



**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. 3598412
Contract No. 2015-1095

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

MAR 09 2016

This contract made and entered this ____ day of _____ by and between the **DEPARTMENT OF AGRICULTURE, REGIONAL FIELD OFFICE 12, KORONADAL CITY**, represented by the **Regional Executive Director, AMALIA J. DATUKAN, MBA** hereinafter called the **First Party** and **GABS AGRI SUPPLY AND BUY & SELL** with principal address at **Allah Valley Drive, Zone 1, Libertad, Surallah, South Cotabato**, represented by its **Proprietor, GABRIEL C. GARLAN**, hereinafter called as the **Second Party**;

WITNESSETH

Whereas, the **First Party** has a project of **Supply and delivery of Various Chemicals with the Approved Budget for the Contract of One Million Two Hundred Five Thousand Nine Hundred Thirty Pesos (Php1,205,930.00)**;

Whereas, a public bidding was conducted on January 5, 2016 with two (2) participating bidder where **GABS Agri Supply and Buy & Sell** won in the bidding and was awarded the **Supply and delivery of Various Chemicals** in the amount of **One Million One Hundred Eleven Thousand Seven Hundred Pesos (Php1,111,700.00)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** in the amount of **One Million One Hundred Eleven Thousand Seven Hundred Pesos (Php1,111,700.00)** 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:

- 680 bottles Insecticides; 1 liter/bottle; AI: Deltamethrin
- 600 boxes Fungicides; 1 kilo/box; AI: Copper Hydroxide
- 85 boxes Rodenticides; 1 kilo/box; AI: Zinc Phosphide

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 at the bottom of the page]

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

GABS Agri Supply and Buy & Sell
By:

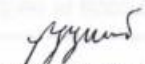

GABRIEL C. GARLAN
Proprietor

Reviewed and Witnessed by:

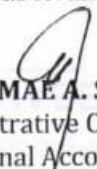

RAY H. EMBAJADOR
CEREAL Focal Person


CARLENE C. COLLADO, CPA
BAC Chairman

OK as to allocation of funds:


RAKMA B. BUISAN
Regional Budget Officer

Funds Available:


ANNA MAE A. SIDEÑO
Administrative Officer V /
Regional Accountant

CELLIFIED 1000 COB

Verified and found in order:

CARLENE C. COLLADO, CPA
Chief, Administrative and Finance Division

Prepared by:

MONINA M. SALENDAB
Head, BAC Secretariat

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. AMALIA J. DATUKAN, MBA	1095321	Koronadal City	January 20, 2016
2. GABRIEL C. GARLAN	01131063	SUNAWAH	JANUARY 13, 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 this _____ of MAR 09 2016 2016 at Koronadal City.

Doc No. : 801
Page No. : 81
Book No. : †
Series of 2016

VERONICA A. DONDIEGO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2016
IBP NO. 1013330-01-05-16-GSC
PTR NO. 1330210-01-04-16-KOR. CITY
MCLE EXEMPTION NO. V-000465
ROLL OF ATTY. NO. 30229