

CONTRACT OF LEASE

KNOW ALL MEN BY THESE PRESENTS:

This contract is made and entered in the City of Pasig, Metro Manila by and between:

THE CITY OF PASIG, a local government unit duly organized and existing under and by virtue of the laws of the Republic of the Philippines with principal office at City Hall, Caruncho Ave., Barangay San Nicolas, Pasig City, herein represented by **HON. VICTOR MA REGIS N. SOTTO**, in his capacity as City Mayor, hereinafter referred to as the "LESSEE";

- and -

ESTANCIA DE LORENZO INC., a domestic corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office at New 31, Old #26 Aquarius St. Bancom, Gulod Malaya, San Mateo, Rizal herein represented by **RACHEL ANN BERNALES**, Authorized Representative, pursuant to the Secretary Certificate attached hereto as Annex "A" hereof, herein referred to as the "LESSOR";

Each of the LESSEE and the LESSOR may be referred to as a "PARTY" and collectively as "PARTIES".

The parties hereto represent that they possess the capacity and authority to enter into this Contract of Lease.

W I T N E S S E T H :

WHEREAS, the **LESSEE** has a lease requirement for venue under Purchase Request No. 100-23-05-1299 for the **Lease of Venue for the 2023 Mid-Year Accomplishment Review and Assessment for City Health Office** from August 30 to 31, 2023;

WHEREAS, pursuant to Section 53.10 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 (Government Procurement Reform Act) and the Consolidated Guidelines for Alternative Methods of Procurement, the **LESSEE**, through its Bids and Awards Committee ("BAC"), sent Requests for Quotations to at least three (3) potential lessors, and three (3) potential lessors responded;

WHEREAS, on 07 August 2023, the **LESSEE**, through its BAC, conducted negotiation and evaluation and found the **LESSOR's** quotation to be responsive;

WHEREAS, the **LESSOR** thus offered for lease to the **LESSEE** a venue, accommodations, function room, equipment, and meals in **ESTANCIA DE LORENZO INC.**;

WHEREAS, considering all of the legal requisites, and finding the **LESSOR's** quotation to be in order, valid, and responsive, the **LESSOR** was found to have submitted the Lowest Calculated and Responsive Quotation/Proposal in the amount of **Three Hundred Seventy One Thousand Pesos (Php 371,000.00)** ;

WHEREAS, the **LESSEE** accepted the **LESSOR's** offer and awarded the project to the **LESSOR** in accordance with the Implementing Rules and Regulations of Republic Act No. 9184;

NOW, THEREFORE, in view of the foregoing premises and for and in consideration of mutual covenants and undertakings, the parties hereto have agreed as follows:

ARTICLE I SUBJECT OF THE LEASE

This Contract of Lease shall cover all the items found in the Request for Quotation (RFQ) / Terms of Reference (TOR) after the conduct of Negotiation attached to this Contract as Annex "B".

ARTICLE II LEASE PERIOD

The Contract of Lease shall be for the period of 30 to 31 August 2023.

ARTICLE III CONTRACT PRICE

In consideration for the lease to be undertaken by the **LESSOR** specified in Article I hereof, the **CITY OF PASIG** shall pay **ESTANCIA DE LORENZO INC.** based on the billing statement/statement of account/invoice/billing invoice/others with complete and correct supporting documents/attachments and computations in an amount not to exceed **Three Hundred Seventy One Thousand Pesos (Php 371,000.00)**.

ARTICLE IV AMENDMENT AND EXCLUSIVITY

1. This Contract of Lease constitutes the entire agreement between the parties hereto and all previous agreements between the parties relative to the Leased Premises and ancillary services therein, are hereby superseded by this Contract of Lease.
2. The relationship of the parties shall be limited to the performance of the terms and conditions of this Contract of Lease. Nothing in this Contract

of Lease shall be construed as to create a general partnership, joint venture, or agency between the parties, or to authorize any party to act as a general agent for another, or permit any party to bind the other, or to borrow money on behalf of another party, or to use credit of any party, for any purpose.

