

Republic of the Philippines  
**PROVINCE OF PAMPANGA**  
**BIDS AND AWARDS COMMITTEE**  
 Provincial Capitol, City of San Fernando (P)



**BAGONG PILIPINAS**

**NOTIFICATION TO EXECUTE A FRAMEWORK AGREEMENT**

August 7, 2024

**TSD TRADING**  
 San Vicente, Apalit,  
 Pampanga

**SIR / MADAME :**

*Greetings!*

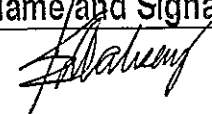
We are pleased to inform you that your bid dated June 14, 2024 for the execution of the contract for the **Supply and Delivery of Canned Goods (Single Year Framework Agreement) – PR No. 24-1767** with a Contract Price equivalent to **Fifty Four Million Nine Hundred Sixty Five Thousand Pesos, Philippine Currency (PhP 54,965,000.00)** undertaken through Public Bidding has been determined as the **Single Calculated and Responsive Bid (SCRB)**, therefore being accepted.

You are therefore required to post a Performance Security in the form and amount stipulated in the Instruction to Bidders and enter into a Framework Agreement within ten (10) days from receipt of this Notice of Award. Failure to provide the performance security shall constitute sufficient ground for the cancellation of this award and forfeiture of your Bid Security.

For your information and guidance.

Very truly yours,

  
**DENNIS G. PINEDA**  
 Governor

	Print Name/and Signature	DATE
<b>PROOF OF RECEIPT</b>		<i>August 09, 2024</i>



Republic of the Philippines  
**PROVINCE OF PAMPANGA**  
 Provincial Capitol, City of San Fernando, Pampanga



**BAGONG PILIPINAS**

**BIDS AND AWARDS COMMITTEE**

➤ Excerpts from the regular session of the **IG - BAC** of the Provincial Government of Pampanga held on July 31, 2024 at the Old S.P. Session Hall, Provincial Capitol, City of San Fernando, Pampanga

➤ Present:

Atty. Cecil L. Andin	Chairman
Mr. Francis V. Maslog	Vice-Chairman
Engr. Olimpio M. Pangan	Member
Dr. Augusto S. Baluyut, Jr.	Member

➤ On Official Business:

Ms. Rima K. Bondoc	Member
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**BIDS AND AWARDS COMMITTEE**  
**BAC RESOLUTION NO. 2024-452 A-DGP**

**"A RESOLUTION AWARDING PURCHASE REQUEST NO. 24-1767-  
 TO TSD TRADING"**

**WHEREAS**, the Provincial Government of Pampanga published in accordance with RA 9184 and its Updated RIRR an invitation to bid for **P.R. # 24-1767 – Supply and Delivery of Canned Goods (Single Year Framework Agreement)** with an approved budget for the contract in the amount of Fifty Four Million Nine Hundred Sixty Eight Thousand Seven Hundred Fifty Pesos, Philippine Currency (PhP 54,968,750.00);

**WHEREAS**, pursuant to the aforesaid invitation, a public bidding was held on June 14, 2024, wherein only one bidder, **TSD Trading**, submitted its bid;

**WHEREAS**, the BAC-TWG determined the submission of the abovesited bidder as "passed" for complying with all the eligibility and technical requirements using a non-discretionary "pass/fail" criteria as stated in the bidding documents after the preliminary examination of bid;

**WHEREAS**, the Bids and Awards Committee declared the bid of **TSD Trading** as the **Single Calculated Bid** in the amount of **PhP 54,965,000.00** after the detailed evaluation of the bid;

**WHEREAS**, upon careful examination, validation and verification of all statements made and documents submitted, the BAC-TWG found that the submission of **TSD Trading** passed all criteria for post-qualification and recommended the award of the contract in its favor which was adopted by the committee;

**NOW THEREFORE**, the Bids and Awards Committee, in regular session, **RESOLVED**, as it is hereby resolved, the following:

- 1) To declare the bid of **TSD Trading** in the amount of **Fifty Four Million Nine Hundred Sixty Five Thousand Pesos, Philippine Currency (PhP 54,965,000.00)** as the Single Calculated and Responsive Bid in accordance with Section 36 of the Updated RIRR of RA 9184;
- 2) To recommend the award of the contract to the **TSD Trading** in the abovementioned amount in accordance with Section 37.1 of the same RIRR.


