



Republic of the Philippines  
**Department of Education**  
REGION IV-A CALABARZON  
GATE 2, KARANGALAN VILLAGE  
1900 CAINTA, RIZAL

**CONTRACT OF SERVICE**



KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered into by and between:

**DEPARTMENT OF EDUCATION, Region IV-A**, a government agency with office address at Gate 2 Karangalan Village, Cainta, Rizal, herein represented by **FRANCIS CESAR B. BRINGAS**, Regional Director, herein referred to as "**CLIENT**"

-and-

**GOD'S TREASURE ENTERPRISES**, with principal address at No. 31 Oxford St., Provident Villages, Joses Dela Pena, Marikina City, represented herein by its Assistant Manager, **MARIAE FRANCO HABIJAN**, hereinafter referred to as the "**CATERING COMPANY**"

**WITNESSETH**

**WHEREAS**, the **FIRST PARTY** will conduct the "**ONLINE SEMINAR ON REPUBLIC ACT NO. 9184 ALSO KNOWN AS THE GOVERNMENT PROCUREMENT REFORM ACT (GPRA) AND ITS 2016 IMPLEMENTING RULES AND REGULATIONS (IRR)**" on **October 4-8, 2021**;

**WHEREAS**, the **CATERING COMPANY** is engaged in the business of providing catering services since April 24, 2012. It was granted a 2021 business permit and is registered in the Philippine Government Electronic Procurement System (PhilGEPS);

**WHEREAS**, the Approved Budget for the Contract (ABC) is Sixty Thousand Pesos Only (Php60,000.00);

**WHEREAS**, Rule XVI, Section 53.9 of the IRR of RA 9184 provides the general rule that public bidding is the general mode of procurement. However, the same section allows procuring entities to resort to alternative methods of procurement such as Negotiated Procurement subject to the approval of the Head of the Procuring Entity;

**WHEREAS**, Rule XVI, Section 53.9 of the IRR of RA 9184 allows Negotiated Procurement under Small Value Procurement as a mode of procurement subject to the approval of the Head of the Procuring Entity;

**WHEREAS**, the request for Quotation was posted at the Office Website and conspicuous bulletin board of the Regional office on September 21, 2021.

**WHEREAS**, RFQs were sent to atleast three prospective suppliers;



**WHEREAS**, one (1) Supplier submitted its proposal: **GOD'S TREASURE ENTERPRISES** in the amount of **FIFTY NINE THOUSAND TWO HUNDRED FIFTY PESOS (Php59,250.00)**. Thus, **GOD'S TREASURE ENTERPRISES** was declared as the lone bidder.

**WHEREAS**, after review and deliberation on the proposal, **GOD'S TREASURE ENTERPRISES** complied with the requirements and declared as the Single Calculated and Responsive Bid (SCRB);

**WHEREAS**, pursuant to the Implementing Rules and Regulations of Republic Act 9184, the Bids and Awards Committee of DepEd CALABARZON recommended on September 27, 2021 to the head of the procuring entity the award of the project to **GOD'S TREASURE ENTERPRISES**.

**NOW, THEREFORE**, for and in consideration of the foregoing premises of the mutual covenants and provisions hereafter set forth the parties hereto have agreed and do hereby mutually agree as follows:

### **1. Place, Location and Date**

The CATERING COMPANY shall provide food (AM Snack, and Lunch) to the participants of the "Online Seminar on Republic Act No. 9184, also known as Government Procurement Reform Act (GPRA) and its 2016 Implementing Rules and Regulations (IRR)" to be held on October 4-8, 2021, at the Department of Education Region IV-A, Cainta, Rizal.

### **2. Number of Participants**

The total number of participants for the "Online Seminar on Republic Act No. 9184, also known as Government Procurement Reform Act (GPRA) and its 2016 Implementing Rules and Regulations (IRR)" is Thirty (30).