3. The Contract of Lease shall not be deemed amended or otherwise in any manner, unless such amendment or alteration is made in writing and signed by both parties.

ARTICLE V NON-WAIVER

1. The failure or delay on the part of any party to insist upon strict performance of any of the terms, conditions, and covenants hereof, or to exercise any of its rights under this Contract of Lease, shall not be deemed a relinquishment or waiver of the enforcement of any right or remedy that said party may have nor shall it be construed as a waiver of any subsequent breach or default of the terms, conditions, and covenants herein contained, which shall be deemed in full force and effect. No waiver by a party shall be deemed to have been made unless expressed in writing and signed by the said party.

2. Any right or remedy conferred by this Contract of Lease shall not be exclusive of any other right or remedy of each party, whether under this contract or provided by or permitted by law or in equity, but each right or remedy shall be cumulative of every right or remedy available.

ARTICLE VI ADDITIONAL PROVISIONS

1. The parties hereby manifest that they shall first meet, confer and sit down together for the purpose of exploring all avenues and/or possibilities of amicably settling whatever are their differences, disputes and/or controversies that may arise in connection with any of the terms and conditions of this Contract of Lease.

2. In the event that facts and circumstances arise or are discovered which render this Contract of Lease manifestly and grossly disadvantageous to the government, as determined by the **LESSEE**, the parties hereto agree to immediately renegotiate its terms and conditions, or at the option of the **LESSEE**, terminate the same.

3. If the parties fail to amicably settle their difference, disputes, and/or controversies, the parties, waiving for this purpose any other venue, hereby agree that the courts of the City of Pasig shall be the sole and exclusive venue of any and all actions or suits between the parties, to the exclusion of all other courts and venues. This exclusive venue provision shall apply even in cases arising from the declaration of nullity of this Contract of Lease in part or in its entirety and in cases arising after or by reason of the declaration of nullity of

this contract, whether in part or in its entirety.

IN WITNESS WHEREOF, the parties hereto set their hands this 11 AUG 2023
day of _____, 2023 at **Pasig City**.

CITY OF PASIG

ESTANCIA DE LORENZO INC.,

By:

By:

VICTOR MA REGIS N. SOTTO
City Mayor

Bernaies
RACHEL ANN BERNALES
Authorized Representative

WITNESSES:

(Printed Name and Signature)

(Printed Name and Signature)

Funds Appropriated:

Funds Obligated:

[Signature]
MS. MARTINELLI A. SANTIAGO
OIC - City Budget Office

[Signature]
MS. JUVY A. CUENCO
City Accountant
100-2023-06-0453-1032

Funds Available:

Recommending Approval:

[Signature]
MS. MARITA A. CALAJE
City Treasurer

[Signature]
JOSEPH R. PANALIGAN, MD, MHA
City Health Officer

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of PASIG CITY) S.S.

BEFORE ME, a Notary Public for and in the City of PASIG CITY, on this day of AUG 11 2023, 2023, personally appeared:

Name	Government ID	Issue and Expiry Date
RACHEL ANN BERNALES	Nonover ID 2714 - 0945 - 0754 7926	JULY 22, 2012

known to me to be the same person who executed the foregoing Contract of Lease consisting of five (5) pages, and who acknowledged to me that the same is their own free and voluntary act and deed as well as the free and voluntary act and deed of the entity they duly authorized to represent.

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

Doc. No. 461
Page No. 02
Book No. 90
Series of 2023

ATTY. CARLOS S. ABESAMIS
Notary Public-Pasig City
Until December 31, 2023
ROLL NO. 43288
IBP LIFETIME NO. 08352
PTR NO. 9004628
APPOINTMENT NO. 25 (2022-2023)
MCLE NO. VII-0030173
TIN NO. 127-509-331-00000

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in the City of Pasig, on this day of AUG 15 2023 2023, personally appeared Victor Ma Regis N. Sotto, known to me to be the same person who executed the foregoing instrument and who acknowledged to me that the same is his free and voluntary act and deed as well as that of the entity he represents.

