



CONTRACT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

THIS CONTRACT AGREEMENT made and entered into this ____ day of _____ 2022 at Quezon City, Philippines by and between:

The **PHILIPPINE COUNCIL FOR AGRICULTURE AND FISHERIES (PCAF)** an agency attached to the Department of Agriculture, created pursuant to Executive Order No. 366 dated October 04, 2004, and the approved Rationalization Plan covering the consolidation of the National Agricultural and Fishery Council (NAFC) and Livestock Development Council (LDC) on June 26, 2013, with office address at Apacible Hall, Department of Agriculture Compound, Elliptical Road, Diliman, Quezon City, represented in this Act by its OIC - Executive Director, **JULIETA E. OPULENCIA** hereinafter referred to as the **PCAF**,

-and-

MASANGKAY COMPUTER CENTER, a company licensed to operate under the laws of the Republic of the Philippines with principal office address at 1143 G. Masangkay Street ,Santa Cruz, Manila hereinafter referred to as the **SUPPLIER**;

WHEREAS, the Bids and Awards Committee (BAC) declared the first failed bidding under BAC Resolution No. 2022-042 dated April 7, 2022, hence, the Invitation to Bid (ITB) N. 2022-03 was reposted in the Philippine Government Electronic Procurement System (PhilGEPS) website on June 16, 2022 in accordance with section 21.2 of the Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184;

WHEREAS, on July 05, 2022, 10:00 am, the deadline for the submission and receipts of bids, there were no bids received, thus, the members of the BAC declared a second failure of bidding as stated in Section 35.1.a of the 2016 revised IRR of RA 9184, that the BAC shall declare the bidding a failure when "no bids are received";

WHEREAS, the PCAF decided to resort to Negotiated Procurement as provided for in Section 53.1 of the 2016 Revised IRR of RA 9184.

WHEREAS, the PCAF invited Bids for for the Procurement of Cell Cards for F.Y. 2022. The members of BAC evaluated the submitted proposals and found out that the **SUPPLIER** was the lowest calculated and responsive bid for the supply and delivery of 4210 pcs. of cellcards in the amount of **One Million Three Hundred Six Thousand Two Hundred Pesos (PhP 1,306,200.00)**.

WHEREAS, PCAF finds the **SUPPLIER** offer favorable to the Government thus, PCAF decided through BAC Resolution No. 114 Series of 2022 to award the supply and delivery of 4,210 pcs. of cellcards.

NOW THEREFORE, for and in consideration of the foregoing premises and or the mutual covenants hereinafter stipulated, the parties hereto do hereby agree as follows:

A. OBLIGATIONS OF PCAF

1. Allocate and disburse fund in the total amount of **One Million Three Hundred Six Thousand Two Hundred Pesos (PhP 1,306,200.00)** for this contract and pay the **SUPPLIER** based on the actual delivery of goods.
2. Pay the **SUPPLIER** after receipt of the billing statement

Julieta E. Opulencia

[Signature]

B. OBLIGATIONS OF SUPPLIER

1. The SUPPLIER shall supply and deliver the following PCAF cell cards (Smart/Globe/TM) on a quarterly basis with at least one (1) year validity period upon delivery:
 - 1.a. 2622 pcs of Three hundred Pesos (Php 300.00) cell cards consisting of 1288 Smart and 1334 Globe and 162 pcs of Five Hundred Pesos (Php 500.00) cell cards consisting of 90 smart and 72 globe will be delivered in the second week of the September F.Y. 2022; and
 - 1.b. 1372 pcs of Three hundred Pesos (Php 300.00) cell cards consisting of 687 Smart and 685 Globe and 54 pcs of Five Hundred Pesos (Php 500.00) cell cards consisting of 30 Smart and 24 Globe will be delivered in the 1st week of October F.Y. 2022;
2. Bill the PCAF for the supplied cellcards.
3. Acknowledge the receipt of payment by issuing an Official Receipt in the name of the PCAF.
4. Pay the liquidated damages at least equal to one-tenth of one percent (0.1%) of the cost of the unperformed portion for every day of delay for the procurement of cell cards.

C. GENERAL PROVISIONS

The parties shall mutually agree to perform, fulfill and abide by all the provisions and requirements and all matters contained or could reasonably inferred from this Contract.

D. AMENDMENTS

All stipulations set forth in this Contract shall apply unconditionally, subject to amendments that may be mutually agreed upon by the parties.

IN WITNESS WHEREOF the parties have hereunto affixed their signatures this ____ day of _____ 2022 at Quezon City, Philippines.



JULIETA E. OPUENCIA
 OIC Executive Director


MR. SHING PETER W. KO
 Owner

for:
**PHILIPPINE COUNCIL FOR
 AGRICULTURE AND FISHERIES**

for:
MASANGKAY COMPUTER CENTER

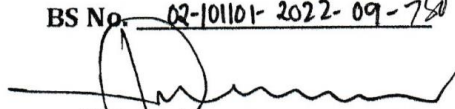
SIGNED IN THE PRESENCE OF:



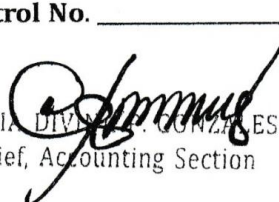
CYRIL L. SOLIABAN
 OIC Deputy Executive Director

ALLOTMENT AVAILABLE: ₱ 1,300,200.-
 BS No. 02-101101-2022-09-750

FUNDS AVAILABLE: _____
 Control No. _____



JOSE REDENTOR H. BESENI0
 CHIEF, BUDGET SECTION



MARIA DIVINA C. GONZALES
 Chief, Accounting Section

JOSE REDENTOR H. BESENIO
Chief, Budget Section

MARIA DIVINA P. GONZALES
Chief, Accounting Section

ACKNOWLEDGEMENT

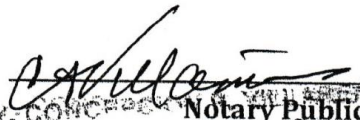
SEP 13 2022

Before me, Notary Public, for and in QUEZON CITY this ____ day of _____ 2022 appeared the following persons presenting to me their respective identifications, to wit:

Affiant	Passport No./CTC No./ COMPANY ID No	Issued at	Issued on
JULIETA E. OPULENCIA	P5029952B	Manila	March 4, 2020
MR. WAI SHING PETER W. KO			

WITNESS MY HAND AND SEAL, on the date and place above written.

Doc. No. 170
Page No. 74
Book No. 88
Series of 2022


ATTY. CONCEPCION Notary Public
Notary Public for Quezon City
Until December 31, 2022
PTR No: 244264 / January 3, 2012 Q.C.
IBP No: 187802 / November 25, 2011 Q.C.
Roll No. 30457 / 05-09-1988
MCLE VI-0030378 / 02-21-2020
ADM: MATTER No. NP-005 (2022-2023)
TIN NO. 131-942-754