



Republic of the Philippines  
 DEPARTMENT OF AGRICULTURE  
 Regional Field Unit No. 12  
 Brgy. Carpenter Hill, Koronadal City  
 BAC Secretariat Office

ITB Reference No.3632410  
 Contract No. 2016-0021

**CONTRACT**

KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered this TEN day of MAY 2016 by and between the DEPARTMENT OF AGRICULTURE, REGIONAL FIELD Office 12, KORONADAL CITY, represented by the Regional Executive Director, AMALIA J. DATUKAN, hereinafter called the First Party and ALL CERTIFIED EQUIPMENT TRADING CORPORATION with principal address at Door 3, L24,B36, Corner Peace Avenue, Bangkal, Brgy. Talomo, Davao City, represented by its Sales Supervisor MR. JOEL O. CABACONGAN, hereinafter called as the Second Party;

Whereas, the First Party has a procurement of Eight (8) Units Vertical Dryer with the Approved Budget for the Contract of Twenty-Eight Million Pesos (Php28,000,000.00) at Three Million Five Hundred Thousand Pesos (Php3,500,000.00) per unit as the Approved Budget for the Contract;

Whereas, a public bidding was conducted last February 3, 2016 with only one (1) participating bidder which was the All Certified Equipment Trading Corporation represented by its Sales Supervisor, Mr. Joel O. Cabacongan;

Whereas, the project shall be on 90%/10% scheme wherein the 90% amount of the project shall be the Procuring Entity's counterpart and the 10% amount shall be the Recipients' equity;

Whereas, the First Party has accepted the bid of the Second Party in the amount of Twenty-Five Million One Hundred Twenty-Six Thousand Nine Hundred Ninety-Nine Pesos and 20/100 (Php25,126,999.20) at Three Million One Hundred Forty Thousand Eight Hundred Seventy-Four Pesos and 90/100 (Php3,140,874.90) Per Unit, representing the 90% amount of the project as DA's counterpart as per breakdown, to wit:

	(100%)	(90%)	(10%)
Total Cost	Php27,918,888.00	Php25,126,999.20	Php2,791,888.80
Unit Cost	3,489,861.00	3,140,874.90	348,986.10

Whereas, the Ten Percent (10%) cost of the project in the amount of Two Million Seven Hundred Ninety-One Thousand Eight Hundred Eighty-Eight Pesos and 80/100 (Php2,791,888.80) at Three Hundred Forty-Eight Thousand Nine Hundred Eighty-Six Pesos and 10/100 (Php348,986.10) per unit shall be the Recipients' Equity;

Whereas, the First Party shall pay to the Second Party the amount of **Twenty-Five Million One Hundred Twenty Six Thousand Nine Hundred Ninety-Nine Pesos and 20/100 (Php25,126,999.20)** at **Three Million One Hundred Forty Thousand Eight Hundred Seventy-Four Pesos and 90/100 (Php3,140,874.90)** Per Unit for the supply and delivery of **Eight (8) Units Vertical Dryer**, representing the **90% amount** of the project hereinafter called as "**the Contract Price**";

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to;

2. The following documents shall be deemed to form, be read and construed as part of this agreement, viz:

- (a) Funded and Approved Purchase Request;
- (b) Approved Notice of Award;
- (c) Performance Bond;
- (e) Technical and Financial documents of the winning bidder
- (f) Resolution of the Bids and Awards Committee as the case may be; and
- (g) Other pertinent documents as may be reasonable required by the First Party.

3. In consideration of the payments to be made by the First Party to the Second Party as hereinafter mentioned, the Second Party hereby covenants with the First Party to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract;

4. The Second Party hereby agrees to deliver the **Eight (8) Units Vertical Dryer** at **DA-Tupi, Bolomala, South Cotabato** within **Ninety (90) calendar days** upon receipt of the Notice to Proceed with the following specifications, to wit:

- Multi-crop dryer (Rice and Corn)
- Continuous drum grain dryer w/dryer blower
- Indirect heating
- Type: Mixed flow
- Engine: 70-80HP, diesel 4 cylinder
- Capacity: 12.7 tons
- Drying time of 4-5 hours from 33%-14% MC
- Trailer mounted
- Re-circulating time: 12-15 minutes
- Fan type: Axial
- Accessories:
  - Dust collector
  - Loading hopper
  - Circulating auger
  - Unloading head
  - Grain sample
  - Dryer control
  - Access door to plenum
  - PTO tumbler shaft
  - Moisture meter
  - Ladder
  - Vaporizer
  - Warranty: one (1) year

*[Handwritten signature]*

*[Handwritten signature]*

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*[Handwritten signature]*

Materials and components: all brand new  
Can run by tractor PTO  
With after sales service  
AMTEC tested  
Performance, Efficiency and Workmanship should conform to PAES  
Painted with Agri-Pindo logo on both sides and DA logo in front (10" diameter)

5. 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 2 weeks or 1 month continuous operation before payment shall be made;

6. Should the Second Party incur 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";


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

8. 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

  
RAY H. EMBAJADOR  
AP Rice and Corn Focal Person

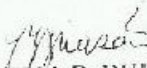
All Certified Equipment Trading Corp.  
By:

  
JOEL O. CABACONGAN  
Sales Supervisor


Reviewed and Witnessed by:

  
CARLENE C. COLLADO, CPA  
BAC chairman

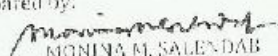
OK as to allocation of funds:

  
RAKMA B. BUISAN  
Regional Budget Officer

Funds Available:

  
ANNA MAE A. BIDEÑO  
Administrative Officer V  
Regional Accountant

Prepared by:

  
MONINA M. SALENDAB  
BAC Secretariat-Head

ACKNOWLEDGMENT:

Republic of the Philippines)  
City of Koronadal x - x - x )

Before me, a Notary Public for Koronadal City personally appeared the following:

NAME	Res. Cert.	Assued at	Issued on
1. Amalia J. Datukan, MBA	1095324	Koronadal City	Jan. 20, 2016
2. Joel O. Cabacongan			

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 four (4) pages including this page in which the acknowledgment is written, and signed in the left hand margin of each and every page thereof by parties and their witnesses.

Witness my hand and seal this    of   MAY 12   2016 at

  CITY OF KORONADAL, SOUTH COTABATO  

VERONICA A. DUTERA  
NOTARY PUBLIC

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Series of 2016

UNIVERSITY OF THE PHILIPPINES  
CORONADAL CITY  
ROLL OF PATRY. NO. 50229

Contract for Eight (8) Units Vertical Dryer  
Php27,918,888.00 (100%)  
Php25,126,999.20 (90%)  
Php2,791,888.80 (10%)  
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