

CONTRACT AGREEMENT

THIS AGREEMENT made this August 25, 2022 between Palawan Council for Sustainable Development Staff (PCSDS) (hereinafter called "the Entity") of the one part and Lilyhill Trading, Valencia St., Brgy. Masikap, Puerto Princesa City, Palawan, Philippines (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly PR. No. 22-08-16-80: ICT Office Supplies (Plotter-Scanner Supplies) and has accepted a quotation from the Supplier for the supply of those goods and services in the sum of Three Hundred Ninety-Eight Thousand Four Hundred Thirty-Five Pesos (Php 398,435.00) (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 as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, viz.:
 - i. Request for Quotation;
 - ii. Schedule of Requirements and Technical Specifications;
 - iii. Winning bidder's quotation, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Price Quotation Form, including all the documents/statements contained in the Bidder's quotation, as annexes, and all other documents submitted (e.g., Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's evaluation of quotation;
 - iv. Notice of Award of Contract; and the Bidder's conforme thereto; and
 - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned. **Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.**
3. In consideration for the sum of Three Hundred Ninety-Eight Thousand Four Hundred Thirty-Five Pesos (Php 398,435.00) or such other sums as may be ascertained, Lilyhill Trading represented by Mr. Archie Bayona agrees to supply PR. No. 22-08-16-80: ICT Office Supplies (Plotter-Scanner Supplies) in accordance with his/her/its quotation.
4. Goods and services will be delivered and/or performed by the Supplier within 30 days in accordance with the schedule agreed upon.
5. The Entity agrees to pay the Supplier the above-mentioned sum in accordance with the terms of the Bidding and based on the actual goods and services delivered and/or performed as billed.


TEODORO JOSE S. MATTA, Esq.


Mr. ARCHIE B. BAYONA

6. In case of breach, the Supplier shall be liable to pay liquidated damages at least equal to one-tenth of one percent (0.001) of the cost of the unperformed portion for every day of delay. Once the cumulative amount of liquidated damages reaches ten percent (10%) of the amount of the contract, the Entity may rescind or terminate the contract, without prejudice to other courses of action and remedies available under the circumstances.
7. If any dispute or difference of any kind whatsoever shall arise between the parties in connection with the implementation of the contract, the parties shall make every effort to resolve amicably such dispute or difference by mutual consultation. Any and all disputes arising from the implementation of a contract shall be submitted to arbitration in the Philippines according to the provisions of R.A. 876, otherwise known as the "Arbitration Law" and R.A. 9285, otherwise known as the "Alternative Dispute Resolution Act of 2004"

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.


TEODORO JOSE S. MATTA, Esq.
Executive Director

for:

Palawan Council for Sustainable
Development Staff (PCSDS)


MR. ARCHIE P. BAYONA
Authorized Representative

for:

Lilyhill Trading

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
Puerto Princesa City)

BEFORE ME, this 13 OCT 2022 at PUERTO PRINCESA CITY
personally appeared **TEODORO JOSE S. MATTA, Esq.** and **MR. ARCHIE P. BAYONA** with their competent evidence of identity, all known to me and to me known to be the same persons who executed the foregoing instrument which they acknowledged to me to be their free and voluntary act and deed and that of the entities they respectively represent.

This instrument consisting of only three (3) page/s, including this page in which this Acknowledgement is written, duly signed by them and their instrumental witnesses.

WITNESS MY HAND AND SEAL.

Doc. No. 244 ;
Page No. 50 ;
Book No. IX ;
Series of 2022;

Notary Public

ATTY. APRIL JOY M. RABANG
Commission No. NPL-2021-014
Notary Public for the City of Puerto Princesa
and Palawan / Until December 31, 2022
Roll of attorney's No. 72549
PTR No. 183597 / 01-03-2022 / Pasig City
IBP No. 0891076 / 01-03-2022 / Palawan
Date Admitted to the Bar June 14, 2019



PURCHASE ORDER

1 Supplier/Provider: Lilyhill Trading		2 P. O. No. 22-08-49	
Address: Valencia St., Brgy. Masikap		Date August 30, 2022	
Tel./Fax No. : 0977-801-2814		P.R. No. 22-08-16-80	
TIN : 107-941-406-000		Date August 16, 2022	
		Mode of Procurement NP-Small Value Procurement	

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Gentlemen:
Please furnish this Office the following articles subject to the terms and conditions contained herein

