

Framework Agreement For the Supply and Delivery of Marker, permanent, felt tip, bullet type For the Procurement Service

KNOW ALL MEN BY THESE PRESENTS: JUN 30 2021

This Agreement made and entered into this ___ day of ___ 2021, by and between:

PROCUREMENT SERVICE - DEPARTMENT OF BUDGET AND MANAGEMENT, a government agency duly organized and existing under the laws of the Republic of the Philippines having its principal office at PS Complex, Cristobal Street, Paco, Manila, represented by ATTY. JASONMER L. UAYAN, OIC-Executive Director, hereinafter referred to as the "PS-DBM";

and

SPH INTERNATIONAL CORPORATION, a corporation duly organized and existing under the laws of the Republic of the Philippines and having its principal office at 1102 Quiricada Ext., Tondo, Manila, represented by JESCEIN S. CABUNSUVA, Authorized Representative hereinafter referred to as the "Supplier";

WITNESSETH, that:

WHEREAS, the PS-DBM, decided to use Framework Agreement on its procurement project Supply and Delivery of Marker, permanent, felt tip, bullet type for the Procurement Service;

WHEREAS, this Agreement is for the option to purchase the goods determined to be necessary and desirable to address and satisfy the needs of PS-DBM as the central source of commonly used supplies and equipment of the Philippine Government, but by its nature, use or characteristic, the quantity and exact time of need cannot be accurately pre-determined, viz:

Table with 5 columns: Lot No., Item, Maximum Qty/Unit, Unit Price, Total Price. Row 1: Lot No. 1, Item: MARKER, permanent, felt tip, bullet type, Black, Maximum Qty/Unit: 181,048 pieces, Unit Price: P 7.18, Total Price: P 2,374,110.08. Row 2: Lot No. 1, Item: MARKER, permanent, felt tip, bullet type, Blue, Maximum Qty/Unit: 101,572 pieces, Unit Price: P 7.18, Total Price: P 2,374,110.08. Row 3: Lot No. 1, Item: MARKER, permanent, felt tip, bullet type, Red, Maximum Qty/Unit: 48,036 pieces, Unit Price: P 7.18, Total Price: P 2,374,110.08.

WHEREAS, PS-DBM has the option to purchase the items provided in the Framework Agreement List, attached and made an integral part of this Agreement as provided in Article I, on a date and time to be determined in the Call-Off to be issued for such purpose by PS-DBM; and

WHEREAS, the Supplier which passed the eligibility screening conducted by PS-DBM, shall maintain and update the eligibility requirements during the period of this Agreement and shall honor all obligations under this Framework Agreement.

NOW, THEREFORE, the parties hereby agree as follows:

Vertical signatures and names on the left margin: ATTY. JASONMER L. UAYAN, OIC-Executive Director, PS-DBM; ATTY. ERWIN JAY ALPARAQUE, OIC-Group, Procurement Group, PS-DBM; JESCEIN S. CABUNSUVA, Authorized Representative, SPH International Corporation; MICHELLE S. PANTAN.

Article I
GENERAL CONSIDERATIONS

1. This Framework Agreement is an option contract. PS-DBM is given the option to either purchase the identified items in the Framework Agreement or not to purchase at all. The discretion to exercise the option falls solely with PS-DBM as the Procuring Entity. The Supplier may not require or demand for the latter to purchase the items in the Framework Agreement List.
2. In this Framework Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract as reflected in the Bid Documents attending the procurement and made and integral part of this Agreement;
3. The following documents shall be deemed to form and be read and construed as part of this Agreement:
 - 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 Framework Agreement List and the Technical Specifications;
 - c. the Bid Documents, including the Supplemental Bid Bulletins issued;
 - d. the Performance Security or Performance Securing Declaration;
 - e. the Procuring Entity's Notice to Execute Framework Agreement; and
 - f. Call-Offs.

Article II
DURATION

The term of this Agreement shall be from _____ to _____ unless sooner revoked by both parties or until the full exhaustion of the maximum quantities;

Article III
CONSIDERATION

For the consideration of one peso (Php 1.00), PS-DBM has the option to purchase any or all of the items in the Framework Agreement List through the issuance of Call-off and the Supplier commits to deliver the goods and perform the services subject to the conditions of the Call-off.

