



Republic of the Philippines
Department of Education
Region XI
SCHOOLS DIVISION OF DIGOS CITY
Digos City



NOTICE OF AWARD

02 SEP 2022

RODORA B. ADEVA

Owner/Proprietor
Rhoding Food Services
2038 Bonifacio Bataan Sts.,
Bohol Avenue, Digos City

Madam:

In accordance with the Bids and Awards Committee (BAC) Resolution to Award No. 126, s. 2022, as approved by the Head of the Procuring Entity (HOPE), we are pleased to confirm your award for ***“Project No. 22-05-043: Procurement of Food Supplies for the Implementation of School-Based Feeding Program for CY 2022 (Lot 2: Procurement of Nutritious Food Products)”***, with the contract price of **One Million Three Hundred Ninety-Five Thousand Seven Hundred Fifty-Six Pesos (Php 1,395,756.00)**.

Kindly affix your signature on the space provided below to indicate your formal acceptance of this award.

For purposes of entering into contract with DepED, Division of Digos City, you are advised to submit within ten (10) days from receipt hereof the following:

- a. Performance Security in the form of Cash or Cashier's/Manager's Check or Bank Guarantee issued by the Universal Commercial Bank (10% of the Contract Price), or Surety Bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security (30% of the Contract Price);
- b. Contract signed by you and your instrumental witness

Failure to comply with the foregoing requirements within the prescribed time will be ground for cancellation of your Award.

Very truly yours,


CRISTY C. EPE

Office of the Schools Division Superintendent
Head of Procuring Entity

Awards Accepted by:


PAULA RODRIGUEZ-ADEVA
(Signature over Printed Name)
Date: 09/06/2022



Republic of the Philippines
Department of Education
Region XI
SCHOOLS DIVISION OF DIGOS CITY
Digos City



BIDS AND AWARDS COMMITTEE (BAC)
RESOLUTION NO. 126, s. 2022

**A RESOLUTION DECLARING LOWEST CALCULATED AND RESPONSIVE BID
AND RECOMMENDING TO THE SCHOOLS DIVISION SUPERINTENDENT THE
APPROVAL TO AWARD THE CONTRACT FOR PROJECT NO. 22-05-043:
PROCUREMENT OF FOOD SUPPLIES FOR THE IMPLEMENTATION OF SCHOOL-
BASED FEEDING PROGRAM (LOT 2) TO RHODING FOOD SERVICES**

WHEREAS, Republic Act No. 9184 provides for the modernization, standardization and regulation of the procurement activities of the Government;

WHEREAS, for “*Project No. 22-05-043: Procurement of Food Supplies for the Implementation of School-Based Feeding Program (Lot 2: Procurement of Nutritious Food Products)*”, Digos City Division, with the ABC of *One Million Five Hundred Fifty-Eight Thousand Seven Hundred Sixty-Four Pesos (Php 1,558,764.00)* through the Bids and Awards Committee (BAC), proceeded with Procurement observing the procurement procedures as provided for in R.A. 9184;

WHEREAS, on June 9, 2022, the Opening of Bids, which was participated by Rhoding Food Services and D’Paragon AA Corp., was done;

WHEREAS, the first envelop opened was from Rhoding Food Services and was declared complying with the Eligibility and Technical Requirements based on the documents submitted and quoted the amount of One Million Three Hundred Ninety-Five Thousand Seven Hundred Fifty-Six Pesos (Php 1,395,756.00);

WHEREAS, the last envelop opened was from D’Paragon AA Corp. and was declared complying with the Eligibility and Technical Requirements based on the documents submitted and quoted the amount the same amount of One Million Two Hundred Eighty-Eight Thousand Seven Hundred Eighty-Two Pesos (Php 1,288,782.00);

WHEREAS, on June 14, 2022, the Technical Working Group (TWG) conducted Detailed Bid Evaluation and Post-qualification of documents and food samples. After their thorough evaluation and post qualification of the submitted bid documents, D’Paragon AA Corp. was compliant on the required documents and the price quotation did not exceed the Approved Budget of the Contract, however, the D’Paragon AA Corp. was found not compliant on the result in the determination of conformity of submitted samples during the opening of bids and was considered disqualified.

WHEREAS, on August 8, 2022, the Technical Working Group (TWG) conducted Detailed Bid Evaluation and Post-qualification of documents and food samples. After their thorough evaluation and post qualification of the submitted bid documents, Rhoding Food Services was compliant on the all required documents including the sample products which complied with the DepEd specifications (DO 31, s.2021) and the price quotation did not exceed the Approved Budget of the Contract. Thus, Rhoding Food Services is considered the lowest calculated and responsive bidder.