### **3. Responsibilities**

The Catering Company warrants the following:

1. Deliver the goods separately packed and sealed while the spoon and fork covered in tissue paper are properly sealed in a plastic.
2. Deliver the goods at least 20 minutes before 10:00 in the morning for the snack and at least 20 minutes before 12:00 noon. The goods must still be warm upon delivery.
3. Make the delivery using vehicle of its own. Delivery using public transport or private courier such as Grab, Lalamove shall be refused.
4. Make the delivery by personnel from the Catering Company who are using face mask. He/she must be wearing a hairnet and in possession of his health card required by DOH during the processing of business permit.



6. Provide AM Snack, and Lunch, for Three Hundred Ninety Five Pesos (Php395.00) per person in accordance with the approved menu by the CLIENT on the contracted dates.
7. Warrant that all of the services to be performed by the Catering Company under or pursuant to this contract shall be of the standard and quality which prevail among similar businesses and organizations of superior knowledge and skill engaged in providing similar services under the same or similar circumstances.

#### **4. Mode of Payment**

For and in consideration of the above services, the CLIENT will pay the CATERING COMPANY based on the actual number of participants who attended the event, and shall be charged or billed the amount of **Three Hundred Ninety Five Pesos (Php395.00) per participant.**

#### **5. Supervision and Control**

The CATERER shall exercise strict discipline, close supervision and exclusive control and administration over its personnel in accordance with law, ordinances and pertinent government rules and regulations as well as the rules and policies laid down by the CLIENT on the matter. In so far as enforcement of police and company rules and regulations related to safety is concerned, the CLIENT shall exercise supervision and control over the participants.

#### **6. Liability to Personnel and Third Parties**

The CATERER is NOT an agent or employee of the CLIENT and the personnel to be assigned by the CATERER to the CLIENT are in no sense employees of the latter as they are for all intents and purposes employees of the CATERER. Accordingly, the CLIENT shall not be responsible for any and all claims for personal injury caused to any of the personnel or to any third party where such injury arises out of or in the course of performance of said personnel.

#### **7. Liability in case of Fortuitous Event or Force Majeure**

The CATERER shall not be liable for losses and/or damages due to fortuitous events or force majeure beyond the control and competence of the personnel to prevent; the provision of the New Civil Code shall be applied in determining the amount and liability thereto.

#### **8. Assignment**

This contract cannot be assigned by either party without the other party's written consent.

#### **9. Term of Contract**

This Contract shall be effective on **October 4, 2021.**



IN WITNESS WHEREOF, the parties have hereunto set their hands, this 28<sup>th</sup> day of September 2021 at Cainta, Rizal, Philippines.

Department of Education  
Region IV-A CALABARZON

  
FRANCIS CESAR B. BRINGAS  
Regional Director

GOD'S TREASURE ENTERPRISES

  
MARIAE FRANCO HABIJAN  
Assistant Manager

SIGNED IN THE PRESENCE OF:

REPUBLIC OF THE PHILIPPINES )  
 ) SS.

**MARIKINA CITY**

# ACKNOWLEDGMENT

**MARIKINA CITY**

BEFORE ME, a Notary Public for and in the City of \_\_\_\_\_, this  
**13 OCT 2021**, personally appeared:

Name	Identification No.	Expiration Date
<u>Francis Cesar B. Bringas</u>	<u>Non-Professional Driver's License No. A08-89-001189</u>	2023/10/02
<u>Mariae Franco Habijan</u>	_____	_____

who are known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their own free act and voluntary act and deed.

This instrument, consisting of four (4) pages, including the page on which this acknowledgment is written, has been signed on the left margin of each and every page hereof by the concerned parties and their witnesses, and sealed with my notarial seal.

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

ATTY. MA. ELENA T. MARALAG-CAJUCOM

Notary Public  
Until Dec 31, 2024

Appointment No. 20-(2019-2020)

PTR No. 863402/01-04-2021/Marikina City

IBP Lifetime Member No. 014749/05-26-2016/Cagayan

Roll No. 52831

MCLE VI 0028635 valid until 04-14-2022

No. 6 Mariano Arcade, Guntong Street,

Westtown San Roque, Marikina City

Tel No. 8736-11-6849

Commission Expires Dec 31, 2024

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