2021 Procurement Service Framework Agreement for the Supply and Delivery of Battery, dry cell, AA for the Procurement Service

2021-PSBAC2-NEFA-024

For the Supply and Delivery of Battery, dry cell, AA For the Procurement Service

KNOW ALL MEN BY THESE PRESENTS: JUL 15 2021	
This Agreement made and entered into this day of 2021, by and between	n:
PROCUREMENT SERVICE – DEPARTMENT OF BUDGET MANAGEMENT, a government agency duly organized and existing us laws of the Republic of the Philippines having its principal office Complex, Cristobal Street, Paco, Manila, represented by ATTY. JASO L. UAYAN, OIC-Executive Director V, hereinafter referred to as the DBM";	at PS
and	
INNOVALITE ELECTRICAL ENTERPRISE a corporation duly organd existing under the laws of the Republic of the Philippines and have principal office at Lot 1F Jenny's Avenue corner Pearl St., Pasig Gresubdivision, Rosario, Pasig City represented Elmer E. Baland, Authorized Authorized Representative hereinafter referred to as the "Supplier";	ing its

WITNESSETH, that:

WHEREAS, the PS-DBM, decided to use Framework Agreement on its procurement project Supply and Delivery of Battery, dry cell, AA for the Procurement Service;

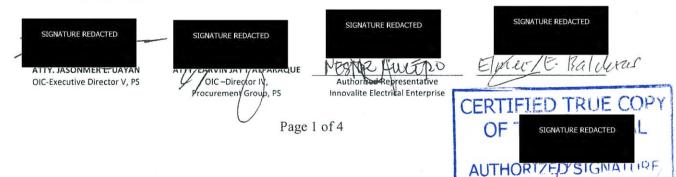
WHEREAS, this Agreement is for the option to purchase the goods determined to be necessary and desirable to address and satisfy the needs of **PS-DBM** as the central source of commonly used supplies and equipment of the Philippine Government, but by its nature, use or characteristic, the quantity and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

Lot No.	Item	Maximum Quantity	Uı	nit Price		Total Price
1~	Battery, Dry Cell, AA	 174,088 packs	₽	19.70	₱	3,429,533.60

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:



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AUTHORIZED SIGNATURE

Article I GENERAL CONSIDERATIONS

- 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.

SIGNATURE REDACTED

OF SIGNATURE REDACTED

ALL

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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 – DEPARTMENT OF BUDGET AND MANAGEMENT

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

ATTY. JASONMER L. UAYAN

SIGNATURE REDACTED

OIC-Executive Director V

PS

INNOVALITE ELECTRICAL ENTERPRISE

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

Electrical

SIGNATURE REDACTED

Authorized Portion

WITNESSE

ATTY EARNIN JAY I ALPARAQUE

OIG-Director IV, Procurement Group
Procurement Service

SIGNATURE REDACTED

CERTIFIED TRUE COPY
OF SIGNATURE REDACTED NAL
AUTHORIZED SIGNATURE

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ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES } S.S CITY OF MANILA

1 5 JUI 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:

Name	Competent Evidence of Identity	Date of Issue	Place of Issue	
ATTY. JASONMER L. UAYAN	SIGNATURE REDACTED	SIGNATURE REDACTED	SIGNATURE REDACTED	
Elmer E. Balderas	Pa, -21	3)4 , ,	

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 SUPPLY AND DELIVERY OF BATTERY, DRY CELL, AA 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.

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