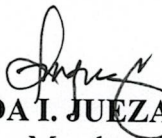
WHEREAS, during the BAC meeting held on August 10, 2022, taking into consideration the report of the Technical Working Group, and on motion of BAC Member Mrs. Ida I. Juezan, which was seconded by BAC Member Mrs. Jessica G. Lucero, **RHODING FOOD SERVICES** was declared as the Lowest Calculated Responsive Bidder as read for **“Project No. 22-05-043: Procurement of Food Supplies for the Implementation of School-Based Feeding Program (Lot 2: Procurement of Nutritious Food Products)”**;

NOW, THEREFORE, WE, the Members of the Bids and Awards Committee, hereby **RESOLVE**, as it is hereby **RESOLVED**,

- a.) To declare **RHODING FOOD SERVICES** as a bidder with the Lowest Calculated and Responsive Bid for **“Project No. 22-05-043: Procurement of Food Supplies for the Implementation of School-Based Feeding Program (Lot 2: Procurement of Nutritious Food Products)”** in the amount of **One Million Three Hundred Ninety-Five Thousand Seven Hundred Fifty-Six Pesos (Php 1,395,756.00)**; and
- b.) To recommend the **award of the contract** by the Schools Division Superintendent of DepEd – Schools Division of Digos City.

RESOLVED at DepEd Digos City Division, Corner Roxas and Lopez Jaena Sts., Digos City, this 10th day of August 2022.

We hereby certify to the correctness of the above Resolution.


IDA I. JUEZAN
Member


JESSICA G. LUCERO
Member


CLARENCE S. PILLERIN
Member


CHERRY ROSSETTE E. OLIVA
Vice-Chairperson


BASILIO P. MANA-AY, JR. EdD
Chairperson

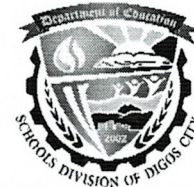
APPROVED:



CRISTY C. EPE
Schools Division Superintendent



Republic of the Philippines
Department of Education
Region XI
SCHOOLS DIVISION OF DIGOS CITY
Digos City



NOTICE TO PROCEED

07 SEP 2022

RODORA B. ADEVA
Owner/Proprietor
Rhoding Food Services
2038 Bonifacio-Bataan Streets,
Bohol Avenue, Digos City

Ma'am:

The undersigned wishes to inform you that the Contract Agreement for "Project No. 22-05-043: Procurement of Food Supplies for the Implementation of School-Based Feeding Program for CY 2022 (Lot 2: Procurement of Nutritious Food Products)", with the contract price of One Million Three Hundred Ninety-Five Thousand Seven Hundred Fifty-Six Pesos (Php 1,395,756.00) has been approved.

Upon receipt hereof, you are responsible for performing the services under the terms and conditions of the Agreement and in accordance with the Implementation Schedule.

Please acknowledge receipt and acceptance of this notice by signing in the space provided below. Kindly return the original copies to the BAC Secretariat of this Division.

Very truly yours,

CRISTY C. EPE
Office of the Schools Division Superintendent
Head of Procuring Entity

Receipt of NTP is hereby acknowledged:

By:

PAULA RODRIGUEZ-ADEVA

(Signature over Printed Name)

Date: SEP 07 2022



Republic of the Philippines
Department of Education
REGION XI
SCHOOLS DIVISION OF DIGOS CITY

CONTRACT

This AGREEMENT, made this ____ day of 06 SEP 2022, 2022 at Digos City, Province of Davao del Sur by and between:

DEPARTMENT OF EDUCATION – SCHOOLS DIVISION OF DIGOS CITY represented by **Cristy C. Epe**, Schools Division Superintendent, with office address at Roxas corner Lopez-Jaena Streets, Barangay Zone II, Digos City, Davao del Sur, hereinafter called **“the Entity”**,

and

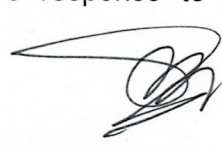
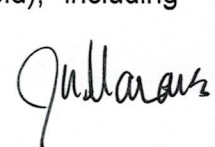
RHODING FOOD SERVICES represented by **RODORA B. ADEVA**, Proprietor, with business address located at 2038 Bonifacio-Bataan Streets, Bohol Avenue, Digos City, Davao del Sur, Philippines hereinafter called **“the Supplier”**;

WHEREAS, the Entity invited Bids for certain goods, particularly **Project No. 22-05-043: Procurement of Food Supplies for the Implementation of School-Based Feeding Program for CY 2022 (Lot 2: Procurement of Nutritious Food Products)** and has accepted a Bid by the Supplier for the supply of those goods in the sum of **One Million Three Hundred Ninety-Five Thousand Seven Hundred Fifty-Six Pesos (Php 1,395,756.00)** 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 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 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 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-

  1  

corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;

