



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. 3632422
Contract No. 2016-0027

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered this day of MAY 24 2016 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 DAVAO ORIENTAL SEED PRODUCERS COOPERATIVE (DOSEPCO) with principal address at Purok 2, Banaybanay, Davao Oriental, represented by its Authorized Representative, ROSARIO S. MANTE, hereinafter called as the Second Party;

WITNESSETH

Whereas, the First Party has a procurement of 6,441 bags Certified Palay Seeds (Buffer Stocking - High Quality Seed) with the Approved Budget for the Contract of Eight Million Seven Hundred Fifty-Nine Thousand Seven Hundred Sixty Pesos (Php8,759,760.00);

from contract

Whereas, a public bidding was conducted on February 3, 2016 with only one (1) participating bidder which was Davao Oriental Seed Producers Cooperative (DOSEPCO) and was awarded the supply and delivery of 6,441 bags Certified Palay Seeds (Buffer Stocking - High Quality Seed) in the amount of Eight Million Seven Hundred Fifty-Eight Thousand Eight Hundred Fifty-Eight Pesos and 26/100 (Php8,758,858.26);

Whereas, the First Party has accepted the bid of the Second Party in the amount of Eight Million Seven Hundred Fifty-Eight Thousand Eight Hundred Fifty-Eight Pesos and 26/100 (Php8,758,858.26) which shall be completely delivered within Forty-Five (45) calendar days at NFA Warehouse in Tacurong City upon receipt of the approved Notice to Proceed with the following specifications, to wit:

- 40 kg/bag
- NSIC RC 226, 300, 128
- 85% minimum germ
- Germination Testing before award and before delivery at designated drop off points to be conducted by BPI NSQCS
- Packaging as prescribed by the BPI NSQCS in green bag front and back printed with HQS, DA and Agri-Pinoy logo and "NOT FOR SALE" in 3 inches diameter

Mante
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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. 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

Davao Oriental Seed Producers Cooperative (DOSEPCO)

By:

By:

Amalia J. Datukan
 AMALIA J. DATUKAN, MBA
 Regional Executive Director

Rosario S. Mante
 ROSARIO S. MANTE
 Authorized Representative

Reviewed and Witnessed by:

Ray H. Embajador
 RAY H. EMBAJADOR
 AP Cereal Focal Person

Carlene C. Collado
 CARLENE C. COLLADO, CPA
 B&C Chairman

OK as to allocation of funds:

[Signature]
RAKMA B. BUISAN
Regional Budget Officer

Funds Available:

[Signature]
ANNA MAE A. SIDENO
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. ROSARIO S. MANTE | 20791398 | <i>Pamay, Bas. Bu.</i> | <i>April 2, 2016</i> |

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 MAY 2 of 2016, 2016 at Koronadal City.

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Series of 2016

[Signature]
VERONICA A. BORTOLLO
NOTARY PUBLIC
UP. TK. DEPARTMENT 22, 2016
IBP No. 100700-11-00-18-CSC
Bulet Stocking - High Quality Seed (Koronadal City)
MCLEAREN, INC. 01-000465
ROLL OF ATTY. No. 00029

rosario