



Bid Bulletin No. 1
23 August 2022

Public Bidding No. 22-035-1

Supply and Delivery of Pencil, Lead/Graphite with Eraser
for the Procurement Service

Issued pursuant to Sec. 22.5 of the IRR of R.A. 9184 to clarify and/or amend certain provisions in the Bidding Documents issued for this project.

A. AMENDMENT/S

REFERENCE	BASES FOR AMENDMENT/INCLUSION
<p>Section VIII. Checklist of Technical and Financial Documents</p> <p>ANNEX D</p> <p>Page 54 - 57</p> <div style="display: flex; justify-content: space-between;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-size: small;"> <p>ATTY. DENNIS S. SANTIAGO Executive Director IV - PS Operations Group Director IV, PS</p> </div> <div style="text-align: center;"> <p>Annex D</p> <p>2021 Procurement Service Framework Agreement for the Supply and Delivery of [Project]</p> <p></p> <p>Framework Agreement For the [Title of Project]</p> </div> </div> <p>KNOW ALL MEN BY THESE PRESENTS:</p> <p>This Agreement made and entered into this ___ day of _____ 2021, by and between:</p> <p style="margin-left: 40px;">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 <u>ATTY. DENNIS S. SANTIAGO – Executive Director IV</u>, <u>ATTY. PHILIP JOSEF T. VERA CRUZ – Operations Group Director IV</u>, hereinafter referred to “PS”;</p> <p style="margin-left: 100px;">and</p> <p style="margin-left: 40px;">[COMPANY NAME] a corporation duly organized and existing under the laws of the Republic of the Philippines and having its principal office at [Address], represented by [NAME], [Position] hereinafter referred to as the “Supplier”;</p>	<p>To amend the 'Annex D' of the Bidding Document.</p> <p>Please refer and use the attached 'Appendix 1' for the prescribed format of the Framework Agreement.</p>

By Rules, all other related provisions in the Bidding Documents correspondingly affected by these amendments are likewise deemed amended to conform to this Bid Bulletin.

Amendments made herein shall be considered an integral part of the Bidding Document.

SIGNATURE REDACTED

DICKSON T. PANTI

*Chairperson, Bids and Awards
Committee I*

For the purpose of this Bulletin and for better understanding of its contents, the following rules shall apply: (a) ~~Double Strike out~~ – denotes deletion; (b) Underline – denotes inclusion or new item/requirement; and "xxx" – denotes separation of phrase/s being amended from the rest of the main text.

2021 Procurement Service Framework Agreement for the Supply and Delivery of [Project]

NEFA

Framework Agreement For the [Title of Project]

KNOW ALL MEN BY THESE PRESENTS:

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. PHILIP JOSEF T. VERA CRUZ – Operations Group Director IV**, hereinafter referred to “**PS**”;

and

[**COMPANY NAME**] a corporation duly organized and existing under the laws of the Republic of the Philippines and having its principal office at [Address], represented by [NAME], [**Position**] hereinafter referred to as the “**Supplier**”;

WITNESSETH, that:

WHEREAS, the **PROCURING ENTITY**, decided to use Framework Agreement on its procurement project _____;

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** 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:

Lot No.	Item	Maximum Qty/Unit	Unit Price	Total Price

WHEREAS, **PS** 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**; and

WHEREAS, the **Supplier** which passed the eligibility screening conducted by **PS**, 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:

Article I GENERAL CONSIDERATIONS

1. This Framework Agreement is an option contract. **PS** 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** 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 an 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 General Conditions of Contract;
 - d. the Special Conditions of Contract;
 - e. the Bid Documents, including the Supplemental Bid Bulletins issued;
 - f. the Performance Security or Performance Securing Declaration;
 - g. the Procuring Entity's Notice to Execute Framework Agreement;
 - h. Mini Competition, when necessary; and
 - i. 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** 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.

Article V
OBLIGATION TO ANSWER A CALL-OFF

Once PS 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

[COMPANY]

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

By signing this Agreement, I also confirm that I am authorised to sign on behalf of [the Company].

ATTY. PHILIP JOSEF T. VERA CRUZ
Operations Group Director IV

[Name]
Authorized Representative

WITNESSES

ATTY. GENMARIES ENTREDICHO-CAONG
*Director IV, Procurement Group
Procurement Service*

[NAME]
Representation

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES }
CITY OF MANILA }

S.S

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:

Name	Competent Evidence of Identity	Date & Place of Issue
ATTY. PHILIP JOSEF T. VERA CRUZ		

known to me and to me known 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 _____ and consists of _____ () 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.

Doc. No. ___;
Page No. ___;
Book No. ___;
Series of 20