

## 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 -

**MILLENNIUM PROPERTIES AND BROKERAGE INCORPORATED**, a domestic corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office at 352 Capt. H. Javier St., Oranbo, Pasig City, herein represented by **CHRISTIAN JOSEPH M BERNARDO**, Authorized Represent, 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. 100-23-07-1676 for the **Lease of Venue for the Conduct of Leadership Training for CSO Members (Sama-sama sa Pagbabago ng Senior Citizen)** for **Office of Senior Citizen Affairs** on October 9, 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 one (1) potential lessor responded;

**WHEREAS**, on 15 September 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 **MILLENNIUM PROPERTIES AND BROKERAGE INCORPORATED**;

**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 Six Thousand Pesos (Php 306,000.00)**;

**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 on 9 October 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 **MILLENNIUM PROPERTIES AND BROKERAGE INCORPORATED** 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 Six Thousand Pesos (Php 306,000.00)**;

#### **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 02 OCT 2023 day of \_\_\_\_\_, 2023 at **Pasig City**.

**CITY OF PASIG**

**MILLENNIUM PROPERTIES AND BROKERAGE INCORPORATED**

By:

By:

  
**VICTOR M. REGIS N. SOTTO**  
City Mayor

  
**CHRISTIAN JOSEPH M. BERNARDO**  
Authorized Representative

**WITNESSES:**


(Printed Name and Signature)

(Printed Name and Signature)

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Funds Appropriated:

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Funds Obligated:

  
**MS. MA. THERESA B. HERNANDEZ, CPA**  
OIC - City Budget Office

  
**MS. JUVY A. CUENCO**  
City Accountant  
100-2023-07-0053-7499

Funds Available:

Recommending Approval:

  
**MS. MARITA A. CALAJE**  
City Treasurer

  
**HORACIO B. APUYAN JR.**  
Community Affairs Officer III  
9/22/2023

ACKNOWLEDGMENT

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

BEFORE ME, Notary Public for and in the City of QUEZON CITY, on this day of OCT 02, 2023, personally appeared:

Table with 3 columns: Name, Government ID, Issue and Expiry Date. Row 1: CHRISTIAN JOSEPH M BERNARDO, DRIVER'S LICENSE Div-99-213546, 9/19/2023

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. 136
Page No. 18
Book No. 1851
Series of 2023

ATTY. ELISEO S. ALMA, JR.
Notary Public for Q.C. Until Dec. 31, 2024
Roll No. 50488
PTR No. 409717212/Jan. 03, 2023/Q.C.
IBP No. 257925, Jan. 01, 2023
MCLE Comp. No. VII-0006924(09/21/2021-04/14/2025)
Adm. Matter No. NP-062(2022-2023)
20 Kamagong St., Sapananai Vill. East Fairview Q.C.
TIN: 138-541-197-000

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in the City of Pasig, on this day of OCT 04, 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.


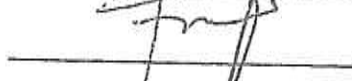

Doc. No. 310
Page No. 67
Book No. VIII
Series of 2023

ATTY. FRED P. RUBIO
Notary Public-Pasig City, San Juan and Pateros
Until December 31, 2024
ROLL NO. 84083
IBP NO. 243415
PTR No. 8034629
APPOINTMENT NO. 275(2023-2024)
MCLE EXEMPTION NO. VIII-BEP002249
TIN NO. 238-919-765

SECRETARY'S CERTIFICATE

That I, MICHAEL T. NG, am the duly elected Corporate Secretary of Millennium Properties and Brokerage Inc./ Astoria Hotels and Resorts (hereinafter called the "Corporation"), a domestic corporation duly organized and existing under and by virtue of the laws of the Philippines, with office address at 15 J.Escriva Drive, Pasig City and in my capacity as such do hereby certify that at the Special Meeting of the Board of Directors held on July 06, 2023 the following resolutions were adopted:

RESOLVED, That the Corporation, Millennium Properties and Brokerage Inc./ Astoria Hotels and Resorts, be authorized as it is hereby authorized representatives, to communicate, transact, and collect payment on behalf of the corporation to PASIG CITY HALL under the name of Millennium Properties and Brokerage Inc. or Astoria Plaza, the following are the designated Authorized Representatives to carry out any and/or all of the provided above:

NAME	SPECIMEN SIGNATURE
CHERIE ANN N. ORPRECIO	
YANICE CALANGIAN	
CHRISTIAN JOSEPH M. BERNARDO	

RESOLVED FURTHER, That the above mentioned representatives, be authorized and empowered as he is hereby authorized and empowered to file and follow-up with the Pasig City Hall, any and all papers, instruments and agreements, required to execute the foregoing application as may be necessary to effect the above - described transaction, under such terms and conditions as said representatives may deem most beneficial to the Corporation;

RESOLVED FURTHER AND FINALLY, That this authorization shall remain valid and effective unless otherwise revoked or modified by a subsequent Board Resolution.

IN WITNESS WHEREOF, I have hereunto set my signature this SEP 15 2023 at QUEZON CITY.

  
MICHAEL T. NG  
Corporate Secretary

SUBSCRIBED AND SWORN to me this SEP 15 2023 at QUEZON CITY affiant exhibited to me his Passport I.D. P7686830B to expire on December 31, 2031.

OPIC NO. NRT  
VARE NO. 5A  
BOOK NO. 125C  
SERIES NO. NM

SEP 15 2023  
ATTY. ELMEO S. BALMA, JR.  
Notary Public for Q.C. (until Dec. 31, 2024)  
Roll No. 50183  
PTR No. 49971722 (Jan. 03, 2023/Q.C.)  
IBP No. 267225 (Jan. 01, 2023)  
MCLE Comp. No. V10-000082409921/2021-04/14/2025)  
Adm. Mater No. NP-002022-2023)  
20 Kamagong St., Sagunanai Vill. East Fairview Q.C.  
TEL: 552 211 107 000



REQUEST FOR QUOTATION/INVITATION FOR NEGOTIATION

Date	13 September 2023
Project Title	Lease of Venue for the Conduct of Leadership Training for CSO Members ( Sama- sama sa Pagbabago ng Senior Citizen, Pasig City)- Office of Senior Citizen Affairs
Mode of Procurement	Negotiated Procurement (Lease of Real Property or Venue)
RFQ No.	100-23-07-1676
Approved Budget for the Contract	Three Hundred Twenty Thousand Four Hundred Pesos (Php 320,400.00)
Deadline and Place for the Submission of Quotation	Please submit the accomplished Quotation and required documents not later than <u>15 September 2023, 1:45 PM</u> at the Bids and Awards Committee (BAC) through the Procurement Management Office (BAC Secretariat Office), <u>4<sup>th</sup> 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 (RFQ No.); and 2. Name, address and contact details (telephone/cellphone number and email address) of the bidder.
Date, Time and Place of the Negotiation	15 September 2023, 2:00 PM, 7 <sup>th</sup> Floor, Meeting Room, Pasig City Hall
TERMS	The lease contract shall be on <b>October 09, 2023</b>
NOTES	<ol style="list-style-type: none"> <li>1. Lessor shall submit their offer/quotation through their duly authorized representatives</li> <li>2. Quotations submitted exceeding the Approved Budget for the Contract (ABC) shall be rejected.</li> <li>3. The prices quoted are to be paid in Philippine Currency.</li> <li>4. All prices quoted are subject to all Philippine Tax Statutes.</li> <li>5. Award of contract shall be made to the lowest quotation which complies with the technical specifications and other terms and conditions stated herein.</li> <li>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.</li> <li>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.</li> </ol>

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.

