

DRN: AD-PS-A-COMM-23-1-024816-S

**NOTICE OF AWARD**

January 8, 2022


**HAZEL S. SAWIT**  
Relationship Manager  
SMART COMMUNICATIONS, INC.  
Smart Tower 6799, Ayala Avenue, Makati City

Dear **Ms. Sawit**:

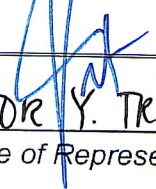
We are happy to notify you that your Bid dated December 9, 2022 for execution of the **Procurement of Prepaid Cellular Cards for C.Y. 2023 (advance procurement) Lot 2 – Smart and Talk n’ Text Prepaid Cellular Cards** the Contract Price equivalent to **THREE MILLION NINE HUNDRED NINETY THREE THOUSAND SEVEN HUNDRED TWENTY PESOS ONLY (P3,993,720.00)**, as corrected and modified in accordance with the Instructions to Bidders is hereby accepted.

You are hereby required to provide within ten (10) calendar days the performance security in the form and the amount stipulated in the Instructions to Bidders. Failure to provide the performance security shall constitute sufficient ground for cancellation of the award and enforcement of sanctions,

Very truly yours,

  
**MARI-FLOR A. DOLLAGA-LIBANG**  
Regional Director

Conformed:

  
**VICTOR Y. TRIAS**  
(Name & Signature of Representative of Bidder)

(Name of Bidder)

Date: \_\_\_\_\_

**CONTRACT AGREEMENT**  
**No. 2023-002**

THIS AGREEMENT was made the \_\_\_\_\_ day of January 2023 between the **Department of Social Welfare and Development Field Office Caraga**, Capitol Site, Butuan City Philippines (hereinafter called "the Entity") of the one part and **SMART COMMUNICATIONS, INC.**J.C. Aquino Avenue, Butuan City, Philippines (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **Procurement of Prepaid Cellular Cards for C.Y. 2023 - Lot 2 – Smart and Talk n' Text Prepaid Cellular Cards (advance procurement)** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **THREE MILLION NINE HUNDRED NINETY-THREE THOUSAND SEVEN HUNDRED TWENTY PESOS ONLY (₱ 3,993,720.00)** (hereinafter called "the Contract Price").

The WORK comprised the delivery of the below-mentioned item:

Description	Quantity Total		Unit Cost	Total	Delivery Term
	1 <sup>st</sup> Delivery	2 <sup>nd</sup> Delivery			
Smart Prepaid Card-300	4,824	4,823	₱276.00	₱2,662,572.00	Goods to be deliver at DSWD Field Office Caraga, Butuan City. Delivery of the goods is divided into two (2) schedules as follows:  1 <sup>st</sup> delivery – 15 calendar days after issuance and receipt of Notice to Proceed  2 <sup>nd</sup> delivery – on or before June 03, 2023
Talk n' Text Prepaid Card-300	2,411	2,412	₱276.00	₱1,331,148.00	
<b>Grand Total</b>				<b>₱3,993,720.00</b>	
<p><b>The validity of the load card must not be less than twelve (12) months from the date of delivery.</b></p>					



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. Philippine Bidding Documents (PBDs);
    - i. Schedule of Requirements;
    - ii. Technical Specifications;
    - iii. General and Special Conditions of Contract; and
    - iv. Supplemental or Bid Bulletins, if any
  - ii. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;  
  
Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, 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 bid evaluation, to wit:
    - iii. Performance Security;
    - iv. Notice of Award of Contract; and the Bidder's conformed thereto; and
    - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **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 MILLION NINE HUNDRED NINETY THREE THOUSAND SEVEN HUNDRED TWENTY PESOS ONLY (₱ 3,993,720.00)** or such other sums as may be ascertained, **SMART COMMUNICATIONS, INC.** agrees to supply/deliver/perform for the ***Procurement of Prepaid Cellular Cards for C.Y. 2023 - Lot 2 - Smart and Talk n' Text Prepaid Cellular Cards (advance procurement)*** in accordance with his Bid.
4. The Department of Social Welfare and Development Field Office Caraga agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
5. The Supplier will fully and faithfully furnish all required goods and hereby complete and free delivery of the said project issued by the Procuring Entity within the scheduled date of delivery as indicated in the contract.
6. In case the Contractor/Supplier refuses or fails to satisfactorily complete/ project within the specified delivery period, plus any time extensions duly granted and it is hereby in default under the CONTRACT, the Contractor/Supplier shall pay the

government for liquidated damages, and not by way of penalty, an amount of one tenth (1/10) of one percent (1%) of the contract cost of the project for each calendar day of delay until such time work is finally completed and accepted by the procuring entity.


7. All duties, excise and other taxes and revenue charges, if any, shall be for service provider's account.
8. All transactions are subjected to withholding of creditable Value Added Tax (VAT) per Revenue Regulation No 10-93 and local tax regulations adopted by the LGU of Butuan City per SP Ordinance No. 2235-2000 Equivalent to 75% of 1% of the Contract Price.
9. Payment shall be through CHECK/Advice to Debit Account (ADA) and shall be made after acceptance of items and reconciliation of pertinent documents. Payment will be made within 15 to 30 calendar days upon submission of complete documents and availability of cash.
10. The DSWD Caraga shall be have the right to terminate this Agreement if the AWARDEE is willfully violating any of the material conditions, stipulations and covenants of this Agreement.
11. This agreement becomes binding and valid upon approval by the proper authorities.

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.

*Department of Social Welfare and  
Development  
Field Office Caraga*

*SMART COMMUNICATIONS, INC.*

  
**MARI-FLOR A. DOLLAGA-LIBANG**  
Regional Director

  
**VICTOR Y. TRIAS**  
First Vice President and Head of  
Enterprise Revenue Group 1

*SIGNED IN THE PRESENCE OF:*

  
**JEAN PAUL S. PARAJES**  
ARD-Operations

  
**HAZEL S. SAWIT**  
Relationship Manager/Authorized  
Representative





BIDS AND AWARDS COMMITTEE

DSWD-GF-004 | REV 01 / 12 OCT 2021

**NOTICE TO PROCEED**

January 18, 2023

**VICTOR Y. TRIA**  
First Vice President and Head of Enterprise Revenue Group 1  
**SMART COMMUNICATIONS, INC.**  
Makati City

Dear Mr. Tria:

The attached Contract Agreement having been approved, notice is hereby given to **SMART COMMUNICATIONS, INC.** that work may commence on the project for the **Procurement of Prepaid Cellular Cards for C.Y. 2023 - Lot 2 - Smart and Talk n' Text Prepaid Cellular Cards (advance procurement)**. Delivery of the contract is required per schedule as stipulated in the Contract Agreement No. 2023-002.

Upon receipt of this notice, you are responsible for performing the services under the terms and conditions of the Agreement and in accordance with the Implementation Schedules.

Please acknowledge receipt and acceptance of this notice by signing both copies in the space provided below. Keep one copy and return the other to the Department of Social Welfare and Development- Field Office Caraga.

Very truly yours,

Dollaga-Libang Mari-Flor  
Aranas  
This is an authorized  
signature  
2023.01.18 11:42:11+08'00'

**MARI-FLOR A. DOLLAGA-LIBANG**

Regional Director

Conformed: / **VICTOR Y. TRIA**

(Name & Signature of Representative of Bidder)

(Name of Bidder)

Date: Jan. 19, 2023