Article IV
PERFECTION OF PROCUREMENT CONTRACT

The Framework Agreement being an option contract, a procurement contract is perfected only when the Procuring Entity exercises the option to procure any item from the Framework Agreement List through the issuance of a Call-off.

[Handwritten signatures and names in the left margin:]
ATY. JASONMER UYAN
OIC-Executive Director, PS-DBM
ATY. ERVIN JAY ALPARAQUE
OIC-Director, Procurement Group, PS-DBM
JESSE-LIN P. S. CHON-CUVA
Authorized Representative, SPR International Corporation
MICHELLE P. PANTUA

**Article V
OBLIGATION TO ANSWER A CALL-OFF**

Once PS-DBM issues a Call-off, the **Supplier** is bound to deliver the goods or perform the services identified at the time and date specified in the Call-off. All rules and guidelines governing the implementation of procurement contracts under RA No. 9184 and its revised IRR shall be applicable.

Failure on the part of the **Supplier** to deliver goods or perform the services shall warrant the forfeiture of performance security or performance securing declaration and imposition of

liquidated damages as provided for in the Guidelines on the use of Framework Agreement by all Procuring Entities without prejudice to all other applicable sanctions.

**Article VI
TERMS AND CONDITIONS**

The terms and conditions of this Framework Agreement shall be governed by Guidelines on the Use of Framework Agreement by all Procuring Entity and all relevant issuance of the GPPB.

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.


PROCUREMENT SERVICE - DBM

SPH INTERNATIONAL CORPORATION

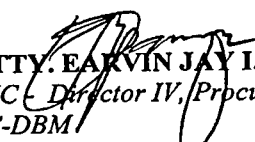
By signing this Agreement, I also confirm that I am authorized to sign on behalf of PS-DBM.

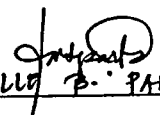
By signing this Agreement, I also confirm that I am authorized to sign on behalf of SPH International Corporation.


ATTY. JASONMER L. UAYAN
OIC-Executive Director


JESSELYN S. CABUNSVIKA
Authorized Representative

WITNESSES


ATTY. EARVIN JAY I. ALPARAQUE
*OIC - Director IV, Procurement Group
PS-DBM*


MICHELLE B. PANM

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES }
CITY OF MANILA } S.S

JUN 30 2021

BEFORE ME, a Notary Public for and in the City of Manila this ___ day of ___ 2021 appeared the following persons presenting to me their respective identifications, to wit:

Table with 4 columns: Name, Competent Evidence of Identity, Date of Issue, Place of Issue. Rows include ATTY. JASONMER L. UAYAN and JESSEIN S. CABUNERA.

known to me to be the same persons who executed and voluntarily signed the foregoing FRAMEWORK AGREEMENT which they acknowledged before me as their own free and voluntary act and deed and with full authority to sign in that capacity.

This instrument refers to the FRAMEWORK AGREEMENT FOR THE SUPPLY AND DELIVERY OF MARKER, PERMANENT, FELT TIP, BULLET TYPE FOR THE PROCUREMENT SERVICE and consists of four (4) pages including this page where the Acknowledgment is written, duly signed by the parties and their instrumental witnesses thereof.

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

NOTARY PUBLIC

Doc. No. 128
Page No. 27
Book No. 28
Series of 2021.

ATTY. PEDRO D. GENATO
Notary Public Until Dec 31, 2021
Notarial Commission 2020 - 044 Mla
1150 Gen. Luna St., Ermita, Manila
IBP# 092834 Pasig - For 2021
PTR # 9823043 Mla. 1-4-2021
Roll # 12088, TTN # 132-436-687
M.C.T.E Compl. No. VI-0021170 until 4-14-2022



CALL-OFF ORDER

No. **PO21-00301 -CSE**

To: **SPH INTERNATIONAL CORP.**
 1102 Quiricada Ext., Tondo,
 Manila

Date: July 05, 2021
 Reference: **FRAMEWORK**
AGREEMENT No. PSBACI-NEFA-
 Date of FA: 023
06/30/2021

