



**Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Regional Field Office 12
CSA Building, Zulueta Street, Koronadal City
BAC Secretariat Office Tel. / Fax No. 5208780793**

ITB Reference No. 3598319
Contract No. 2015-1089

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

MAR 31 2016

THIS AGREEMENT made this ____ day of _____ by and between the **DEPARTMENT OF AGRICULTURE, RFO XII, Koronadal City**, represented by its **Regional Executive Director, AMALIA J. DATUKAN, MBA** hereinafter called the **First Party** and **Fortunetract Agro-Sales, Inc.** with principal address at **Km. #3 J.P. Laurel Avenue, Bajada, Davao City**, represented by its **Area Sales Supervisor, CHRISTOPHER G. MARA-AT**, hereinafter called the **Second Party**;

WITNESSETH

Whereas, the **First Party** has a procurement of **Twenty-Four (24) units Hand Tractor (Power Tiller)** with the **Approved Budget for the Contract of Three Million Pesos (Php3,000,000.00)**;

Whereas, a public bidding was conducted on January 5, 2016 with four (4) participating bidders where in **Fortunetract Agro-Sales, Inc.** won in the bidding and was awarded the **supply and delivery of Twenty-Four (24) units Hand Tractor (Power Tiller)** in the amount of **Two Million Five Hundred Thirty-Nine Thousand Two Hundred Pesos (Php2,539,200.00)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** in the amount of **Two Million Five Hundred Thirty-Nine Thousand Two Hundred Pesos (Php2,539,200.00)** which shall be completely delivered within **Forty-Five (45) calendar days at DA-CEMIARC, Bololmala, Tupi, South Cotabato** upon receipt of the approved Notice to Proceed with the following specifications, to wit:

ENGINE:

- Diamond diesel engine DI800, 5.968 KW (8HP) diesel, water cooled
- Based on AMTEC Test Report No. 2011-162 the continuous power is 5.04 KW which is 84.45% of the rated power.

POWER TILLER:

- 60-60 transmission with gear oil and 90.6% peak transmission efficiency based on AMTEC Test Report No. 2015-122
- With cage wheel and pneumatic tires with adaptor
- 3mm gear box

IMPLEMENTS:

- 2 blades + guide wheel of 16" diameter
- 8mm thick MS plate
- 1225m wide
- 1 ton capacity trailer
- Performance, efficiency and workmanship should conform to PAES
- With basic tools (set of flat and star screw driver, adjustable wrench, 10, 12, 14, 17
- With complete accessories (pulley, v-belts, engine oil, gear oil, etc)
- With DA and Agri-Pinoy Logo and body
- With minimum of 2 years warranty

[Handwritten initials and marks on the left margin]

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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.

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:



AMALIA J. DATUKAN, MBA
Regional Executive Director

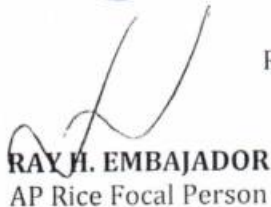
Fortunetract Agro-Sales, Inc.

By:



CHRISTOPHER G. MARA-AT
Area Sales Supervisor

Reviewed and Witnessed by:



RAY H. EMBAJADOR
AP Rice Focal Person



CARLENE S. COLLADO, CPA
BAC Chairman



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Regional Field Office 12
CSA Bldg., Corner Zulueta Street
General Santos Drive, Koronadal City
Tel/Fax No: (083) 520-0564

INVITATION TO BID FOR THE SUPPLY AND DELIVER OF 4 UNITS 4WD TRACTOR WITH COMPLETE ACCESSORIES

1. The **Department of Agriculture, Regional Field Office No.12, Koronadal City**, through the **Department of Agriculture Agri-Pinoy Rice Program Fund CY 2015** intends to apply the sum of **Six Million Eight Hundred Thousand Pesos (Php6,800,000.00)** being the Approved Budget for the Contract (ABC) to payments under the contract for the **supply and delivery of 4 units 4WD Tractor with Complete Accessories**. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The **Department of Agriculture, Regional Field Office No.12, Koronadal City** now invites bids for the **supply and delivery of 4 units 4WD Tractor with Complete Accessories**.¹ Delivery of the Goods is required for **forty-five (45) calendar days after receipt of Notice to Proceed (NTP)**. Bidders should have completed, within **three (03) years** from the date of submission and receipt of bids, a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II. Instructions to Bidders.
3. Bidding will be conducted through open competitive bidding procedures using a non-discretionary "pass/fail" criterion as specified in the Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, otherwise known as the "Government Procurement Reform Act".

Bidding is open to all interested bidders, whether local or foreign, subject to the conditions for eligibility provided in the IRR of RA 9184.
4. Interested bidders may obtain further information from **Department of Agriculture, Regional Field Office No.12, Koronadal City** and inspect the Bidding Documents at the address given below during **8:00 AM to 5:00 PM from Monday to Friday except Holiday**.

A complete set of Bidding Documents may be purchased by interested Bidders on **January 19, 2015 until 09:00AM of January 28, 2015** from the address below and

¹ A brief description of the type(s) of Goods should be provided, including quantities, location of project, and other information necessary to enable potential bidders to decide whether or not to respond to the invitation.