- iii. Performance Security;
 - iv. Notice of Award of Contract; and the Bidder's conforme thereto; and
 - v. 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 Million Three Hundred Ninety-Five Thousand Seven Hundred Fifty-Six Pesos (Php 1,395,756.00)*** or such other sums as may be ascertained, ***Rhoding Food Services*** agrees to ***deliver Food Supplies for the Implementation of School-Based Feeding Program for CY 2022 (Lot 2: Procurement of Nutritious Food Products)*** in accordance with its Bid.
- 3.1. The price specified above is inclusive of all other charges including payment for taxes, duties, levies, delivery, and other charges assessed on it in connection with this Contract.
4. The ***Department of Education – Schools Division of Digos City*** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
5. Delivery
- 5.1. The Supplier hereby covenants to deliver said ***Food Supplies*** on the Thirty Six (36) Elementary Schools under the Schools Division of Digos City as drop-off points with the duration of ***30 days (once every week)***. Cost of delivery is deemed included in the price specified above;
 - 5.2. Delivery shall commence on September 19, 2022 and will be every Monday of the week from 8:00 AM to 11:00 AM.
 - 5.3. Fruits must be in good condition, underripe, not rotten, smells fresh, and no pests or insect bites. Packed in cling wrap or 1 pouch for number of feeding days.
 - 5.5. Personnel involved in the production of commodity should wear the proper protective equipment like apron, hairnet, and disposable plastic food gloves.
 - 5.6. Delivery personnel will wear PPE like hairnet, clean white shirt, and shoes.
 - 5.7. In case of failure to deliver the said goods within the stipulated period, the Supplier shall be liable to the Entity for Liquidated Damages equivalent to at least one tenth (1/10) of one percent (1%) of the value of the unperformed portion of the contract every day of delay or breach of the delivery schedule by the Supplier. The Supplier, however, may request that the period be extended on valid and reasonable grounds, subject to



the Entity's approval. If so, the Supplier shall give a written notice at least one (1) week ahead of the schedule.

6. Inspection and Acceptance

- 6.1. The Entity or its representative shall have the right to inspect and/or test the goods at the delivery address and the Supplier shall facilitate such inspection and provide required assistance;
- 6.2. The Entity shall have fifteen (15) days after proper receipt of the goods purchased to inspect them and either accept or reject them as non-conforming with this Contract. All rejected goods will be returned to the Supplier at the latter's expense. The Entity's right to reject the Goods shall not be limited or waived by the Goods having been previously inspected or tested by the Entity prior to delivery;
- 6.3. The Supplier agrees that the Entity's payment under this Contract shall not be deemed acceptance of any Goods delivered hereunder.
- 6.4. The Supplier agrees that any acceptance by the Entity does not release the Supplier from any warranty or other obligation under this Contract;
- 6.5. Title to the Goods shall pass to the Buyer when they are delivered and accepted by the Entity. Risk of loss, injury, or destruction of the Goods shall be borne by the Supplier until title passes to the Entity.

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.

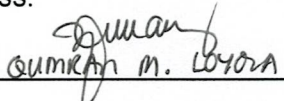

CRISTY C. EPE

Schools Division Superintendent

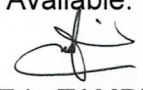
for:

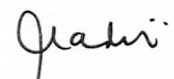
Department of Education – Schools Division of
Digos City

Witness:


GUMRAN M. LOYORA

Allotment Available:


NEPTUNE L. TAMBILAWAN
Budget Officer III


RODORA B. ADEVA

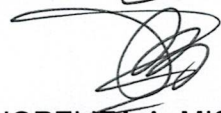
Proprietor

for:

Rhoding Food Services

Witness:


CHARLENE MAGALLANES


NORELIZA A. MISAL, CPA
Accountant III



Acknowledgment

Republic of the Philippines...)

DAVAO DEL SUR S.S.
x.....x

BEFORE ME appeared this 06 SEP 2022 day of DAVAO CITY, 2022 in Philippines personally appeared the parties to this instrument through Competent Evidence of Identity indicated above as defined by the 2004 Rules on Notarial Practice, known to me to be the same persons who voluntarily executed and signed for the purpose stated in the foregoing instrument and acknowledged to me that the same is their free and voluntary act and deed, and if the parties herein act in a representative capacity, they have the authority to sign in that capacity.

This instrument, refers to a Contract Agreement for the delivery of **Food Supplies for the Implementation of School-Based Feeding Program** consisting of four (4) pages including the page on which this acknowledgement is written, has been signed on the left margin of each and every page thereof by the parties and their witnesses, and sealed with my notarial seal.

WITNESS MY SEAL, the day, year and place above written.

Doc No. 161
Page No. 74
Book No. XVI
Series of 2022

Kirby A. Villaraiz
ATTY. KIRBY A. VILLARAIZ.RN
NOTARY PUBLIC
UNTIL DECEMBER 31, 2022
SERIAL No. XXX-658 (19)
PTR No. 7080210 / 1-2-2022
IBP No. 9118799 / 1-3-2022
ROLL No. 705802/6-5-2018

