



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. 3775438
Contract No. 2016-0270

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

JUN 9 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 **LA SUERTA'S FRUIT TREES NURSERY** with principal address at **Purok 10, Sinangguyan, Don Carlos, Bukidnon**, represented by its **Proprietor, CRESTA SURTA SUERTA R. MAHILUM**, hereinafter called as the **Second Party**;

WITNESSETH

Whereas, the **First Party** has a procurement of the **supply and delivery of 600,000 pcs Coffee Planting Materials** with the **Approved Budget for the Contract of Four Million Six Hundred Eighty Thousand Pesos (Php4,680,000.00)**;

Whereas, a public bidding was conducted on April 12, 2016 with only one (1) participating bidders which was **La Suerta's Fruit Trees Nursery** and was awarded the **supply and delivery of 600,000 pcs Coffee Planting Materials** in the amount of **Four Million Six Hundred Twenty Thousand Pesos (Php4,620,000.00)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** in the amount of **Four Million Six Hundred Twenty Thousand Pesos (Php4,620,000.00)** which shall be completely delivered within **One Hundred Twenty (120) calendar days at Lake Sebu, South Cotabato** upon receipt of the approved Notice to Proceed with the following specifications, to wit:

Handwritten initials

- **Variety:** Arabica Seedlings
- **Size of Polybag :** 5" x 8" PE bag
- **Minimum height :** at least 1.0 foot high
- Good quality planting material
- Free from pest and diseases
- With no new flashing upon delivery
- 5% mortality allowance

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Handwritten signature

Handwritten signature

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

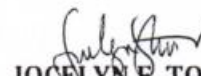
La Suerta's Fruit Trees Nursery

By:



CRESTA SURTA SUERTA R. MAHILUM
Proprietor

Reviewed and Witnessed by:

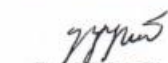


JOCELYN F. TORRES, Ph. D.
HVCDP Regional Focal Person



CARLENE C. COLLADO, CPA
BAC Chairman

OK as to allocation of funds:



RAKMA B. BUISAN
Regional Budget Officer

Funds Available:

[Signature]
ANNA MAE A. SIDIÑO
Administrative Officer V /
Regional Accountant

Prepared by:

[Signature]
MONINA M. SALENDAB
Head, BAC Secretariat
llb

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. CRESTA SURTA SUERTA R. MAHILUM			

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 JUN 27 2016 of _____, 2016 at Koronadal City.

Doc No. : 377
Page No. : 74
Book No. : 10
Series of 2016

[Signature]
VERONICA A. DONDIECO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2016
BP NO. 1013390-01-05-16-GSC
PTR NO. 1937218-09-07-15-008 CITY
AGRI. SEC. DIV. CORONADAL CITY