



Republic of the Philippines
Department of Education
 Administrative Service
 Events Assistance and Services Unit

PROJECT REFERENCE NO.: 2024-EASU(002)-PT-CS

PROJECT TITLE: Procurement of Meals (1. for OBE Interagency Meeting 2. for OBE Launch 3. for Orientation of OBE Committee Members and Command Center Operation)

CONTRACT NO.:2024-EASU-002-PAS

**CONTRACT FOR SMALL VALUE PROCUREMENT
 OF CATERING SERVICE**

THIS CONTRACT made and entered into this JUN 19 day of _____ 2024 by and between the **DEPARTMENT OF EDUCATION**, located at DepEd Complex, Meralco Avenue, Pasig City, represented herein by its Undersecretary and Chief of Staff Head of Procuring Entity, **ATTY. MICHAEL WESLEY T. POA**, as per Office Order OO-OSEC-2023-267 (hereinafter referred to as "**DEPED**"); and **FOCAL MANAGING LOOP INC.**, represented herein by its Director of Operations, **CHERYL D. DUGANG** with office address at 573 St. Peter Area 5 Brookside Hills Subd. Cainta Rizal, (hereinafter referred to as the "**FOCAL MANAGING LOOP INC.**").

DEPED and FOCAL MANAGING LOOP INC. are collectively called **PARTIES**.

WHEREAS, DEPED requested quotations from prospective lessors for the procurement of catering service for **Procurement of Meals (1. for OBE Interagency Meeting 2. for OBE Launch 3. for Orientation of OBE Committee Members and Command Center Operation)**, and received quotation from three (3) prospective lessors; **DEPED** evaluated the offer of the prospective lessors and declared **FOCAL MANAGING LOOP INC.** as having the Lowest Calculated Quotation for the project; after post-qualification, **DEPED** declared the quotation of **FOCAL MANAGING LOOP INC.** as the Lowest Calculated Quotation in the sum of **PHILIPPINE PESOS: THIRTY SIX THOUSAND PESOS AND 00/100 (P36,000.00)** for Batch 1; **ONE HUNDRED TWELVE THOUSAND PESOS AND 00/100 (P112,000.00)** for Batch 2; and **SIX HUNDRED FIFTY ONE THOUSAND TWO HUNDRED PESOS AND 00/100 (P651,200.00)** for Batch 3, inclusive of VAT, or for a total sum of **SEVEN HUNDRED NINETY NINE THOUSAND TWO HUNDRED PESOS AND 00/100 (P799,200.00) only**, (hereinafter called the "Contract Price") detailed as follows:

Date of Activity/ Inclusive Dates	Estimated Number of Pax	No. of Day/s	Location	Amount (in PhP)
July 3, 2024	80	One (1)	Pasig City	₱36,000.00

[Signature]
RONALD D. DUGANG
 FOCAL MANAGING LOOP INC.'s Witness

[Signature]
CHERYL D. DUGANG
 FOCAL MANAGING LOOP INC.

[Signature]
JASON V. MERCENE
 DEPED's Witness

[Signature]
ATTY. MICHAEL WESLEY T. POA
 DEPED

July 22, 2024	150	One (1)	Pasig City	₱112,000.00
July 23 - August 2, 2024	380	Eleven (11)		₱651,200.00
TOTAL AMOUNT: SEVEN HUNDRED NINETY NINE THOUSAND TWO HUNDRED PESOS AND 00/100 (₱799,200.00)				

NOW THIS CONTRACT WITNESSETH AS FOLLOWS:

1. In this Contract, words and expressions shall have the same meaning as are respectively assigned to them in the Project Reference.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 shall be deemed to form and be read and construed as part of this Contract, viz:
 - a. Resolution to Award No. **2024-EASU-044(CS)** dated **May 21, 2024**;
 - b. Notice of Award of Contract and **FOCAL MANAGING LOOP INC.**'s conforme thereto;
 - c. **FOCAL MANAGING LOOP INC.**'s offer, including the eligibility requirements, technical and financial proposals, and all other documents or statements submitted;
 - d. Technical Specifications (Annex "A"); and
 - e. Other contract documents required by existing laws and/or **DEPED. FOCAL MANAGING LOOP INC.** agrees that additional contract documents of information prescribed by the Government Procurement Policy Board (GPPB) that are subsequently required for submission after the contract execution such as, but not limited to, Notice to Proceed and Variation Order, shall form part of the Contract.
3. The lease of catering service referred to in this Contract shall commence on **July 3, 2024** and end on **July 3, 2024 for Batch 1; July 22, 2024** and end on **July 22, 2024 for Batch 2; July 23, 2024** and end on **August 2, 2024 for Batch 3**, subject to **FOCAL MANAGING LOOP INC.**'s receipt of the Notice to Proceed (NTP).
4. The lease of catering service referred to in this Contract must conform to and comply with the final technical specifications as approved by the Procurement Committee of the Events Assistance and Services Unit based on the actual offer of **FOCAL MANAGING LOOP INC.**, and reflected in the post-qualification report, which is hereto attached as Annex "B" and made an integral part hereof.

Any proposal by **FOCAL MANAGING LOOP INC.** to provide goods, services, and/or equipment of different specifications, in lieu of those approved, shall not be allowed. However, under justifiable circumstances, higher or superior technical specifications may be permitted, subject to the evaluation and favorable recommendation of **DEPED**'s end-user or implementing unit, and the approval of the herein authorized signatory. In any such case, the proposal by **FOCAL MANAGING LOOP INC.** for substitution shall not result in any additional cost or undue burden to **DEPED**.
5. **FOCAL MANAGING LOOP INC.** shall be responsible for the sources of its goods, services, and/or equipment, and shall provide the same in accordance with the schedule and specifications of the award, including incidental and additional services as specified in the Project Reference, if any. Failure on the part of **FOCAL MANAGING LOOP INC.** to comply with this provision shall be a ground for cancellation of the Contract.


