



Republic of the Philippines
Department of Education
 REGION X – NORTHERN MINDANAO
SCHOOLS DIVISION OF OZAMIZ CITY

CONTRACT

ID No. 092-GOODS 2023-085

SUPPLY AND DELIVERY OF FORTIFIED RICE PORRIDGE CHAMPORADO (CHOCO-FLAVORED) 35G, FORTIFIED INSTANT OATS 1 SACHET (CHOCOLATE FLAVOR, SWEET CORN FLAVOR) 35G + 1 PACK STRAWBERRY WAFER BISCUIT 15G AND FORTIFIED RICE (IFR) 250G OF THE DIVISION OF OZAMIZ CITY

KNOW ALL MEN BY THESE PRESENTS:

This AGREEMENT is made and entered into by and between:

The **DEPARTMENT OF EDUCATION DIVISION OF OZAMIZ CITY**, a government agency created by virtue of Republic Act 9155 with office address at IBJT Compound, Barangay Carangan, Ozamiz City, Philippines, duly represented by **NIMFA R. LAGO**, Schools Division Superintendent, hereinafter referred to as the **ENTITY**;

-and-

ASAHI RESOURCES CORPORATION, an enterprise, duly organized, registered and existing under and by virtue of the Philippine Laws, with principal address, at 8 St. Dominic St., Bo. Bagbaguin, Valenzuela City Philippines, represented by its Manager/Authorized Representative, **LORD WALLY V. ALABADO** herein referred to as the **"SUPPLIER"**.

WITNESSETH:

WHEREAS, the Revised Implementing Rules and Regulations, hereinafter called the IRR, is promulgated pursuant to Section 75 of Republic Act No. (R.A.) 9184 otherwise known as the Government Procurement Reform Act, for the purpose of prescribing the necessary rules and regulations for the modernization, standardization, and regulation of the procurement activities of the Government of the Philippines (GOP);

WHEREAS, the provisions of the IRR are in line with the commitment of the GOP to promote good governance and its effort to adhere to the principle of transparency, accountability, efficiency and economy in its procurement process. It is the policy of the GOP that procurement of infrastructure projects, goods and consulting services shall be



Address: IBJT Compound, Carangan, Ozamiz City
 Telephone No: (088) 545-09-88
 Telefax: (088) 545-09-90
 Email Address: deped1miz@gmail.com

Our LEARNERS: The Diamonds of the Fortress.
ASENSO OZAMIZ!

Proprietor: **LORD WALLY V. ALABADO**
 Authorized Representative

NIMFA R. LAGO, PhD, CESO VI
 Assistant Schools Division Superintendent
 OIC-Office of the Schools Division Superintendent

Procuring Entity:

Funds Available: **MARICEL D. AVILA, CPA**
 Accountant III

DIONESIO L. LIMON, JR., CESE
 BAC Chairman
 Witness

ATTY. VICENT SHEDON A. ZABALA
 Division Attorney
 Witness



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competitive and transparent, and therefore shall go through public bidding, except as provided in the IRR;

WHEREAS, Asahi Resources Corporation was considered as the Single Responsive Bidder;

WHEREAS, the Schools Division Superintendent of the Department of Education Division of Ozamiz City, has approved the Bids and Awards Committee (BAC) Resolution No. 2023-07-008B dated July 28, 2023, a resolution recommending the award for the Supply and Delivery of Fortified Blended Foods and Nutri-Packs of the **DepEd, Division of Ozamiz City**;

WHEREAS, this Agreement is vital in order to establish and deliver efficient and reliable services to the personnel and clients of DepEd Division of Ozamiz City to comply with its mandate provided by law;

NOW THEREFORE, for and in consideration of the above premises, the parties hereby agree, covenant and stipulate the following;

TERMS AND CONDITIONS:

