



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Regional Field Office 12
CSA Building, Zulueta Street, Koronadal City
BAC Secretariat Office Tel. / Fax No. 5200564

ITB Reference No. 3609292

Contract No. 2015-1115

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

MAR 11 2015

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 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 of Various Fertilizers with the Approved Budget for the Contract of Five Million Fifty Thousand Pesos (Php5,050,000.00);

Whereas, a public bidding was conducted on December 28, 2015 with four (4) participating bidder which was Modern Time Enterprises, Inc. and was awarded the supply and delivery of Various Fertilizers as the bidder who submitted the Lowest Calculated Responsive Bid in the amount of Three Million Four Hundred Eighty-Nine Thousand Six Hundred Fifty Pesos (Php3,489,650.00);

Whereas, the First Party has accepted the bid of the Second Party in the amount of Three Million Four Hundred Eighty-Nine Thousand Six Hundred Fifty Pesos (Php3,489,650.00) which shall be completely delivered within Thirty (30) calendar days at DA-CEMIARC, Bololmala, Tupi, South Cotabato upon receipt of the approved Notice to Proceed with the following specifications, to wit:

- 1,000 bags Urea Granular Fertilizer (46-0-0) at 50 kgs per bag
- 1,500 bags Complete Fertilizer (14-14-14) at 50 kgs per bag
- 1,000 bags Potash Fertilizer (0-0-60) at 50 kgs per bag

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

Modern Time Enterprises, Inc.

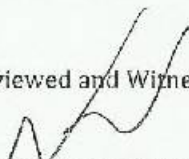
By:


AMALIA J. DATUKAN, MBA
Regional Executive Director

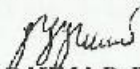
By:


JIM ALANE. DIENTE
Sales and Marketing Director

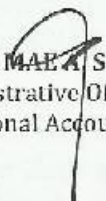
Reviewed and Witnessed by:


RAY H. EMBAJADOR
AP Rice Program Focal Person

OK as to allocation of funds:


KARMA B. BUISAN
Regional Budget Officer

Funds Available:


ANNA MAE A. SIDENIO
Administrative Officer V /
Regional Accountant

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>
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1. AMALIA J. DATUKAN, MBA
2. JIM ALAN E. DIEN'TE

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.

MAR 11 2018

Witness my hand this _____ of _____ 20__ at Koronadal City.

Doc No. : 17
 Page No. : 4
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 Series of 20 11

VERONICA A. DONONO
 NOTARY PUBLIC
 UNTIL EXPIRES 01.01.2018
 IBP NO. 1013950-01-05-18-000
 PTR NO. 1030218-01-04-18-010.011
 MCLE EXEMPTION NO. V-001765
 ROLL OF ATTY. NO. 30229