

PHILIPPINE BIDDING DOCUMENTS

(As Harmonized with Development Partners)

FOR THE

SUPPLY AND DELIVERY FARM MACHINERY/EQUIPMENT FOR THE SUGARCANE BLOCK FARM PROJECT OF THE DEPARTMENT OF AGRARIAN REFORM

Government of the Republic of the Philippines

Procuring Entity:

**DEPARTMENT OF AGRARIAN REFORM CENTRAL OFFICE
(DARCO)**

PUBLIC BIDDING NUMBER: PBD-17-21

VOLUME II – LOT 2

**Fifth Edition
August 2016**

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Section VI. Schedule of Requirements

Section VI. Schedule of Requirements

The contract completion period expressed as calendar days stipulates hereafter a delivery date, which is the date of delivery and installation to the project site.

LOT 2

| Item Description | Total Quantity | Designated Delivery and Installation Sites | | | | | |
|---|----------------|--|--|--|--|----------------------------|---|
| | | Regional Distribution | Name of ARBO / Municipality and Province | Contact Person | Contact No. | Contract Completion Period | |
| 4WD Tractor 120 HP /mounted Disc Plow, Trailing Disc Harrow and 5 Tonner Trailer | 9 units | 6 | 1 unit | Jaguimitan ARC Cooperative Jaguimitan, Iloilo | PARPO II Gideon Umadhay DARPO, Iloilo | (033) 329-5831 | 30 Calendar Days from receipt of Notice to Proceed (NTP) |
| | | | 1 unit | Progreso Agrarian Reform Cooperative Silay City, Negros Occidental | PARPO II Teresita Mabunay DARPO Negros Occidental 1 | (034) 434-6561 | |
| | | | 1 unit | Bgy. Binubuhan ARB Association Himamaylan, Negros Occidental | PARPO II Lucrecia Taberna DARPO Negros Occidental 2 | (034) 435-1442 | |
| | | | 1 unit | Minaba Agrarian Reform Cooperative Kabankalan, Negros Occidental | PARPO II Lucia Taberna DARPO Negros Occidental 2 | (034) 435-1442 | |
| | | | 1unit | Hda. Esperanza ARB Association La Carlota, Negros Occidental | PARPO II Lucia Taberna DARPO Negros Occidental 2 | (034) 435-1442 | |

| | | | | | | | |
|--|--|----|--------|--|--|----------------|--|
| | | | 1 unit | Hda. Cahilamonan ARBs Association LA Castellana, Negros Occidental | PARPO II Lucrecia Taberna DARPO Negros Occidental 2 | (034) 435-1442 | |
| | | 11 | 1 unit | Cogon Bacaca ARB Multi-Purpose Cooperative Kiblawan, Davao del Sur | PARPO II Elmerito N. Gerigdig DARPO, Davao del Sur | (082) 553-6547 | |
| | | 12 | 1unit | New Bugasong ARB Sugarcane Farmers Assn. Matalam, North Cotabato | PARPO II Cenon Original DARPO, North Cotabato | (064) 521-1259 | |
| | | | 1 unit | Onica ARB Association Kidapawan City, North Cotabato | PARPO II Cenon Original DARPO, North Cotabato | (064) 521-1259 | |

I hereby commit to comply, deliver, and install all the above requirements in accordance with the above stated schedule.

Name of Company: _____

Signature Over Printed Name of Authorized Representative: _____

Date: _____

Section VII. Technical Specifications

Technical Specifications

Statement of Compliance

Bidders must state here either “Comply” or “Not Comply” against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of “Comply” or “Not Comply” must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer’s un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidders statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the provisions of **ITB Clause 3.1(a)(ii)** and/or **GCC Clause 2.1(a)(ii)**.

LOT 2 – 4 WD 120 HP TRACTOR WITH MOUNTED DISC PLOW, TRAILING DISC HARROW AND 5-TONNER TRAILER- 9 units

| Description | Statement of Compliance |
|---|-------------------------|
| <p>The item shall have the following minimum specifications:</p> <ol style="list-style-type: none"> 1. Brand New 2. Standard or Base Model 3. 4 Wheel Drive Tractor 4. Rated engine power: Minimum 120 HP (nominal); Minimum Output Power of 115 HP 5. Power Take-Off (PTO): Minimum 70 kW @ 540 rpm shaft speed 6. Diesel engine 4 cycle, Minimum of four cylinders; Direct injection, Turbo charged, water cooled/Turbo Charge Intercooled" 7. Transmission: Minimum 9 x 3; location of gear shift lever must be on either side of operator’s seat. or at the center." | |

