

CONTRACT AGREEMENT

THIS AGREEMENT, made this 8th of August **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 **PESTALES AGRICULTURE COOPERATIVE** of Jampang, Argao, Cebu, Philippines (hereinafter called “the Supplier”) of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **PROVISION OF FOOD, ACCOMMODATION AND VENUE RENTAL FOR THE TRAINING ON PGS GROUPS TOWARDS ACCREDITATION AS OCB** and has accepted the Bid by the Supplier for the supply of those goods and services in the sum of **One Hundred Fifty-Two Thousand Pesos Only (Php 152,000.00)** (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 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 **One Hundred Fifty-Two Thousand Pesos Only (Php 152,000.00)** or such other sums as may be ascertained, **PROVISION OF FOOD, ACCOMMODATION AND VENUE RENTAL FOR THE TRAINING ON PGS GROUPS TOWARDS ACCREDITATION AS OCB** 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

JENALYN A. ENTOY
Chairperson

for:

Pestales Agriculture Cooperative

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF CEBU

AUG 08 2024

BEFORE ME, this _____ of _____ at the City/Municipality of CEBU, 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.

AUG 08 2024

WITNESS MY HAND AND NOTARIAL SEAL this _____ at CEBU CITY, Philippines.

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ATTY. RAUL L. PATUAL
Notary Public Cebu City
Until Dec 31, 2024
PTR NO. 2484770 on Dec 20, 2023
At Cebu City Roll No. 44441
Commission No. 0121 Lifetime No. 07936
MCLE No VII005079
9D Jakosalem St., Cebu City

Omnibus Sworn Statement (Revised)

REPUBLIC OF THE PHILIPPINES)
CITY / MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, JENALYN A. ENTOY, of legal age, Filipino, and residing at Argao, Cebu, after having been duly sworn in accordance with law, do hereby depose and state that:

- 1. I am the duly authorized and designated representative of PESTALES AGRICULTURE COOPERATIVE with office address at Jampang, Argao, Cebu;
2. I am granted 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 FOOD, ACCOMMODATION AND VENUE RENTAL FOR THE TRAINING ON PGS GROUPS TOWARDS ACCREDITATION AS OCB;
3. PESTALES AGRICULTURE COOPERATIVE 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. PESTALES AGRICULTURE COOPERATIVE is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;
6. None of the officers and members of PESTALES AGRICULTURE COOPERATIVE is 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. PESTALES AGRICULTURE COOPERATIVE complies with existing labor laws and standards; and
8. PESTALES AGRICULTURE COOPERATIVE is aware of and has undertaken the following responsibilities as a Bidder:
a) Carefully examine all the Supporting Documents;
b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
d.) Inquire or secure Supplemental/Bid Bulletin(s) issued for the PROVISION OF FOOD, ACCOMMODATION AND VENUE RENTAL FOR THE TRAINING ON PGS GROUPS TOWARDS ACCREDITATION AS OCB.
9. PESTALES AGRICULTURE COOPERATIVE 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.

AUG 08 2024

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of _____ 2024 at CEBU CITY, Philippines.

Name of Bidder or its Authorized Representative

AUG 08 2024

CEBU CITY

SUBSCRIBED AND SWORN to before me in this ___ day of _____ at CEBU CITY, 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 _____, with his/her photograph and signature appearing thereon, with no. _____.

Witness my hand and seal this ___ day of _____.

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ATTY. RAUL L. DATUAL
Notary Public Cebu City
Until Dec 31, 2024

PTR NO. 2484770 on Dec. 20, 2023

At Cebu City Roll No. 44641

Commission No. 0131 License No. 07936