- Asahi Resources Corporation** shall supply and deliver on *“One Time Basis”* the **Twelve Thousand Nine Hundred Fifty-Eight (12,958) packs of Fortified Rice Porridge Champorado (Choco-Flavored) 35g, Eight Thousand Two Hundred Forty Six (8,246) packs of Fortified Instant Oats 1 sachet (chocolate flavor flavor) 35g + 1 pack strawberry wafer biscuit 15g, Seven Thousand Sixty Eight (7,068) packs of Fortified Instant Oats 1 sachet (sweet corn flavor) 35g + 1 pack strawberry wafer biscuit 15g and Twenty Eight Thousand Two Hundred Seventy Two (28,272) packs of Fortified Rice (IFR) 250g** to the **DepEd, Division of Ozamiz City** for the **One Thousand One Hundred Seventy Eight (1,178) beneficiaries** to be delivered in **1 drop-off point** particularly at *Department of Education, Division of Ozamiz City.*
- Asahi Resources Corporation** shall deliver safely and completely on *“One Time Basis”* the above-mentioned goods 30 days from the receipt of the contract. Failure to deliver within the stipulated period shall make Asahi Resources Corporation liable for liquidated damages specified in the Bid Documents.



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Propr. Rep. ALABADO
Authorized Representative

MIMFA R. LAGO, PH.D., CESO VI
Assistant Schools Division Superintendent
OIC Office of the Schools Division Superintendent

Procuring Entity

MARICEL D. AVILA, CPA
Accountant III

Funds Available:

DIONESIO T. WAGON, JR., CESE
BAC Chairman / OIC-ASDS

Witness:

ATTY. MICHEL SHELDON A. ZABALA
Division Attorney



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3. The total consideration of this contract is **NINE HUNDRED EIGHTY-NINE THOUSAND FIVE HUNDRED TWENTY PESOS ONLY (Php 989,520.00)**. This shall be paid by the **DepEd, Division of Ozamiz City** when all goods have been delivered.
4. This Contract cannot be pre-terminated by either party without just and valid causes;
5. **Asahi Resources Corporation** shall not be in default under this contract for any delay in the delivery of *Fortified Rice Porridge Champorado (Choco-Flavored) 35g, Fortified Instant Oats 1 sachet (chocolate flavor flavor) 35g + 1 pack strawberry wafer biscuit 15g, Fortified Instant Oats 1 sachet (sweet corn flavor) 35g + 1 pack strawberry wafer biscuit 15g, Fortified Rice (IFR) 250g* to **DepEd, Division of Ozamiz City** caused by force majeure or fortuitous event, provided that the **"SUPPLIER"** informs the **DepEd, Division of Ozamiz City** in writing of such delay within five (5) days after the occurrence of such delay. Upon receipt of such notice of delay, the **DepEd, Division of Ozamiz City** shall promptly ascertain the facts and extent of such delay. The decision of the **DepEd, Division of Ozamiz city** shall be binding upon the **Asahi Resources Corporation**.
6. Any dispute, controversy or claim arising out or relating to this Agreement, or the breach, termination or invalidation thereof shall be settled by arbitration in accordance with the PDRCI Arbitration Rules in force at the time of the commencement of the arbitration.

Proprietor: LORD WALLY V. ALABADO
Authorized Representative

NIMEA R. LAGO, PhD, CESO VI
Assistant Schools Division Superintendent
OIC-Office of the Schools Division Superintendent

Procuring Entity:
MARICEL D. AVILA, CPA
Accountant III

Funds Available: MARICEL D. AVILA, CPA
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BAC Chairman / OIC-ASDS

Division Attorney



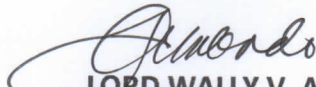
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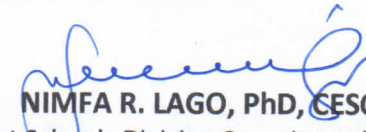
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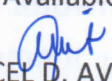
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IN WITNESS WHEREOF, the parties have hereto affixed their signatures this _____ day of AUG 25 2022, 20____ at Ozamiz City, Philippines.

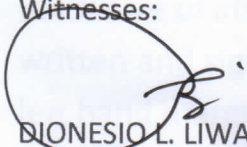

LORD WALLY V. ALABADO
Manager/Authorized Representative
Asahi Resources Corporation
(for the Supplier)

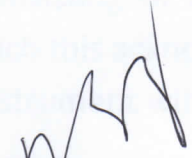

NIMFA R. LAGO, PhD, CESO VI
Assistant Schools Division Superintendent
OIC-Office of the Schools Division
Superintendent
DepEd, Division of Ozamiz City
(for the Entity)

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