This instrument consists of five (5) pages, including this page in which this Acknowledgement is written and duly signed by the Parties.

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

Doc. No. 421
Page No. 56
Book No. 31
Series of 2023

ATTY. CARLOS S. ABESAMIS
Notary Public-Pasig City
Until December 31, 2023
ROLL NO. 43288
IBP LIFETIME NO. 08352
PTR NO. 9004628
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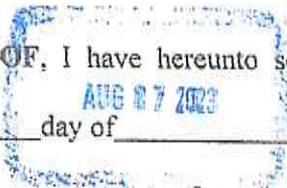
CERTIFICATE OF CORPORATE SECRETARY

I hereby certify that I am the Secretary of Estancia De Lorenzo, Inc., a corporation duly organized and existing under the laws of the State of the Philippines, and that the following is a true copy of a Resolution unanimously adopted by the Board of Directors of said corporation at a special meeting held on the 20th day of July, 2023, at which a quorum was present, to-wit:

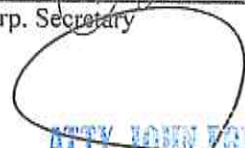
BE IT HEREBY RESOLVED that Rachel Ann Bernales is hereby authorized and directed to execute on behalf of the corporation any and all instruments, documents and papers necessary and proper to carry out all activities.

And, I further certify that the foregoing Resolution is still in full force and effect; that the same has not been rescinded, nor has it been amended or modified in any way.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said corporation on this the _____ day of _____, 20_____.




ANA KATRINA L. CASAJEROS
Corp. Secretary



ATTY. EDWIN A. REYES
Notary Public for San Mateo, Rizal
29 General Luna St., Dasmahin, San Mateo, Rizal
NC-053-22 until 31 December 2023
IBP NO. 254175 / 27 Dec.2022
PTR NO.18929266A / 03 Jan.2023 / San Mateo
RGN No. 59423

Doc. No. 133
Page No. 28
Book No. 137
Series of 2023



PASIG
MAGNANAP ANG TAMANG

PROCUREMENT MANAGEMENT OFFICE

ANNEX "B"

REQUEST FOR QUOTATION/INVITATION FOR NEGOTIATION

Date	04 August 2023
Project Title	Lease of Venue for the 2023 Mid-Year Accomplishment Review and Assessment– City Health Office
Mode of Procurement	Negotiated Procurement (Lease of Real Property or Venue)
RFQ No.	100-23-05-1299
Approved Budget for the Contract	Four Hundred Thirty Thousand Ten Pesos (Php 430,010.00)
Deadline and Place for the Submission of Quotation	Please submit the accomplished Quotation and required documents not later than <u>07 August 2023, 1:45 PM</u> at the Bids and Awards Committee (BAC) through the Procurement Management Office (BAC Secretariat Office), <u>4th Floor</u> , Pasig City Hall, San Nicolas, Pasig City. You may enclose all the documents in an envelope duly marked with the following details: 1. Title and reference number of the project (Purchase Request No.); and 2. Name, address and contact details (telephone/cellphone number and email address) of the bidder.
Date, Time and Place of the Negotiation	07 August 2023, 2:00 PM, 7 th Floor, Meeting Room, Pasig City Hall
TERMS	The lease contract shall commence from <u>August 30, 2023 to August 31, 2023</u>
NOTES	<ol style="list-style-type: none">1. Lessor shall submit their offer/quotation through their duly authorized representatives2. Quotations submitted exceeding the Approved Budget for the Contract (ABC) shall be rejected.3. The prices quoted are to be paid in Philippine Currency.4. All prices quoted are subject to all Philippine Tax Statutes.5. Award of contract shall be made to the lowest quotation which complies with the technical specifications and other terms and conditions stated herein.6. The City Government of Pasig shall have the right to inspect and/or to test the real property to confirm their conformity to the technical specifications.7. The CITY GOVERNMENT OF PASIG reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Sections 35.6 and 41 of the 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.

