



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. 3679670
 Contract No. 2016-0133

CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

APR 20 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 **KOOPERATIBA NG MAGSASAKANG PILIPINO NG TIMOG KUTABATO (KOMATIKU)** with principal address at Purok Bayanihan, Brgy. Sto. Niño, Koronadal City, represented by its Authorized Representative, **ENGR. EDWARD F. BUSTRIA**, hereinafter called as the Second Party;

WITNESSETH

Whereas, the First Party has a procurement of **900,000 cuttings Sweet Potato** with the **Approved Budget for the Contract of Nine Hundred Thousand Pesos (Php900,000.00)**;

Whereas, a public bidding was conducted on February 29, 2016 with only one (1) participating bidder which was **Kooperatiba ng Magsasakang Pilipino ng Timog Kutabato (KOMATIKU)** and was awarded the supply and delivery of **900,000 cuttings Sweet Potato** in the amount of **Nine Hundred Thousand Pesos (Php900,000.00)**;

Whereas, the First Party has accepted the bid of the **Second Party** in the amount of **Nine Hundred Thousand Pesos (Php900,000.00)** which shall be completely delivered within **Thirty (30) calendar days** at **DA-CEMIARC Balindog, Kidapawan City** upon receipt of the approved Notice to Proceed with the following specifications, to wit:

- Variety: Kalim-aw
- Tender rooted sprouts
- 3 nodes cuttings
- Length: minimum of 1 foot
- Free from pest and diseases

[Handwritten signature]

[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

Kooperatiba ng Magsasakang Pilipino ng Timog Kutabato (KOMATIKU)

By:

AMALIA J. DATUKAN, MBA
Regional Executive Director

By:

ENGR. EDWARD F. BUSTRIA
Authorized Representative

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]
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. ENGR. EDWARD F. BUSTRIA	04600496	Koronadal City	January 15, 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 APR 28 2016 of _____, 2016 at Koronadal City.

Doc No. : 185
Page No. : 37
Book No. : III
Series of 2016

[Signature]
VERONICA A. DONDIEG
NOTARY PUBLIC
UNITED, DECEMBER 31, 2016
P.O. NO. 1019300-01-05-16-GSC
P.O. NO. 1019300-01-04-16-KOR, CIT.
SOLE EXEMPTION NO. V-000465
ROLL OF ATTY. NO. 30229