Item No.	Stock No.	Qty	Unit	Item Description	Cost	
					Unit	Total
EMED						
1		4	set	Plotter-scanner supplies (ink, paper, and printer head) Compatible to HP designjet T795 Ink Cartridge -1st set (HP Designjet 72 130ml Cyan/ Magenta/ Yellow Ink Cartridge) -2nd set (HP Designjet 72 130ml Cyan/ Magenta/ Yellow Ink Cartridge) -3rd set (HP Designjet 72 130ml photo black/ gray/ matte black Ink Cartridge) -4th set (HP Designjet 72 130ml photo black/ gray/ matte black Ink Cartridge)	₱22,350.00	₱89,400.00
2		4	set	Plotter-scanner supplies (ink, paper, and printer head) Compatible to HP designjet T795 Ink Printer Head -1st set (HP Designjet 72 gray & photo black/ matte black & yellow printer head) -2nd set (HP Designjet 72 gray & photo black/ cyan & magenta printer head) -3rd set (HP Designjet 72 matte black & yellow/ cyan & magenta printer head) -4th set (HP Designjet 72 matte black & yellow/ cyan & magenta printer head)	₱20,500.00	₱82,000.00
3		4	set	Plotter-scanner supplies (ink, paper and printer head) Compatible to HP designjet T795 HP Gloss (42 inch) Alps Universal Instant-dry Glossy Photo Paper 190gsm (42" x 100ft) - 2 per set	₱22,585.00	₱90,340.00
4		4	set	Plotter-scanner supplies (paper and printer head) Compatible to HP designjet T795 HP Gloss (42 inch x 150) Alps Universal Coated Paper 108gsm (42" x 100ft) - 2 per set	₱12,550.00	₱50,200.00
DMD - Calamian						
5		1	set	Plotter-scanner supplies (ink, paper, and printer head) •The suppliers shall supply authentic/ original manufactured: - 2 pcs HP 711 80-ml Black Designjet Ink Cartridge - HP 711 3-pack 29-ml Cyan Designjet Ink Cartridges - HP 711 3-pack 29-ml Magenta Designjet Ink Cartridges - HP 711 3-pack 29-ml Yellow Designjet Ink Cartridges - 2 sets HP 711 Designjet Printerhead Replacement Kit - 2 pcs HP Universal Bond Paper-914mm x 45.7m (36in x 100ft) - 2 pcs HP Universal Instant-dry Satin Photo Paper-914 mm x 30.5 (36in x100ft) • The supplier shall supply the products in recyclable packages and shall provide a packaging take-bak service.	₱86,495.00	₱86,495.00
-nothing follows-						

Total Amount in Words: Three hundred ninety-eight thousand four hundred thirty-five pesos only	Total: ₱398,435.00
	*Subject to Applicable Taxes
	GROSS ₱398,435.00

4 Place of Delivery: Puerto Princesa City	Delivery Term: <input type="checkbox"/> - Pick-up	<input checked="" type="checkbox"/> - Deliver w/in 30 calendar days from receipt of PO
Date of Delivery/Completion: _____	Payment Term: <input type="checkbox"/> - COD	<input type="checkbox"/> - Days after issuance of monthly invoice

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Penalty Provision:
In case of failure to make the full delivery within the time specified above, a penalty of one-tenth of one percent (0.001) of the cost of the unperformed portion for every day of delay.

Conforme: MR. ARCHIE P. BAYONA Supplier signature over printed name Date: OCT 18 2022	Very truly yours, TEODORO JOSE S. MATTA, Esq. Executive Director and Head of the Procuring Entity
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Republic of the Philippines
(Republic Act No. 7611)

PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT STAFF

NOTICE TO PROCEED

August 26, 2022

Lilyhill Trading

Represented by its authorized representative
Mr. Archie P. Bayona
Valencia St., Brgy. Masikap
Puerto Princesa City

Dear Mr. Bayona:

This refers to the Notice of Award of procurement item with details listed below:

- a. Winning Bidder : Lilyhill Trading
- b. Purchase Request No. : 22-08-16-80
- c. Procurement Title : ICT Office Supplies (Plotter-Scanner Supplies)
- d. Contract Amount : Php 398,435.00

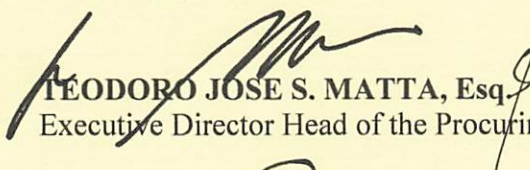
In relation thereto, notice is hereby given to winning bidder that the implementation of the said project shall commence on the same day you have acknowledged the receipt of this Notice. You are expected to perform the terms and conditions stipulated in the attached Contract Agreement.

Please acknowledge receipt of this notice by signing at the portion provided below. Keep a copy and return the original copy to this Palawan Council for Sustainable Development Staff (PCSDS) at the soonest.

For further details, please contact the PCSDS-BAC Secretariat through the following contact details: (a) email: bacpcsd@gmail.com and (b) Tel. No. (+48) 434-4235.

Thank you.

Very truly yours,


TEODORO JOSE S. MATIA, Esq.
Executive Director Head of the Procuring Entity

Conforme:



MR. ARCHIE P. BAYONA

Date: OCT 17 2022

Vision: Palawan, an innovative and dynamic global center of sustainable development.

Mission: PCSDS as the driver of environmental conservation and inclusive development in Palawan, a biosphere reserve and science-for-sustainability site, guided by the Strategic Environmental Plan.