**RESOLVED FURTHER**, to submit the foregoing recommendations to the Head of the Procuring Entity (HOPE) for approval.

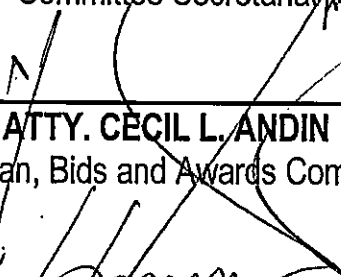
**APPROVED.**

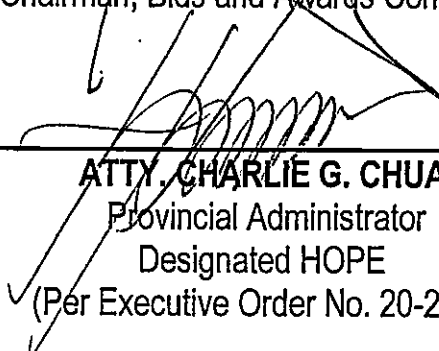
**I HEREBY CERTIFY TO THE CORRECTNESS OF THE ABOVE-QUOTED RESOLUTION:**

**ATTESTED:**

**APPROVED / DISAPPROVED:**

  
\_\_\_\_\_  
**FILIPINA R. SEVILLA**  
Vice-Chairperson, Bids and Awards  
Committee Secretariat

  
\_\_\_\_\_  
**ATTY. CECIL L. ANDIN**  
Chairman, Bids and Awards Committee

  
\_\_\_\_\_  
**ATTY. CHARLIE G. CHUA**  
Provincial Administrator  
Designated HOPE  
(Per Executive Order No. 20-2022)

## FRAMEWORK AGREEMENT

Project Title - Supply and Delivery of Canned Goods

### KNOW ALL MEN BY THESE PRESENTS:

This Agreement made and entered into by and between [PROVINCIAL GOVERNMENT OF PAMPANGA] of the Philippines with office address at Capitol Compound, Barangay Sto. Nino, City of San Fernando, Pampanga represented herein by DENNIS G. PINEDA, Provincial Governor and hereafter referred to as the "PROCURING ENTITY".

and

[TSD TRADING], a duly registered entity existing under the laws of the Philippines with postal address at San Vicente, Apalit, Pampanga represented by its Owner/General Manager, Mrs. TEODORA S. DALISAY hereinafter referred to as the "THE SUPPLIER",

### WITNESSETH, that:

WHEREAS, THE PROCURING ENTITY decided to use Framework Agreement on its procurement project Supply and Delivery of Canned Goods (Single Year Framework Agreement);

WHEREAS, this Agreement is for the option to purchase of goods determined to be necessary and desirable to address and satisfy the needs of THE PROCURING ENTITY but by its nature, use of characteristic, the quantity and/or exact time of need cannot be accurately pre-determined.

WHEREAS, THE PROCURING ENTITY 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 THE PROCURING ENTITY; and

WHEREAS, THE SUPPLIER which passed the eligibility screening conducted by THE PROCURING ENTITY, shall maintain and update the eligibility requirements during period of this Agreement and shall honor all obligation under this Framework Agreement.

NOW THEREFORE, the parties hereby agree as follows:

Article I  
**GENERAL CONSIDERATIONS**

1. This Framework Agreement is an option contract. THE PROCURING ENTITY 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 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 which is attached thereto and made an integral part thereof.
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 Performance Security or Performance Securing Declaration;
  - (f) the Procuring Entity's Notice to Execute Framework Agreement;
  - (g) Mini Competition, when necessary; and
  - (h) Call-Offs.

Article II  
**DURATION**

The term of this Agreement shall be one (1) year from the date of execution unless sooner revoked by both parties.

Article III  
**CONSIDERATION**

For the consideration of one peso (Php 1.00), THE PROCURING ENTITY have 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 THE 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 THE PROCURING ENTITY issues a Call off THE SUPPLIER is bound to deliver the goods or perform the services identified as the time and date specified in the Call-Off.

Failure on the part of THE SUPPLIER to deliver goods or perform the services shall warrant forfeiture of performance security or performance securing declaration and imposition of liquidated damages as provided for 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 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.

**Provincial Government of Pampanga**

**Entity**

By:

Hon. DENNIS G. PINEDA

Governor

**TSD TRADING**

**Supplier**

By:

TEODORA S. DALISAY

Owner/General Manager

Signed in the presence of:

\_\_\_\_\_

\_\_\_\_\_

**ACKNOWLEDGMENT**

Republic of the Philippines)  
Province of Pampanga.....)  
City of San Fernando.....)S.S.

15 AUG 2024

**BEFORE ME**, a Notary Public for and in the City of San Fernando, Province of Pampanga, Philippines, on this \_\_\_\_ day of \_\_\_\_\_, personally appeared the following and who exhibited to me their respective identifications (ID):

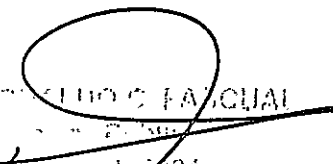
Name	IDENTIFICATION		
	No.	Date of issue	Place of Issue
Dennis G. Pineda			
Teodora S. Dalisay			

thereby made known to me to be the same persons who executed and voluntarily signed the foregoing Contract, and acknowledged to me that the same is their free and voluntary act and deed, and of the entities they each represent.

The foregoing Contract consisting of two (2) pages including the page on which this acknowledgment is written, has been signed on the right margin of each and every page by the parties and the witnesses.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed by notarial seal on the same date and place as above-written.

Doc. No. - 40 ;  
Page No. 16 ;  
Book No. 35 ;  
Series of 2024.

ATTEST:   
UPRILE  
PILIPINAS  
No. 2036  
TIN No. 117-112-618