SGD

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"														
<b>Lease of Venue for the Conduct of Leadership Training for CSO Members ( Sama- sama sa Pagbabago ng Senior Citizen, Pasig City)– Office of Senior Citizen Affairs under RFQ No. 100-23-07-1676</b>															
<b>TECHNICAL SPECIFICATIONS/SCOPE OF WORK</b>															
<p>I. Number of Day: 1 day</p> <p>II. Function Room Requirements:</p> <ul style="list-style-type: none"> <li>• Can accommodate 180 pax, following IATF Guidelines and flexible for group workshop</li> </ul> <p>Use of Function Room October 09,2023,- 8:00 AM- 5:00 PM</p> <ul style="list-style-type: none"> <li>• 10% parking space</li> <li>• Well- lighted and ventilated</li> <li>• Availability of Audio-Visual Equipment               <ul style="list-style-type: none"> <li>○ Use of plenary</li> <li>○ Audio-visual equipment: 1 podium, 2 microphones, Basic PA System</li> <li>○ LCD Projector with wide screen</li> <li>○ Set up requirements: Registration table and Podium</li> </ul> </li> <li>• Wi-Fi Connection for all</li> <li>• Pads, pencils and mints</li> <li>• No pillars in the middle of function room</li> <li>• Good soundproofing of hall, there will be no or very minimal noise coming from the adjacent hall</li> </ul>	Comply														
<p>Meals Requirements</p> <table border="1" data-bbox="397 1266 1073 1642"> <thead> <tr> <th data-bbox="397 1266 737 1311">MEALS</th> <th data-bbox="737 1266 1073 1311">October 09, 2023</th> </tr> </thead> <tbody> <tr> <td data-bbox="397 1311 737 1365"></td> <td data-bbox="737 1311 1073 1365" style="text-align: center;">180 pax</td> </tr> <tr> <td data-bbox="397 1365 737 1419">Breakfast</td> <td data-bbox="737 1365 1073 1419"></td> </tr> <tr> <td data-bbox="397 1419 737 1473">AM Snacks</td> <td data-bbox="737 1419 1073 1473" style="text-align: center;">✓</td> </tr> <tr> <td data-bbox="397 1473 737 1526">Lunch</td> <td data-bbox="737 1473 1073 1526" style="text-align: center;">✓</td> </tr> <tr> <td data-bbox="397 1526 737 1580">PM Snacks</td> <td data-bbox="737 1526 1073 1580" style="text-align: center;">✓</td> </tr> <tr> <td data-bbox="397 1580 737 1642">Dinner</td> <td data-bbox="737 1580 1073 1642"></td> </tr> </tbody> </table> <p>Buffet Lunch Day 1 (October 09, 2023): Main dish (Choice of pork, chicken, beef, fish, and vegetables), Dessert (Choice of fruits and pastries)</p> <p>AM Snack Day 1 (October 09, 2023): (Choice of sandwich and heavy breakfast)</p> <p>PM Snack Day 1 (October 09, 2023): (Choice of pastries, pasta and sandwich)</p> <ul style="list-style-type: none"> <li>• Freshly brewed coffee, decaffeinated coffee, herbal and leaf teas, full cream and skimmed milk</li> <li>• Pads, pencils, mints</li> <li>• Free- flowing coffee, hot tea, hot choco and local purified water</li> </ul>	MEALS	October 09, 2023		180 pax	Breakfast		AM Snacks	✓	Lunch	✓	PM Snacks	✓	Dinner		Comply
MEALS	October 09, 2023														
	180 pax														
Breakfast															
AM Snacks	✓														
Lunch	✓														
PM Snacks	✓														
Dinner															
<b>FINANCIAL PROPOSAL</b>															



Name of Project	Grand Total Cost for the Lease of Venue
Lease of Venue for the Conduct of Leadership Training for CSO Members ( Sama- sama sa Pagbabago ng Senior Citizen, Pasig City)- Office of Senior Citizen Affairs under RFQ No. 100-23-07-1676	<p style="text-align: center;">Php <u>306,000.00</u></p> <p style="text-align: center;">(Amount in Figures)</p> <p style="text-align: center;"><u>three hundred six thousand pesos only</u></p> <p style="text-align: center;">_____</p> <p style="text-align: center;">(Amount in words of Grand Total Cost)</p>

