

CONTRACT AGREEMENT

No. 2024-06-012

KNOW ALL MEN BY THESE PRESENTS:

This Agreement made and entered into this 5th day of July 2024 at Butuan City, Agusan del Norte, Philippines between and among:

The **DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT**, a National Agency of the Republic of the Philippines, with office address at Batasan Pambansa Complex, Diliman, Quezon City herein represented by **TRISTAN C. TELEN**, in his capacity as Director III of **FIELD OFFICE CARAGA**, hereinafter referred to as the “**Entity**”;

AND

BODEGUITA ENTERPRISES AND SERVICES, a duly licensed private entity, organized and existing by virtue of the laws of the Republic of the Philippines with office address at Quimbo Building, J.C. Aquino Avenue, Butuan City, represented by **ROMAN C. DEL FIERRO**, Proprietor, hereinafter referred to as the “**Supplier**”;

WITNESSETH

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly the **PROCUREMENT OF RAW MATERIALS FOR FAMILY FOOD PACKS STOCKPILE – LOT 2: 3-IN-1 COFFEE AND POWDERED CEREAL DRINK** and has accepted the Bid by the Supplier for the supply of those goods and services in the sum of **ONE MILLION FORTY-THREE THOUSAND SEVEN HUNDRED PESOS ONLY (PhP1,043,700.00)** (hereinafter called “the Contract Price”).

NOW THEREFORE, for and in consideration of the foregoing premise and mutual terms, conditions and stipulations hereinafter set forth, the parties do hereby agree:

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 an 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 Bulletin/s;
 - ii. Winning bidder’s bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;
 - iii. 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, to wit:

TRISTAN C. TELEN
Director III

ROMAN C. DEL FIERRO
Proprietor

Item No.	Unit	ITEM & SPECIFICATION	Qty.	Unit Price (in PhP)	Total Price (in PhP)
1	Sachets	3-in-1 Coffee: > Brand: San Mig Coffee; > Weight: 20g – 32g; > HALAL Certified; > Shelf life / expiry not less than one (1) year upon date of receipt	71,000	6.00	426,000.00
2	Sachets	Powdered Cereal Drink: > Brand: Energen; > Weight: 20g – 32g; > HALAL Certified; > Shelf life / expiry not less than nine (9) months upon date of receipt	71,000	8.70	617,700.00
TOTAL CONTRACT PRICE:					<u>1,043,700.00</u>

- iv. Performance Security;
- v. Notice of Award of Contract; and the Bidder's conforme thereto; and
- vi. 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, and Warranty Security, shall likewise form part of the Contract.**

3. In consideration for the sum of **ONE MILLION FORTY-THREE THOUSAND SEVEN HUNDRED PESOS ONLY (Php1,043,700.00)** or such other sums as may be ascertained, **BODEGUITA ENTERPRISES AND SERVICES** agrees to supply/deliver/perform for the **PROCUREMENT OF RAW MATERIALS FOR FAMILY FOOD PACKS STOCKPILE – LOT 2: 3-IN-1 COFFEE AND POWDERED CEREAL DRINK** in accordance with his Bid.

4. Payment shall be through CHECK/Advice to Debit Account (ADA) and shall be made within 30 working days after complete deliveries, final acceptance of goods and reconciliation of pertinent documents which includes:

- a) Delivery receipt received by the DSWD Field Office Caraga;
- b) Certificate of Inspection and Acceptance issued by DSWD Field Office Caraga; and
- c) Billing statement or Sales Invoice

i. A penalty of one-tenth of one percent (0.01) of the total value of the product(s)/goods purchased shall be deducted for each day of delay in the delivery of the product(s)/goods ordered.

ii. All duties, excise tax and other taxes and revenue charges, if any, shall be for the AWARDEE's account. All transactions are subject to withholding of creditable Value Added Tax (VAT) per Revenue Regulation No. 10-93 and local tax regulations adopted by the LGU per SP Ordinance No. 2235-2000, if applicable.

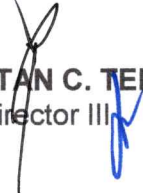
TRISTAN C. TELEN
Director III

ROMAN C. DEL FIERRO
Proprietor

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.

*Department of Social Welfare and
Development Field Office Caraga*

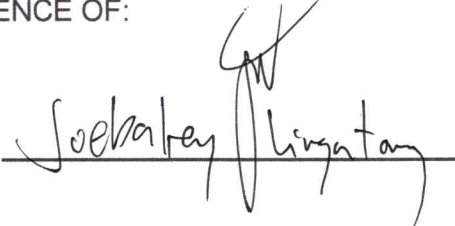
Bodeguita Enterprises and Services


TRISTAN C. TELEN
Director III


ROMAN C. DEL FIERRO
Proprietor

SIGNED IN THE PRESENCE OF:


ALDIE MAE A. ANDOY
SWO IV


Soelvalrey

Certified as to Availability of Funds:


GRETCHEN F. ESCALA ♀
Accountant III/ Chief Accountant
OP# 24-06-8354

Republic of the Philippines)
City of BUTUAN CITY) S.S.
x-----)

ACKNOWLEDGEMENT

BEFORE ME, a Notary Public for and in the City of BUTUAN CITY,
Philippines, this 5th day of July, 2024 personally appeared:

Name	I.D. No.	Date/Place Issued
TRISTAN C. TELEN	DSWD ID No.: 16-13053	October 5, 2023 / Butuan City
ROMAN C. DEL FIERRO	<u>drivers license no. J04-98-067</u> <u>629</u>	<u>August 08, 2019 / Butuan city</u>

Both known to me to be the same persons who executed the foregoing instrument and acknowledged to me that the same is voluntary act and deed.

This agreement consisting four (4) pages signed by the parties and instrumental witness in all pages refer to an AGREEMENT for the project **PROCUREMENT OF RAW MATERIALS FOR FAMILY FOOD PACKS STOCKPILE – LOT 2: 3-IN-1 COFFEE AND POWDERED CEREAL DRINK.**

WITNESS MY HAND AND SEAL in the place and on the date stated above.

TRISTAN C. TELEN
Director III

ROMAN C. DEL FIERRO
Proprietor

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Page No. 84
Book No. 86
Series of 2024

JESUS MARIA JAMES L. BRINGAS
Notary Public Roll No. 43439
BP Lifetime no. 019106
MR No. 2517030/01-03-14
MCLE VII-0023166/August 22, 2022
Serial No. 05-01-2023 Until December 31, 2024