

# CONTRACT AGREEMENT

**THIS AGREEMENT**, made this 4<sup>th</sup> of September **2024** between **Agricultural Training Institute - Regional Training Center VII** of Cabawan District, Tagbilaran City, Bohol, Philippines (hereinafter called "the Entity") of the one part and **EFRENA'S FASTFOOD** of Larena St., Poblacion, Guihulungan City, Negros Oriental, Philippines (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **PROVISION OF CATERING SERVICES FOR THE SIKWATEHAN SA KALUBIHAN: TRAINING ON COCONUT-CACAO FARMING SYSTEM BATCH 5** and has accepted the Bid by the Supplier for the supply of those goods and services in the sum of **Ninety-Four Thousand Five Hundred Pesos Only (Php 94,500.00)** (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 hereinafter 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 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. Notice of Award of Contract; and the Bidder's conforme thereto; and
- iv. 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 **Ninety-Four Thousand Five Hundred Pesos Only (Php 94,500.00)** or such other sums as may be ascertained, **EFRENA'S FASTFOOD** agrees to **PROVISION OF CATERING SERVICES FOR THE SIKWATEHAN SA KALUBIHAN: TRAINING ON COCONUT-CACAO FARMING SYSTEM BATCH 5** in accordance with his/her/its Bid.

4. The **Agricultural Training Institute - Regional Training Center VII** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

**GRACIA F. ARADO, Ph.D.**  
TCS II

for:

ATI RTC-7

**EFRENA S. YMALAY**  
Proprietor

for:

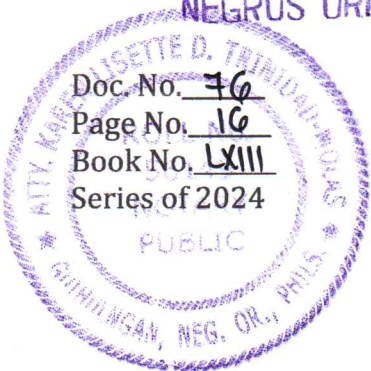
EFRENA'S FASTFOOD

### ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF **GUIHULNGAN CITY**  
**NEGROS ORIENTAL**

BEFORE ME, this 04 SEP 2024 at the City/Municipality of **GUIHULNGAN CITY**  
**NEGROS ORIENTAL** personally appeared the above-named persons with their respective Valid Identification cards as shown above, all known to me and to me known to be the same persons who executed the foregoing AGREEMENT, consisting of TWO (2) pages only including the page wherein this acknowledgement is written, the parties and their witnesses having signed on both pages hereof, and who acknowledged and ratified before me that the same is their free and voluntary act and deed.

WITNESS MY HAND AND NOTARIAL SEAL this 04 SEP 2024 at  
**GUIHULNGAN CITY**, Philippines.



Doc. No. 76  
Page No. 16  
Book No. LXIII  
Series of 2024

**ATTY. KAREN LIBETTE D. TRINIDAD-MOLAS**  
Notary Public Until December 31, 2024  
Notarial Commission No. 008 (RTC Br: 64)  
For Guihulngan City, Canlaon City, La Libertad,  
and Vallehermoso, all of Negros Oriental  
IBP OR No. 386581-01/02/2024 (Neg. Or.)  
PTR No. 7610325 A - 12/27/2023 GNO  
Roll No 56149



Omnibus Sworn Statement

REPUBLIC OF THE PHILIPPINES )
CITY / MUNICIPALITY OF GUIHULNGAN CITY
NEGROS ORIENTAL

) S.S.

AFFIDAVIT

I, EFRENA S. YMALAY, of legal age, Filipino, and residing at Guihulngan City, Negros Oriental, after having been duly sworn in accordance with law, do hereby depose and state that:

- 1. I am the sole proprietor or authorized representative of EFRENA'S FASTFOOD with office address at Larena St., Poblacion, Guihulngan City, Negros Oriental;
2. As the owner and sole proprietor, or authorized representative of EFRENA'S FASTFOOD, I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for PROVISION OF CATERING SERVICES FOR THE SIKWATEHAN SA KALUBIHAN: TRAINING ON COCONUT-CACAO FARMING SYSTEM BATCH 5 of the Agricultural Training Institute - Regional Training Center VII, as shown in the attached duly notarized Special Power of Attorney;
3. EFRENA'S FASTFOOD is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;
4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
5. EFRENA'S FASTFOOD is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;
6. The owner or sole proprietor is not related to the Head of the Procuring Entity, Procurement Agent if engaged, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;
7. EFRENA'S FASTFOOD with existing labor laws and standards; and
8. EFRENA'S FASTFOOD is aware of and has undertaken the following responsibilities as a Bidder:
a) Carefully examine all the Supporting Documents;
b) Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
c) Making an estimate of the facilities available and needed for the contract to be bid, if any; and
d) Inquiring or securing Supplemental/Bid Bulletin(s) issued for PROVISION OF CATERING SERVICES FOR THE SIKWATEHAN SA KALUBIHAN: TRAINING ON COCONUT-CACAO FARMING SYSTEM BATCH 5.
9. EFRENA'S FASTFOOD did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
10. In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.

IN WITNESS WHEREOF, I have hereunto set my hand this SEP 04 2024 day of 2024 at GUIHULNGAN CITY NEGROS ORIENTAL Philippines.

Signature of Efrena S. Ymalay
Bidder's Representative/Authorized Signatory

SUBSCRIBED AND SWORN to before me in this SEP 04 2024 day of 2024 at GUIHULNGAN CITY NEGROS ORIENTAL Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her SENOR NO with his/her photograph and signature appearing thereon, with no. 0290. Witness my hand and seal this day of

ATTY. GIANELLMAY A. MIJARES
NOTARY PUBLIC FOR GUIHULNGAN CITY
NP. NO. 23-02-0 VALID UNTIL DEC. 31, 2024
MIJARES LAW OFFICE, GUIHULNGAN CITY, NEG. OR
ROLL NO. 72308/JUNE 14, 2019