Sir/Madame:

In accordance with the Technical Specifications, Scope of Work and General Conditions for the aforementioned project stated herewith, kindly fill up and submit your lowest proposal.

For any inquiries or clarifications, please contact the Procurement Management Office (BAC Secretariat Office) at (02) 8643-1111 local 1461 or 1462 or through email bidsandawards@pasigcity.gov.ph

Thank you.


ATTY. PONCE MIGUEL D. LOPEZ
Officer in Charge, Procurement Management Office



Description of Service Requirement	Offered Technical Proposal Please fill in with either: "Comply" or "Not Comply"																								
Lease of Venue for the 2023 Mid-Year Accomplishment Review and Assessment– City Health Office under PR No. 100-23-05-1299																									
TECHNICAL SPECIFICATIONS/SCOPE OF WORK																									
August 30, 2023 to August 31, 2023																									
<p>I. Number of Days: 2 days</p> <p>II. Desired Venue and/or Function within Rizal area</p> <p>III. Type of accommodation: live-in for 70 pax</p> <p style="padding-left: 20px;">a. Board of Lodging (Full Board) 70 pax:</p> <ul style="list-style-type: none"> ➤ Single bed for each of seventy (70) participants ➤ With working area on accommodation room ➤ 24-hours hot and cold shower ➤ Toilet and bath ratio of ≤1:4 ➤ Sanitized beddings, rooms and restrooms <ul style="list-style-type: none"> ○ Arrival : 8:00 AM (August 30, 2023) ○ Check-in time : 12:00 NN (August 30, 2023) ○ Check-out time : 4:00 PM (August 31, 2023) 																									
<p>Function Room Requirements</p> <ul style="list-style-type: none"> • Can accommodate 70 pax, following the IATF Guidelines and flexible for group activities and workshops • Well-lighted and well-ventilated • Availability of audio-visual equipment with stand-by assistant: <ul style="list-style-type: none"> ○ At least two (2) LCD projector ○ At least one (1) whiteboard and whiteboard pen & eraser ○ Complete set of sound system • Unlimited free access to Internet/ Wi-Fi in all areas of venue • Function room set-up: Classroom type preferred • One (1) table for the Secretariat (Registration Area) • No pillars inside the function room that may pose as obstruction to the participants during the discussion proper 																									
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Other Requirements:					
<ul style="list-style-type: none"> • Maintaining cleanliness-function hall, restrooms, sleeping quarters, hallway, coffee/tea area and dining area • Standby assistant on function room • With appropriate parking area for at least 20 vehicles • With 24-hour security, front-desk and housekeeping services 					
FINANCIAL PROPOSAL					
Name of Project			Grand Total Cost for the Lease of Venue		
Lease of Venue for the 2023 Mid-Year Accomplishment Review and Assessment– City Health Office under PR No. 100-23-05-1299			PHP _____ (Amount in Figures)		
			_____ _____ _____ 		
			(Amount in words of Grand Total Cost)		

Additional Requirements:

Together with your proposal/quotation, kindly submit the following documents:

1. Mayor's/Business Permit (or a recently expired Mayor's/Business permit together with the official receipt as proof that the prospective bidder has applied for renewal within the period prescribed by the concerned local government unit subject to submission of the Mayor's Permit before the award of contract). The nature of business as stated in the Mayor's/Business Permit should at the very least be similar or related to the project to be bid.
2. Latest Income or Business Tax Returns filed and paid through the BIR Electronic Filing and Payment System (EFPS).