HEAD OFFICE:

PCSD Building, Sports Complex Road
Santa Monica Heights, Puerto Princesa City, 5300 Palawan, Philippines
☎ (+6348) 434-4235 Trunkline • (+6348) 434-4234 Telefax
Email: oed@pcsd.gov.ph • Website: www.pcsd.gov.ph | www.pkp.pcsd.gov.ph



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PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT STAFF

NOTICE OF AWARD

August 24, 2022

Lilyhill Trading

Represented by its authorized representative

Mr. Archie P. Bayona

Valencia St., Brgy. Masikap

Puerto Princesa City

Dear Mr. Bayona:

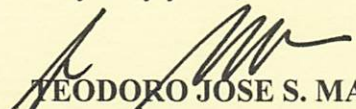
The Palawan Council for Sustainable Development Staff (PCSDS) is hereby awarding the contract for the procurement item with details below inclusive of all applicable taxes:

- a. Purchase Request No. : 22-08-16-80
- b. Procurement Title : ICT Office Supplies (Plotter-Scanner Supplies)
- c. Contract Amount : Php 398,435.00


You are therefore advised to post the required Performance Security (if applicable) and enter into contract with PCSDS within ten (10) calendar days from receipt of this notice. Failure to enter into contract shall constitute a sufficient ground for cancellation of this award.

Thank you.

Very truly yours,


TEODORO JOSE S. MATTA, Esq.
Executive Director and Head of the Procuring Entity

Conforme:



MR. ARCHIE P. BAYONA

Date: OCT 12 2022

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Republic of the Philippines
(Republic Act No. 7611)

**PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT STAFF
BIDS AND AWARDS COMMITTEE**

**“RECOMMENDING THE AWARD OF CONTRACT TO LILYHILL
TRADING FOR THE PROCUREMENT OF PR NO. 22-08-16-80: ICT
OFFICE SUPPLIES (PLOTTER-SCANNER SUPPLIES)**

**Resolution No. 22-08-16-80
Series of 2022**

WHEREAS, PR No. 22-08-16-80: ICT Office Supplies (Plotter-Scanner Supplies) was ascertained by the Palawan Council for Sustainable Development Staff (PCSDS), Bids and Awards Committee (BAC) as included in the APP for the FY 2022 with Negotiated Procurement – Small Value Procurement as the mode of procurement pursuant to Section 53.9 of Implementing Rules and Regulation of Republic Act No. 9184 with an Approved Budget for the Contract (ABC) amounting to Four Hundred Thousand pesos (Php 400,000.00). The stated provision states:

xxx xxx xxx

53.9. Small Value Procurement. Procurement of Goods, Infrastructure Projects and Consulting Services, where the amount involved does not exceed the threshold prescribed in Annex "H" of this IRR: Provided, That in case of Goods, the procurement does not fall under shopping in Section 52 of this IRR

xxx xxx xxx

WHEREAS, the Request for Quotation for NP- Small Value Procurement for the said procurement was posted in the PhilGEPS Website, PCSD Website, and in a conspicuous place in the premises of PCSD last 20-23 August 2022. The same was also sent to three prospective suppliers;

WHEREAS, the following supplier/s submitted their quotations:

NO.	BIDDER	AMOUNT	DATE SUBMITTED
1	Lilyhill Trading	Php 398,435.00	August 23, 2022
2	Toroba Trading	Php 398,760.00	August 23, 2022
3	RSN General Merchandising	Php 401,080.00	August 23, 2022

WHEREAS, on August 23, 2022, the Committee conducted an evaluation of the above-mentioned bids wherein Lilyhill Trading was determined by the Committee as the Lowest Calculated and Responsive Quotation;

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WHEREAS, in today's meeting, the Committee decided to recommend to the Head of Procuring Entity (HoPE) the awarding of the contract;

NOW, THEREFORE, for in consideration of the foregoing, **WE**, the Members of the PCSDS-BAC, hereby **RESOLVE**, as it is hereby **RESOLVED**, to recommend to Executive Director Atty. Teodoro Jose S. Matta, Head of the Procuring Entity (HoPE) the award of contract to Lilyhill Trading for the procurement of PR No. 22-08-16-80: ICT Office Supplies (Plotter-Scanner Supplies).

RESOLVED, that copies of this resolution be submitted to the PCSDS Executive Director for his appropriate action.

ADOPTED AND APPROVED by the PCSDS Bids and Awards Committee (BAC) this August 23, 2022 in Puerto Princesa City.

Prepared by:



Atty. MICHELLE ANDREA AUGUST F. SABUYA
BAC Secretariat, Head

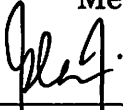
Recommending Approval:

(absent)

Atty. JOANNA SARAH T. DIVA
Member

(absent)

Atty. IRISH R. VILLAMOR-DOSADO
Member



GLENDAM. CADIGAL, RPF
Member




Engr. MADRONO P. CABRESTANTE JR.
Vice-Chairperson



LEVITA A. LAGRADA
Chairperson

Approved:



TEODORO JOSE S. MATTA, Esq.
Executive Director and
Head of the Procuring Entity