RONALD D. DUGANG
 FOCAL MANAGING LOOP INC.'s Witness


CHERYL D. DUGANG
 FOCAL MANAGING LOOP INC.


JASON V. MERCENE
 DEPED's Witness #1


ATTY. MICHAEL WESLEY T. POA
 DEPED


6. One-time/full payment of the Contract Price shall be made to **FOCAL MANAGING LOOP INC.** within 60 days, through the Government disbursement procedure and subject to applicable taxes, upon DEPED's receipt of the complete documentary requirements from **FOCAL MANAGING LOOP INC.**. Such payment shall be based on the actual number of registered participants, or the minimum guaranteed number of participants as indicated in the Schedule of Requirements.

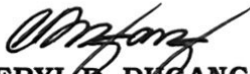
Other documents in support of a request for payment may be required by **DEPED** pursuant to existing disbursement, accounting, and auditing rules and procedures.

7. **FOCAL MANAGING LOOP INC.** shall be liable for liquidated damages in an amount equal to one-tenth (1/10) of one percent (1%) of the cost of the unperformed portion, for every day of delay. **DEPED** shall deduct the liquidated damages from any money due or which may become due to **DEPED**. Once the accumulated amount of the liquidated damages reaches 10% of the Contract Price, **DEPED** may rescind or terminate the Contract, without prejudice to other courses of action and remedies available under the circumstances.
8. The **PARTIES** shall make every effort to resolve amicably and by mutual consultation any and all disputes or differences arising between the **PARTIES** in connection with the implementation of the Contract. Should such dispute not be resolved amicably, it shall be submitted to Early Neutral Evaluation pursuant to Republic Act No. 9285 or the "Alternative Dispute Resolution Act of 2004", and its Implementing Rules and Regulations.


IN WITNESS WHEREOF, the **PARTIES** hereto have caused this Contract to be executed in accordance with governing laws on the day and year first above written.

SIGNED, SEALED AND DELIVERED BY:


ATTY. MICHAEL WESLEY T. POA
Undersecretary and Chief of Staff
Head of Procuring Entity
DEPARTMENT OF EDUCATION


CHERYL D. DUGANG
Director of Operations
FOCAL MANAGING LOOP INC.

SIGNED IN THE PRESENCE OF:


JASON V. MERCENE
DEPED's Witness


RONALD D. DUGANG
FOCAL MANAGING LOOP INC.'s Witness

CERTIFIED FUNDS AVAILABLE: ₱ 799,200.00


M.A. RHUNNA L. CATALAN
Chief Accountant

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

ACKNOWLEDGEMENT

BEFORE ME, a Notary Public, and for
Philippines, this ____ day of JUN 19 2024, 2024 personally appeared:

NAME

GOVERNMENT ISSUED ID
(Number, Issued On, Issued By)

CHERYL D. DUGANG
Director of Operations
FOCAL MANAGING LOOP INC.

PASSPORT ID # PS8517570
OCT. 28, 2023
DFA NCR EAST

Known to me and to me known to be the same person who executed the foregoing instrument and acknowledged to me that the same is the free and voluntary act and deed of the entity which he/she respectively represents.

The foregoing instrument is a CONTRACT consisting of three (3) pages (exclusive of attachments), excluding this page on which this acknowledgment is written and signed by the party hereto.

WITNESS MY HAND AND SEAL on the date and place first above written.

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Page No. : 8
Book No. : XV
Series of 2024

ATTY. NEIL T. ALBOPERA
NOTARY PUBLIC
Until December 31, 2025
Pasig City and in the Municipality of Pateros, Metro Manila
PTR No. 1357680 / Pasig City/01 -02-2024
IBP No. 325487; 12/06 /2023 (MD for 2024)
Admitted to the Philippine Bar on 04/12/2022
Roll of Attorney No. 76228
TIN No. 242 -007-260-000
G/F Pasig City Hall, Brgy. San Nicolas, Pasig City
Appointment No. 58 (2024-2025)
Cellphone No. 0977 -634-4229



REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

ACKNOWLEDGEMENT

BEFORE **ME,** a Notary Public, and for

Philippines, this ____ day of _____, 2024 personally appeared:

NAME

GOVERNMENT ISSUED ID
(Number, Issued On, Issued By)

ATTY. MICHAEL WESLEY T. POA
Department of Education

Known to me and to me known to be the same person who executed the foregoing instrument and acknowledged to me that the same is the free and voluntary act and deed of the entity which he/she respectively represents.

The foregoing instrument is a CONTRACT consisting of three (3) pages (exclusive of attachments), excluding this page on which this acknowledgment is written and signed by the party hereto.

WITNESS MY HAND AND SEAL on the date and place first above written.

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Page No. : 8
Book No. : 7071
Series of 2024

ATTY. NEIL TANLANGIT ALBOPLERA
NOTARY PUBLIC
Until December 31, 2025
Pasig City and in the Municipality of Pateros, Metro Manila
PTR No. 1757680 / Pasig City/01 -02-2024
IBP No. 325487; 12/06 /2023 (MD for 2024)
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TIN No. 242 -007-260-000
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Handwritten signature