In accordance with Revenue Regulation No. 3-2005, the above-mentioned tax returns shall refer to the following:

- Latest Income Tax Return (ITR) - For participants already with an Annual ITR, latest ITR shall refer to the ITR for the preceding Tax Year be it on a calendar or fiscal year. For new establishments which, therefore, have no annual ITR yet, it shall refer to the most recent quarter's ITR.
 - Latest Business Tax Return - refers to the Value Added Tax (VAT) or Percentage Tax returns covering the previous six (6) months.
3. Philippine Government Electronic Procurement System (PhilGEPS) Registration Number or PhilGEPS Platinum Certificate of Registration and Membership;
 4. Accomplished and notarized Omnibus Sworn Statement. - ([https://www.gppb.gov.ph/assets/forms/Omnibus%20Sworn%20Statement\(Revised\).docx](https://www.gppb.gov.ph/assets/forms/Omnibus%20Sworn%20Statement(Revised).docx))
 5. Proof of Authorization i.e. duly notarized Secretary's Certificate issued by the corporation or the members of the joint venture or a Special Power of Attorney, in case of Sole Proprietorship.



BIDDER'S COMMITMENT:

We hereby agree and bind ourselves to the terms and conditions herein specified, to the manner of procurement and evaluation set up by the Bids and Awards Committee (BAC), and to the Implementing Rules and Regulations of the Republic Act No. 9184. We further certify that we have read and agree to the Terms of Reference, if any, attached in the Request for Quotation.

We understand that the City Government of Pasig is not bound to accept the lowest or any bid it may receive.

Conforme:

Signature over printed Name Position

Duly authorized to sign quotation/offer for and on behalf
of _____ *(Please indicate name of company)*



ANNEX "B"

TERMS OF REFERENCE

Technical Specifications

Activity Title	PASIG CITY HEALTH DEPARTMENT 2023 MID-YEAR ACCOMPLISHMENT REVIEW AND ASSESSMENT
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DATE OF ACTIVITY	Estimated Number of Paxs	Number of Days	Unit Cost	Total Estimated Budget
August 30 - 31, 2023	70 Participants	2 days – Hotel and Food Accommodation	3,071.50/ per pax / day	Php.430,010.00

- I. Number of Days : 2
 II. Desired Venue and/or Function : Within Rizal area
 III. Type of Accommodation : Live-In for 70 pax

A.) Board of Lodging (Full Board) 70 pax:

- Single bed for each of seventy (70) participants.
- With working area on accommodation room.
- 24-Hours Hot and Cold Shower
- Toilet and bath ratio of $\leq 1:4$
- Sanitized Beddings, Rooms and Restrooms
 - Arrival : 8:00 AM (August 30, 2023)
 - Check-in time : 12:00 NN (August 30, 2023)
 - Check-out time : 4:00 PM (August 31, 2023)

Function Room Requirements:
<ul style="list-style-type: none"> • Can accommodate 70 pax, following the IATF Guidelines and flexible for group activities and workshops
<ul style="list-style-type: none"> • Well-lighted and well ventilated
<ul style="list-style-type: none"> • Availability of audio-visual equipment with stand-by assistant: <ul style="list-style-type: none"> ○ At least Two (2) LCD projector ○ At least One (1) whiteboard and whiteboard pen & eraser ○ Complete set of sound system ○ At least Six (6) extension cords ○ At least Three (3) microphones with Three (3) microphone stand ○ Podium, Philippine Flag and flag poles ○ Flip Chart ○ Note pads and pencil
<ul style="list-style-type: none"> • Unlimited free access to internet / Wi-fi in all areas of venue
<ul style="list-style-type: none"> • Function room set-up: Classroom type preferred
<ul style="list-style-type: none"> • One (1) table for the Secretariat (Registration Area)
<ul style="list-style-type: none"> • No pillars inside the function room that may pose as obstruction to the participants during the discussion proper



MEALS	August 30, 2023	August 31, 2023	
Breakfast		✓	Buffet with 2 main dishes, fresh fruit, unlimited coffee, or juice
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Other Requirement/s:

- Maintaining cleanliness-function hall, restrooms, sleeping quarters, hallway, coffee/tea area, and dining area
- Standby assistant on function room
- With appropriate parking area for at least 20 vehicles
- With 24-hour security, from front-desk and housekeeping services.

Prepared by:


Naomi Morafia RN
 Training Officer

Reviewed and approved by:


JOSEPH R. PANALIGAN, MD, MHA
 City Health Officer