

CONTRACT AGREEMENT

THIS AGREEMENT made the *24th day of May 2023* between *Department of Agriculture-Caraga Region* of the Philippines hereinafter called "the Entity" of the one part and *Ernie Agroforest Nursery of Butuan City*, Philippines hereinafter called "the Supplier" of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly for the *Procurement of 40,000 pcs Abaca Planting Materials* and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of *One Million One Hundred Thirty-Eight Thousand Pesos Only (P 1,138,000.00)* hereinafter called "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 as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, *viz.*:
 - i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any
 - ii. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (*e.g.*, Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;
 - iii. Performance Security;
 - iv. Notice of Award of Contract; and the Bidder's conforme thereto; and
 - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.**
3. In consideration for the sum of *One Million One Hundred Thirty-Eight Thousand Pesos Only (P 1,138,000.00)* or such other sums as may be ascertained, *Ernie Agroforest Nursery* agrees to the *Procurement of 40,000 pcs Abaca Planting Materials* in accordance with his/her/its Bid.
4. The *Department of Agriculture-Caraga Region* agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.





ENGR. RICARDO M. OÑATE, JR.
Regional Executive Director

for:

Department of Agriculture, Caraga


ERNIE A. ESCLAMADO
Authorized Representative

for:

Ernie Agroforest Nursery

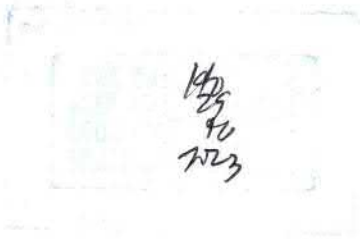
Acknowledgement

BEFORE ME, a Notary Public on this MAY 30 2023 day of _____ 2023 in the City of Butuan, Philippines personally appeared.

NAME	Gov't. Issued ID	Date/Place Issued
ENGR. RICARDO M. OÑATE, JR.	BIR T.I.N. (103-151-531)	10/05/1991 - Davao City
ERNIE A. ESCLAMADO	<u>DSCA (8600-51378)</u>	<u>BUTUAN CITY / 6-20-22</u>

Known to me to be the same person who executed this foregoing instrument which consist of two (2) pages including this acknowledgment page signed by the parties concerned and their instrument witness in every page thereof and that the same is their free and voluntary act and deed and that of the entity they represent for this contract which relates to the Procurement of goods stated in this contract.

IN WITNESS THEREFORE, I herein set hand and affixed my Notarial Seal at the place and date first above written.


10/25/2023


ATTY. RONEL M. AZARCON
NOTARY PUBLIC
UNTIL DECEMBER 31, 2024
ISP NO. 2573
R NO. 2019
Email Address: azarcron@smail.com



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
 Caraga Region
 Capitol Site, Butuan City

RECEIVED
ACCTU
 DEPARTMENT OF AGRICULTURE
 5-24-23

PURCHASE ORDER

Supplier : ERNIE AGROFOREST NURSERY	P.O. No. : <u>23. 732.05 P6</u>
Address : <u>P-4, AMBAGO, BUTUAN CITY</u>	Date : <u>5.24.2023</u>
TIN : <u>481-189-790-000</u>	Mode of Procurement : <u>Public Bidding</u>

Gentlemen:

Please furnish this Office the following articles subject to the terms and conditions contained herein:

Place of Delivery : <u>Delivery On-site</u>	Delivery Term : <u>FOB Caraga</u>
Date of Delivery : <u>45 calendar days upon receipt of NTP</u>	Payment Term : <u>Full payment upon complete delivery subject to availability of cash</u>

Stock/ Property No.	Unit	Description	Quantity	Unit Cost	Amount
	pcs	ABACA planting materials Abaca Suckers: a. <i>Sword leaf suckers</i> b. <i>At least 1 meter tall</i> c. <i>Traditional varieties: Iagwis and Laylay</i> Note: Participating suppliers: - <i>Source of planting materials should be inspected and certified by PhilFIDA that the farm source is free from virus diseases: bunchy top (BTV) and abaca bract mosaic (ABrMV) type;</i> - <i>if sourced from other region, inspection from PhilFIDA and BPI phytosanitary clearance must be secured</i> - <i>mortality allowance of 5% of the total purchased</i> - <i>mortality observation period; 7 days after delivery</i> - <i>replacement period: 7 days after report of delivery</i> Delivery Site Mahagsay, San Luis, ADS - 8,000 pcs Binicalan, San Luis, ADS - 8,000 pcs Bayogo, Madrid, SDS - 8,000 pcs San Juan, Bayugan, ADS - 8,000 pcs Poblacion, Bayugan, ADS - 8,000 pcs Purpose: <i>For Abaca Production in support to DA - 4Ks Project Implementation</i>	40,000	28.45	1,138,000.00

(Total Amount in Words):	One Million One Hundred Thirty-Eight Thousand Pesos Only	PHP 1,138,000.00
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In case of failure to make the full delivery within the time specified above, a penalty of one-tenth (1/10) of one percent for every day of delay shall be imposed on the undelivered item/s.

Conforme:

Very truly yours,

ERNESTO A. ESCAMADO
 Signature over Printed Name of Supplier

ENGR. RICARDO M. OÑATE, JR.
 Regional Executive Director

MAY 30, 2023
 Date

Fund Cluster : <u>01</u>	ORS/BURS No. : <u>2023-05-02143</u>
Funds Available : <u>4Ks</u>	Date of the ORS/BURS : <u>5/24/23</u>
 ROCKY JAY A. PEARSON <i>Accountant II</i> OIC, Accounting Section	Amount : <u>1,138,000.00</u>