (14-14-14)** with the **Approved Budget for the Contract of Fourteen Million Nine Hundred Sixty Thousand Pesos (Php14,960,000.00)**;

Whereas, a public bidding was conducted on June 13, 2016 with six (6) participating bidders in which the **supply and delivery of 13,600 bags Complete Fertilizer (14-14-14)** was awarded to **Modern Time Enterprises, Inc.** being the bidder with the **Lowest Calculated Responsive Bid** in the amount of **Twelve Million Three Hundred Six Thousand Seven Hundred Seventy-Six Pesos (Php12,306,776.00)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** in the amount of **Twelve Million Three Hundred Six Thousand Seven Hundred Seventy-Six Pesos (Php12,306,776.00)** which shall be completely delivered within **Forty-Five (45) calendar days** at **DA-CEMIARC, Balindog, Kidapawan City** upon receipt of the approved Notice to Proceed with the following specifications, to wit:

- 50 kgs per bag
- Granular
- With DA-Logo and "NOT FOR SALE" in green printing and 3 inches diameter

**NOW THEREFORE**, for and in consideration of the following premises, the parties hereto agreed as follows:

1. The following documents shall be deemed to form and be interpreted/construed as part of this agreement, viz:

- (a) Funded and Approved Purchase Request;
- (b) Advertisement;
- (c) Approved Notice of Award;
- (d) Performance Bond;
- (e) Bid form and the Price schedule submitted by the bidder;
- (f) Schedule of requirements;
- (g) Abstract of Bids for Bid project;
- (h) Resolution of the Bids and Awards Committee as the case may be; and
- (i) Other pertinent documents as may be reasonable required by the **First Party**.

*[Handwritten signatures and initials on the left margin]*

*[Handwritten signature on the right margin]*

2. The **First Party** hereby covenants to pay the **Second Party** in consideration of the provision of the goods and services and the remedying of 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.
3. The obligation of warranty shall be covered by retention money, in an amount equivalent to ten percent (10%) of the total contract price, or a bank guarantee in a form of an irrevocable stand-by letter of credit.
4. Should the Second Party incurred 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";
5. Other provisions of RA 9184 and its IRR not stipulated in this contract are deemed applicable; and
6. This agreement shall be valid and binding upon approval of both parties.

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

Department of Agriculture XII


By:



**ENGR. MIRAGROS C. CASIS**  
Regional Executive Director

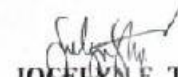
Modern Time Enterprises,  
Inc.

By:



**JIM ALAN E. DIENTE**  
Sales and Marketing Director

Reviewed and Witnessed by:



**JOCELYN F. TORRES, Ph.D.**  
HVCDP Regional Focal Person



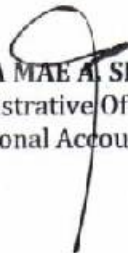
**LORNA P. VILBAR, Ph. D**  
BAC Chairman

OK as to allocation of funds:



**RAKMA B. BUISAN**  
Regional Budget Officer

Funds Available:



**ANNA MAE A. SIDIÑO**  
Administrative Officer V /  
Regional Accountant

**ACKNOWLEDGEMENT:**

Republic of the Philippines)  
City of Koronadal ) SS

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

<u>NAME</u>	<u>Res. Cert.</u>	<u>Issued at</u>	<u>Issued on</u>
1. ENGR. MILAGROS C. CASIS	24646697	Pigcawayan, North Cotabato	October 3, 2016
2. JIM ALAN E. DIENTE			

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 this \_\_\_\_\_ of NOV 25 2016, 2016 at Koronadal City.

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Page No. : 25  
Book No. : VII  
Series of 2016

*Veronica A. Dondegi*  
**VERONICA A. DONDEGI**  
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 ... NO. 30229