**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. - [http://www.ecop.gov.ph/assets/forms/Omnibus%20Sworn%20Statement\(Revised\).docx](http://www.ecop.gov.ph/assets/forms/Omnibus%20Sworn%20Statement(Revised).docx)

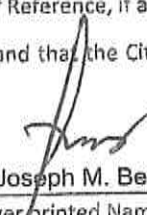
5. Proof of Authorization i.e. duly notarized Secretary's Certificate issued by the corporation or the members of the joint venture or a Special Power of Attorney, in case of Sole Proprietorship.

**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:

  
**Christian Joseph M. Bernardo** Sales Account Manager  
 Signature overprinted Name Position

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



Annex "B"

TERMS OF REFERENCE FOR LEADERSHIP TRAINING FOR CSO MEMBERS (SAMA SAMA SA PAGBABAGO NG SENIOR CITIZEN, PASIG CITY)

SOURCE OF FUNDS: General Fund of City Government of Pasig

I. Venue and Date of Events

Title: LEADERSHIP TRAINING FOR CSO MEMBERS (SAMA SAMA SA PAGBABAGO NG SENIOR CITIZEN, PASIG CITY)

Table with 2 columns: ACTIVITY TITLE and AIP REFERENCE CODE. Activity title: LEADERSHIP TRAINING FOR CSO MEMBERS (SAMA SAMA SA PAGBABAGO NG SENIOR CITIZEN, PASIG CITY). AIP REFERENCE CODE: 3000-000-2-1-35-001-007-000

Table with 4 columns: DATE OF ACTIVITY, ESTIMATED NUMBER OF PAX, NUMBER OF DAYS, TOTAL ESTIMATED BUDGET. Row 1: October 09,2023 8:00am-5:00pm, 180 PAX (OSCA STAFF, SENIOR CITIZEN BOTs AND LECTURES), 1 DAY FOOD, 320,400.00

II. NUMBER OF DAYS:

1 DAY

Function Room Requirements table containing: Can accommodate 180 pax, following the IATF Guidelines and flexible for group workshop; Use of Function Room October 09,2023 - 8:00AM- 5:00PM; 10% Parking Space; Well-lighted and ventilated





Availability of Audio-Visual Equipment

- ▢ use of the plenary
- ▢ Audiovisual equipment: 1 podium, 2 microphones, Basic PA System
- ▢ LCD Projector with wide screen
- ▢ Set up requirement: Registration table and Podium

- Wi-Fi Connection for all
- Pads, pencils, and mints
- No pillars in the middle of function room
- Good soundproofing of hall, there will be no or very minimal noise coming from the adjacent hall

Meals Requirements

	October 09, 2023	
	180 pax	
Breakfast		
Am Snack	✓	
Lunch	✓	
Pm Snack	✓	
Dinner		

**Buffet Lunch Day 1 (October 09, 2023):** Main dish (Choice of, Pork, chicken, beef fish, and Vegetables)  
Dessert (Choice of fruits and pastries)

**AM Snack Day 1 (October 09, 2023)** (choice of sandwich and heavy breakfast)  
**PM Snack Day 1 (October 09, 2023)** (choice of, pastries, pasta and sandwich)

- Freshly Brewed Coffee, Decaffeinated Coffee, Herbal and Leaf Teas, Full cream and Skimmed Milk
- Pads, pencils, and mints

• Free-flowing coffee, hot tea, hot Choco and local purified water

III. Delivery and Payment Term

The delivery of the services shall be on the same date as the arrangement, and payment shall be made after services are served.

*for*  
  
**HORACIO B. APUYAN JR. MMHOA**  
HEAD, OSCA