| | |
|--|--|
| <ol style="list-style-type: none"> 8. Brakes: Manufacturer's Standard 9. Steering: Power Steering 10. Swinging drawbar for trailed implements. 3-point hitch linkage for mounted implements. 11. Roll-over Protective Structure (ROPS) conforming to PAES 118 12. 2-point Safety Seat Belt 13. Fuel Tank Capacity: Manufacturer's Standard 14. Fuel Consumption Rate: Maximum of 23 liters per hour 15. Lifting Capacity -Minimum 3,000 kgf at 610mm beyond link end 16. Ground Clearance at lowest point: Minimum 410mm (16.14 inches) 17. Exhaust Pipe: Manufacturer's Standard 18. With one (1) set of brand new matching implements <ul style="list-style-type: none"> • Mounted Disc Plow: Minimum 4 pcs discs x 660 mm (25.98 inches) • Trailing Disc Harrow: Minimum 20pcs discs x 5 mm (23.54 inches) • Heavy duty trailer, minimum 5 tons load capacity, with axle and leaf spring suspension, 2 brand new wheels with 2 brand new tires and rear reflectorized EWD" <p>OTHER REQUIREMENTS</p> <ol style="list-style-type: none"> 1. On-site Technical Support Services within 72 hours upon receipt of notice 2. At least 3 years warranty period on parts and service except on consumables for tractors, minimum of 1 year for implements." 3. With reflectorized sticker printed with DAR logo and the words "DEPARTMENT OF AGRARIAN REFORM" | |
|--|--|

| | |
|---|--|
| <p>4. AMTEC Test Results</p> <p>5. For implements, duly signed and sealed certification by a local licensed Agricultural Engineer with a valid professional license stating that the specifications of the implements as shown in the manufacturer's technical data conform to end-user's requirements.</p> | |
|---|--|

| | |
|--|--|
| <p>ADDITIONAL REQUIREMENTS which should be submitted as proofs of evidence on the statement of compliance on the technical specifications:</p> <ol style="list-style-type: none"> 1. Manufacturer's certification that the bidder is the authorized distributor of the offered goods or local distributor's certification that the bidder is an authorized dealer of the offered goods. 2. Certification from the Manufacturer or Local Distributor that the brand being offered has been in the market for the last ten (10) years. 3. Certification from the Distributor that parts and services for the goods offered are available for five (5) years within the Philippines. 4. Certification from the Manufacturer that spare parts will be available for the next five (5) years from end of production. 5. List service centers (can provide service contract) | |
|--|--|

I hereby certify that the statement of compliance to the foregoing technical specifications are true and correct, otherwise, if found to be false either during bid evaluation or post-qualification, the same shall give rise to automatic disqualification of our bid.

Name of Company/Bidder

Signature over Printed Name of
Authorized Representative

Date

Section VIII. Bidding Forms

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Bid Form

Date: _____
 Invitation to Bid No.: **PBD-17-21**

To: *[name and address of Procuring Entity]*

Gentlemen and/or Ladies:

Having examined the Bidding Documents including Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to *[supply/deliver/perform] [description of the Goods]* in conformity with the said Bidding Documents for the sum of *[total Bid amount in words and figures]* or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Bid.

We undertake, if our Bid is accepted, to deliver the goods in accordance with the delivery schedule specified in the Section VI. Schedule of Requirements.

If our Bid is accepted, we undertake to provide a performance security in the form, amounts, and within the times specified in the Bidding Documents.

We agree to abide by this Bid for the Bid Validity Period specified in **BDS** provision for **ITB** Clause 18.2 and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:¹

| Name and address of agent | Amount and Currency | Purpose of Commission or gratuity |
|---------------------------|---------------------|-----------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| (if none, state "None") | | |

Until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof and your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Calculated Bid or any Bid you may receive.

Applicable only if the Funding Source is the ADB, JICA or WB.

We certify/confirm that we comply with the eligibility requirements as per **ITB** Clause 5 of the Bidding Documents.

We likewise certify/confirm that the undersigned, *[for sole proprietorships, insert: as the owner and sole proprietor or authorized representative of Name of Bidder, has the full power and authority to participate, submit the bid, and to sign and execute the ensuing contract, on the latter's behalf for the Name of Project of the Name of the Procuring Entity]* *[for partnerships, corporations, cooperatives, or joint ventures, insert: is granted full power and authority by the Name of Bidder, to participate, submit the bid, and to sign and execute the ensuing contract on the latter's behalf for Name of Project of the Name of the Procuring Entity].*

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, shall be a ground for the rejection of our bid.

Dated this _____ day of _____ 20_____.