Please deliver the article(s)/product(s)/supplies/materials listed below priced in accordance with your Quotation No. _____ dated _____ subject to the Terms and Conditions enumerated at the back hereof:XXX- _____-XXX-

Item No.	ITEM and DESCRIPTION/SPECIFICATIONS/STOCK No.	QTY	UNIT	UNIT PRICE	AMOUNT
1	MARKER, permanent, felt tip, bullet type, BLACK Brand : deli	90,516	PIECE	7.18	649,904.88
2	MARKER, permanent, felt tip, bullet type, BLUE Brand : deli	50,784	PIECE	7.18	364,629.12
3	MARKER, permanent, felt tip, bullet type, RED Brand : deli	24,012	PIECE	7.18	172,406.16
<p>For complete and detailed specifications, please refer to the attached Technical Evaluation Report which form part of this Call-Off Order.</p> <p>Delivery shall conform with the minimum labeling requirements under R.A. 7394</p> <p>The inspections and tests that will be conducted shall be in</p>					
				<p>RECEIVED ORIGINAL COPY</p> <p>Sign: <u>[Signature]</u></p> <p>Name: <u>JESSELYN CARBUNCINA</u></p> <p>Date: <u>7/26/2021</u></p>	
TOTAL AMOUNT					P 1,186,940.16

PLACE OF DELIVERY:
 Procurement Service-DBM Main Warehouse,
 RR Road, Cristobal St., Paco, Manila

DELIVERY INSTRUCTIONS:
 Please see above instructions.

AUTHORIZED REPRESENTATIVE _____ **Date Received** _____

FUNDS AVAILABILITY CERTIFIED BY:

[Signature]
JOSHUA S. LAURE
 ACCOUNTANT

7-JUL-2021
 DATE

AUTHORIZED BY:

[Signature]
ATTY. JASONMER L. UAYAN
 DIRECTOR

7/22/21
 DATE



CALL-OFF ORDER

No. **PO21-00301 -CSE**

To: **SPH INTERNATIONAL CORP.**
 1102 Quiricada Ext., Tondo,
 Manila

Date: July 05, 2021
 Reference: **FRAMEWORK**
AGREEMENT No. PSBAC1-NEFA-
023
 Date of FA: 06/30/2021

Please deliver the article(s)/product(s)/supplies/materials listed below priced in accordance with your Quotation No. _____ dated _____ subject to the Terms and Conditions enumerated at the back hereof: ~~XXX-~~ -XXX-

Item No.	ITEM and DESCRIPTION/SPECIFICATIONS/STOCK No.	QTY	UNIT	UNIT PRICE	AMOUNT
	<p>accordance with the Technical Specifications.</p> <p>For every batch of delivery, two (2) boxes per color, 12 pcs/box and one (1) ream, Paper, Multi-copy, 80gsm, legal shall be submitted to Inspection Division for acceptance tests.</p> <p>In order to assure that manufacturing defects shall be corrected by the Supplier, a warranty covered by either retention money or special bank guarantee equivalent to at least 1% of the payment on the contract price shall be required for a period of three (3) months after acceptance by the Procuring Entity of the delivered supplies.</p> <p>Subject to Expanded Withholding Tax, Final Withholding Tax and Other Percentage Taxes Reference: R.A. 9337, Revenue Regulation Nos. 16-05, 14-02, 12-01 & 2-98.</p> <p>Please submit DR/Invoice & Copy of P.O to the Inspection</p>				
RECEIVED ORIGINAL COPY					
					Sign: <u>[Signature]</u> Name: <u>JESCELYN CHAVEZ</u> Date: <u>7/20/21</u>
TOTAL AMOUNT					₱ 1,186,940.16

PLACE OF DELIVERY:
 Procurement Service-DBM Main Warehouse,
 RR Road, Cristobal St., Paco, Manila

DELIVERY INSTRUCTIONS:
 Please see above instructions.

