



ITB Reference No. 3632452
Contract No. 2016-0041

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered this JUN 03 2016 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 **TOUCH DOWN TRADING** with principal address at **Room 4E Jemma Bldg., 985 Delpan Street, Tondo, Manila**, represented by its **Proprietor, LAILA MATABANG**, hereinafter called as the **Second Party**;

WITNESSETH

Whereas, the **First Party** has a procurement of **2,700 kgs. Garlic** with the **Approved Budget for the Contract of Five Hundred Forty Thousand Pesos (Php540,000.00)**;

Whereas, a public bidding was conducted on February 4, 2016 with only one (1) participating bidders which was **Touch Down Trading** and was awarded the **supply and delivery of 2,700 kgs. Garlic** in the amount of **Five Hundred Thirty-One Thousand Seven Hundred Sixty-Five Pesos (Php531,765.00)**;

Whereas, the **First Party** has accepted the bid of the **Second Party** in the amount of **Five Hundred Thirty-One Thousand Seven Hundred Sixty-Five Pesos (Php531,765.00)** which shall be completely delivered within **Sixty (60) calendar days** at **DA-CEMIARC, Balindog, Kidapawan City** upon receipt of the approved Notice to Proceed with the following specifications, to wit:

- Variety: Mindoro gold
- Medium to large gloves
- Good quality clovelets and free from molds and other diseases
- Seasoned and ready to plant
- Provide mortality allowance of 2% on the number of kilos for the replacement of any defective bulbs. All delivered shall be usable condition 3 months after delivery.
- Replacement for low germination seeds
- Reliable and traceable source of planting materials
- With proper tagging of variety

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

Touch Down Trading
By:


LAILA MATABANG
Proprietor

Reviewed and Witnessed by:


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


CARLENE C. COLLADO, CPA
BAC Chairman

OK as to allocation of funds:

[Signature]
RAUMA 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 Secretarial *146*

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. LAILA MATABANG	19530637	Manila	May 4, 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 03 2016 of _____, 2016 at Koronadal City.

Doc No. : 467
Page No. : 99
Book No. : 111
Series of 2016

[Signature]
VERONICA A. DONTIAGO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2016
IBP NO. 1013300-01-03-10-051,
PTR NO. 1330210-01-03-10-KORONADAL CITY
TAX EXEMPTION NO. Y-000485
REG. NO. 00029