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2/14/23

23-097-02 pb
1.14.2023

CONTRACT AGREEMENT

THIS AGREEMENT made the ___ day of _____ 2023 between **Department of Agriculture-Caraga Region** of the Philippines hereinafter called "the Entity" of the one part and **Modern Time Enterprises, Inc.** of **Davao 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 Various Inorganic Fertilizers (Lots 1, 4, 5 & 6)** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Two Million Seven Hundred Five Thousand Six Hundred Fifteen Pesos Only (P 2,705,615.00)** 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 **Two Million Seven Hundred Five Thousand Six Hundred Fifteen Pesos Only (P 2,705,615.00)** or such other sums as may be ascertained, **Modern Time Enterprises, Inc.** agrees to the **Procurement of Various Inorganic Fertilizers (Lots 1, 4, 5 & 6)** 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


SO PENG KEE
President

for:

for:

Department of Agriculture, Caraga

Modern Time Enterprises, Inc.

Acknowledgement


BEFORE ME, a Notary Public on this _____ day of FEB 21 2023 2023 in the City of Butuan, Philippines personally appeared.

NAME	Gov't. Issued ID	Date/Place Issued
ENGR. RICARDO M. OÑATE, JR.	Passport No. P1344073B	04/04/2019-DFA Davao City
SO PENG KEE	UMID #: <u>0009-0739838-1</u>	<u>Davao City</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.

ACC. NO. 70
PAGE NO. 71
BOOK NO. 01
SERIES OF 2023


JAIME RENE F. NOVASCO
Roll of Attorneys No. 76435
Notary Public for and in the City of Davao
until December 31, 2023
Notarial Commission Serial No. 2022-192-2023
PTR No. 7850115C; 1/5/2023; Davao City
IBP O.R. No. 273335; 1/6/2023; Pasig City
MCLE Exempt; Admitted to the Bar on May 4, 2022
102 McArthur Highway, Toril, Davao City