



ITB Reference No. 3632388
Contract No. 2016-0013

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

JUN 13 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 PHILINSTRUMENTS CORPORATION with principal address at Unit 504 EU State Tower, #30 Quezon Avenue, Quezon City, represented by its Authorized Representative, MARIA KRISTINA MAY S. AMBAL, hereinafter called as the Second Party;

WITNESSETH

Whereas, the First Party has a procurement of Fourteen (14) units Moisture Meter with the Approved Budget for the Contract of One Million One Hundred Ninety Thousand Pesos (Php1,190,000.00);

Whereas, a public bidding was conducted on February 3, 2016 with three (3) participating bidders in which Philinstruments Corporation won in the bidding and was awarded the supply and delivery of Fourteen (14) units Moisture Meter in the amount of Six Hundred Ninety-Nine Thousand Four Hundred Forty Pesos (Php699,440.00);

Whereas, the First Party has accepted the bid of the Second Party in the amount of Six Hundred Ninety-Nine Thousand Four Hundred Forty Pesos (Php699,440.00) 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:

- Menu driven operating system
- Internal scale (no pre-weighing)
- USB compatibility for calibration loading
- Automatic temperature compensation
- Internal scale and temperature moisture range 5-45% MC
- LCD adjustable contrast display
- With reflectorized Agri-Pinoy and DA logo
- 1 year warranty

Handwritten note: Amal J. Datukan

Handwritten note: Maria Kristina May S. Ambal

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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. The Second Party hereby agrees to give demo and trainings for the recipients and testing of the equipment shall be undertaken on the delivery site for two weeks or one month continuous operation before payment shall be made;

5. 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";

6. Other provisions of RA 9184 and its IRR not stipulated in this contract are deemed applicable; and

7. 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
 AMALIA J. DATUKAN, MBA
 Regional Executive Director

Philinstruments Corporation

By:

Maria Kristina May S. Ambal
 MARIA KRISTINA MAY S. AMBAL
 Authorized Representative

Reviewed and Witnessed by:

Ray H. Embayador
 RAY H. EMBAYADOR
 AP Cereal Focal Person

Carlene C. Collado
 CARLENE C. COLLADO, CPA
 HAC Chairman

OK as to allocation of funds:

RBM
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

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. MARIA KRISTINA MAY S. AMBAL | 17243896 | Samp., Manila | January 18, 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 JUN 13 2016 of 2016 at Koronadal City.

[Signature]
VERONICA A. DONDIC
NOTARY PUBLIC

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EXPIRES ON DECEMBER 31, 2016
REGISTRATION NO. 05-15-05
OFFICE OF THE NOTARY PUBLIC - KORONADAL CITY
ROLL OF ATTY. NO. **30229**