[signature]

[in the capacity of]

Duly authorized to sign Bid for and on behalf of _____

Annex "A-1"

PRICE SCHEDULE

Reference Number: PBD-17-21

Lot No. 2 – 4WD 120 HP Tractor with mounted disc plow, trailing disc harrow and 5-tonner trailer- 9 units

| Quantity | Description | Unit Price/ Set | Total Price of Delivery to Destination | TOTAL BID PRICE |
|---|---|-------------------------|--|-----------------|
| 9 units | 4WD 120 HP Tractor with mounted disc plow, trailing disc harrow and 5-tonner trailer- 5 units | | | |
| TOTAL BID AMOUNT IN WORDS: _____ _____ | | Total ₱ _____ | | |

Annex "B"

Contract Agreement Form

THIS AGREEMENT made the ____ day of _____ 20____ between [*name of PROCURING ENTITY*] of the Philippines (hereinafter called "the Entity") of the one part and [*name of Supplier*] of [*city and country of Supplier*] (hereinafter called "the Supplier") of the other part:

WHEREAS the Entity invited Bids for certain goods and ancillary services, viz., [*brief description of goods and services*] and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of [*contract price in words and figures*] (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 shall be deemed to form and be read and construed as part of this Agreement, viz.:
 - (a) the Supplier's Bid, including the Technical and Financial Proposals, and all other documents/statements submitted (*e.g.* bidder's response to clarifications on the bid), including corrections to the bid resulting from the Procuring Entity's bid evaluation;
 - (b) the Schedule of Requirements;
 - (c) the Technical Specifications;
 - (d) the General Conditions of Contract;
 - (e) the Special Conditions of Contract;
 - (f) the Performance Security; and
 - (g) the Entity's Notice of Award.
3. In consideration of the payments to be made by the Entity to the Supplier as hereinafter mentioned, the Supplier hereby covenants with the Entity to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract
4. The Entity hereby covenants to pay the Supplier in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract.

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.

Signed, sealed, delivered by _____ the _____ (for the Entity)

Signed, sealed, delivered by _____ the _____ (for the Supplier).

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of ___, 20__ at _____, Philippines.

Bidder's Representative/Authorized Signatory

SUBSCRIBED AND SWORN to before me this ___ day of *[month]* *[year]* at *[place of execution]*, Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her *[insert type of government identification card used]*, with his/her photograph and signature appearing thereon, with no. _____ and his/her Community Tax Certificate No. _____ issued on ___ at _____.

Witness my hand and seal this ___ day of *[month]* *[year]*.

NAME OF NOTARY PUBLIC

Serial No. of Commission _____

Notary Public for _____ until _____

Roll of Attorneys No. _____

PTR No. _____ *[date issued]*, *[place issued]*

IBP No. _____ *[date issued]*, *[place issued]*

Doc. No. _____

Page No. _____

Book No. _____

Series of _____

Omnibus Sworn Statement
Reference Number: PBD-17-21

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, *[Name of Affiant]*, of legal age, *[Civil Status]*, *[Nationality]*, and residing at *[Address of Affiant]*, after having been duly sworn in accordance with law, do hereby depose and state that:

1. *Select one, delete the other:*

If a sole proprietorship: I am the sole proprietor or authorized representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

If a partnership, corporation, cooperative, or joint venture: I am the duly authorized and designated representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

2. *Select one, delete the other:*

If a sole proprietorship: As the owner and sole proprietor, or authorized representative of *[Name of Bidder]*, I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for *[Name of the Project]* of the *[Name of the Procuring Entity]*, as shown in the attached duly notarized *Special Power of Attorney*;

If a partnership, corporation, cooperative, or joint venture: I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for *[Name of the Project]* of the *[Name of the Procuring Entity]*, as shown in the attached *[state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)]*;

3. *[Name of Bidder]* is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board;

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. *[Name of Bidder]* is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. **Select one, delete the rest:**

If a sole proprietorship: The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

If a partnership or cooperative: None of the officers and members of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

If a corporation or joint venture: None of the officers, directors, and controlling stockholders of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. *[Name of Bidder]* complies with existing labor laws and standards; and

8. *[Name of Bidder]* is aware of and has undertaken the following responsibilities as a Bidder:

a) Carefully examine all of the Bidding Documents;

b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;

c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and

d) Inquire or secure Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.

9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official,

personnel or representative of the government in relation to any procurement project or activity.

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of ___, 20__ at _____, Philippines.

Bidder's Representative/Authorized Signatory

SUBSCRIBED AND SWORN to before me this ___ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ and his/her Community Tax Certificate No. _____ issued on ___ at _____.

Witness my hand and seal this ___ day of [month] [year].