AUTHORIZED REPRESENTATIVE Date Received

FUNDS AVAILABILITY CERTIFIED BY:

[Signature]
JOSHUA S. LAURE
 ACCOUNTANT 7-Jul-2021
 DATE

AUTHORIZED BY:

[Signature]
ATTY. JASONMER L. UAYAN
 DIRECTOR 7/22/21
 DATE



CALL-OFF ORDER

No. **PO21-00301 -CSE**

To: **SPH INTERNATIONAL CORP.**
 1102 Quiricada Ext., Tondo,
 Manila

Date: July 05, 2021
 Reference: **FRAMEWORK**
AGREEMENT No. PSBAC1-NEFA-
023
 Date of FA: 06/30/2021

Please deliver the article(s)/product(s)/supplies/materials listed below priced in accordance with your Quotation No. _____ dated _____ subject to the Terms and Conditions enumerated at the back hereof: ~~XXX-~~ -XXX-

Item No.	ITEM and DESCRIPTION/SPECIFICATIONS/STOCK No.	QTY	UNIT	UNIT PRICE	AMOUNT
	Division after direct delivery of this item if applicable. Please submit Warranty Certificate, if applicable. As a precondition for payment submit authenticated Import documents per DOF Order No. 87-91, if applicable. This Call-Off Order shall be part of Framework Agreement with Reference No. 2021-PSBAC1-NEFA-023. DELIVERY INSTRUCTIONS: BLACK : 90,516 pieces within 15 calendar days upon receipt of Call-Off. BLUE : 50,784 pieces within 15 calendar days upon receipt of Call-Off. RED : 24,012 pieces within 15 calendar days upon receipt of Call-Off.				
RECEIVED ORIGINAL COPY					
Sign: <u>[Signature]</u> Name: <u>JELLEEN CARUNSUVA</u> Date: <u>7/26/2021</u>					
TOTAL AMOUNT					₱ 1,186,940.16

PLACE OF DELIVERY: Procurement Service-DBM Main Warehouse, RR Road, Cristobal St., Paco, Manila	DELIVERY INSTRUCTIONS: Please see above instructions. AUTHORIZED REPRESENTATIVE _____ Date Received _____
FUNDS AVAILABILITY CERTIFIED BY: <u>[Signature]</u> JOSHUA S. LAURE ACCOUNTANT <u>7-JUL-2021</u> DATE	AUTHORIZED BY: <u>[Signature]</u> ATTY. JASONMER L. UAYAN DIRECTOR <u>7/22/21</u> DATE




CALL-OFF ORDER

No. **PO21-00301 -CSE**

To: **SPH INTERNATIONAL CORP.**
 1102 Quiricada Ext., Tondo,
 Manila

Date: July 05, 2021
 Reference: **FRAMEWORK**
AGREEMENT No. PSBAC1-NEFA-
023
 Date of FA: 06/30/2021


Please deliver the article(s)/product(s)/supplies/materials listed below priced in accordance with your Quotation No. _____ dated _____ subject to the Terms and Conditions enumerated at the back hereof:XXX- _____-XXX-


Item No.	ITEM and DESCRIPTION/SPECIFICATIONS/STOCK No.	QTY	UNIT	UNIT PRICE	AMOUNT
	Tranche No. 1 Remaining Qty of Contract: BLACK : 90,532 pieces BLUE : 50,788 pieces RED : 24,024 pieces Issued by: PD X				
RECEIVED ORIGINAL COPY					
				Sign:  Name: <u>JECELYN S. CAMBUNSUMAR</u> Date: <u>7/26/2021</u>	
TOTAL AMOUNT					₱ 1,186,940.16

PLACE OF DELIVERY:
 Procurement Service-DBM Main Warehouse,
 RR Road, Cristobal St., Paco, Manila

DELIVERY INSTRUCTIONS:
 Please see above instructions.

AUTHORIZED REPRESENTATIVE Date Received

FUNDS AVAILABILITY CERTIFIED BY:

JOSHUA S. LAURE
 ACCOUNTANT 7-JUL-2021
 DATE

AUTHORIZED BY:

ATTY. JASONMER L. UAYAN
 DIRECTOR 7/22/21
 DATE