NAME OF NOTARY PUBLIC

Serial No. of Commission _____

Notary Public for _____ until _____

Roll of Attorneys No. _____

PTR No. _____ [date issued], [place issued]

IBP No. _____ [date issued], [place issued]

Doc. No. _____

Page No. _____

Book No. _____

Series of _____

* This form will not apply for WB funded projects.

Bank Guarantee Form for Advance Payment

To: *[name and address of PROCURING ENTITY]*
[name of Contract]

Gentlemen and/or Ladies:

In accordance with the payment provision included in the Special Conditions of Contract, which amends Clause 10 of the General Conditions of Contract to provide for advance payment, *[name and address of Supplier]* (hereinafter called the "Supplier") shall deposit with the PROCURING ENTITY a bank guarantee to guarantee its proper and faithful performance under the said Clause of the Contract in an amount of *[amount of guarantee in figures and words]*.

We, the *[bank or financial institution]*, as instructed by the Supplier, agree unconditionally and irrevocably to guarantee as primary obligator and not as surety merely, the payment to the PROCURING ENTITY on its first demand without whatsoever right of objection on our part and without its first claim to the Supplier, in the amount not exceeding *[amount of guarantee in figures and words]*.

We further agree that no change or addition to or other modification of the terms of the Contract to be performed thereunder or of any of the Contract documents which may be made between the PROCURING ENTITY and the Supplier, shall in any way release us from any liability under this guarantee, and we hereby waive notice of any such change, addition, or modification.

This guarantee shall remain valid and in full effect from the date of the advance payment received by the Supplier under the Contract until *[date]*.

Yours truly,

Signature and seal of the Guarantors

[name of bank or financial institution]

[address]

[date]

BID SECURING DECLARATION FORM

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

X-----X

BID SECURING DECLARATION
Invitation to Bid: PBD-17-21

To: *[Insert name and address of the Procuring Entity]*

I/We², the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid-Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid Securing Declaration shall cease to be valid on the following circumstances:
 - (a) Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
 - (b) I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right;

² Select one and delete the other. Adopt the same instruction for similar terms throughout the document.

- (c) I am/we are declared the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this ____ day of [month] [year] at [place of execution].

[Insert NAME OF BIDDER'S AUTHORIZED
REPRESENTATIVE]
[Insert Signatory's Legal Capacity]
Affiant

SUBSCRIBED AND SWORN to before me this ____ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ and his/her Community Tax Certificate No. _____ issued on ____ at _____.

Witness my hand and seal this ____ day of [month] [year].

NAME OF NOTARY PUBLIC

Serial No. of Commission _____

Notary Public for _____ until _____

Roll of Attorneys No. _____

PTR No. _____ [date issued], [place issued]

IBP No. _____ [date issued], [place issued]

Doc. No. _____

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Annex "F"

Statement of Single Largest / Completed Contracts Similar to the Contract to be Bid

This is to certify that _____ (Company) _____ has the following completed contract/s for the period CY2007-2017.

| Date of the Contract | Contracting Party | Name of Contract | Nature/Scope | Amount of Contract | Date Awarded | Date Completed |
|----------------------|-------------------|------------------|--------------|--------------------|--------------|----------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

**Name and Signature of
 Authorized Representative**

Date

Instructions:

- a) Cut-off date as of:
 - (i) **Up to the day before the deadline of submission of bids.**
- b) **In the column under "Dates", indicate the dates of Delivery/End-user's Acceptance and Official Receipt.**
- c) **"Name of Contract".** Indicate here the Nature/Scope of the Contract for the Procuring Entity to determine the relevance of the entry with the Procurement at hand. Example: "Supply and Delivery of Generator Set"

Statement of : (i) Ongoing Contracts; and (ii) Awarded But Not Yet Started Contracts

This is to certify that _____ (Company) _____ has the following ongoing and awarded but not yet started contracts.

| Date of the Contract | Contracting Party | Name of Contract | Nature and Scope | Amount of Contract | Date Awarded | Value of Outstanding Contracts |
|----------------------|-------------------|------------------|------------------|--------------------|--------------|--------------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

**Name and Signature of
 Authorized Representative**

Date

*Instructions:

- a) State all ongoing contracts including those awarded but not yet started (government and private contracts which may be similar or not similar to the project called for bidding) as of:
 - (i) **The day before the deadline of submission of bids.**
- b) If there is no ongoing contract including awarded but not yet started as of the aforementioned period, state none or equivalent term.
- c) The total amount of the ongoing and awarded but not yet started contracts should be consistent with those used in the Net Financial Contracting Capacity (NFCC) in case an NFCC is submitted as an eligibility document.
- (d) **"Name of Contract". Indicate here the Nature/Scope of the Contract for easier tracking of the entries/representations. Example: "Supply and Delivery of Generator Set"**

