

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 Amber Ave. Cor. Lukban, San Antonio, Pasig City, herein represented by **CHRISTIAN JOSEPH M. BERNARDO**, 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.

WITNESSETH:

WHEREAS, the **LESSEE** has a lease requirement for venue under Purchase Request No. **100-23-08-1793** for the **Lease of Venue for the HIV Counselling and Testing Seminar/Workshop - City Health Office** from 17 October 2023 to 20 October 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 04 October 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 **Four Hundred Seventy One Thousand Fifty Pesos (Php 471,050.00)**;

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 17 October 2023 to 20 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 **Four Hundred Seventy One Thousand Fifty Pesos (Php 471,050.00)**.

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 13 OCT 2023 day of _____, 2023 at **Pasig City**.

CITY OF PASIG

MILLENNIUM PROPERTIES AND BROKERAGE INCORPORATED

By:

By:


VICTOR MA REGIS N. SOTTO
City Mayor


CHRISTIAN JOSEPH M. BERNARDO
Authorized Representative

WITNESSES:


(Printed Name and Signature)

(Printed Name and Signature)

Funds Appropriated:

Funds Obligated:


MS. MA. THERESA B. HERNANDEZ
OIC - City Budget Office


MS. JUVY A. CUENCO
City Accountant
100-2023-09-0900-1032
100-2023-09-0354-4411

Funds Available:

Recommending Approval:


MS. MARITA A. CALAJE
City Treasurer


JOSEPH R. PANALIGAN, MD, MHA
City Health Office

ACKNOWLEDGMENT

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

BEFORE ME, a Notary Public for and in the City of QUEZON CITY, on this day of OCT 13 2023, 2023, personally appeared:

Name	Government ID	Issue and Expiry Date
CHRISTIAN JOSEPH M. BERNARDO	<i>DRIVER'S LICENSE</i> DLB-99-213546	9/19/2033

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. 103
Page No. 101
Book No. 1254/11
Series of 2023

ATTY. ELISEO S. CALMA, JR.
Notary Public for Q.C. / Until Dec., 31, 2024
Roll No. 50183
PTR No. 4097172D/Jan. 03, 2023/Q.C.
IBF No. 257225, Jan. 01, 2023
MCLE Comp. No. VII-0006924(09/21/2021-04/14/2025)
Adm. Matter No. NP-062(2022-2023)
20 Kamagong St., Sapamanai 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 16 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.


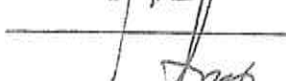
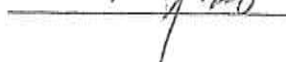
Doc. No. 203
Page No. 42
Book No. X
Series of 2023

ATTY. GERALD P. RUBIO
Notary Public-Pasig City, San Juan and Pateros
Until December 31, 2024
ROLL NO. 84083
IBF NO. 243415
PTR No. 8002829
APPOINTMENT NO. 276(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. Escrivá 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 27 2023 at QUEZON CITY


MICHAEL T. NG
Corporate Secretary

SUBSCRIBED AND SWORN to me this SEP 27 2023 at QUEZON CITY affiant exhibited to me his Passport I.D. P7686830B to expire on December 31, 2031.

Doc. No. 1170
Page No. 011
Book No. 12211
Series of 2023.

ATTY. ELISEO SUCALMA, JR.
Notary Public for C.C. (Until Dec. 31, 2024)
Reg. No. 50183
PTR No. 1007242-03, 2023/Q.C.
IBP No. 2023-01, 2023
MCLE Comp. No. 1110002022-2023
Adm. Matter No. NP-00212022-2023
20 Kamagong St., Sampansan Vil. East Fairview C.C.
TEL: 138541-197-000



REQUEST FOR QUOTATION/INVITATION FOR NEGOTIATION

Date	02 October 2023
Project Title	Lease of Venue for the HIV Counselling and Testing Seminar/ Workshop – City Health Office, Social Hygiene
Mode of Procurement	Negotiated Procurement (Lease of Real Property or Venue)
RFQ No.	100-23-08-1793
Approved Budget for the Contract	Four Hundred Seventy One Thousand Six Hundred Sixty Seven Pesos (Php 471,667.00)
Deadline and Place for the Submission of Quotation	Please submit the accomplished Quotation and required documents not later than <u>04 October 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	<u>04 October 2023, 2:00 PM</u> , 7 th Floor, Meeting Room, Pasig City Hall
TERMS	The lease contract shall commence from <u>17 October 2023 to 20 October 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 HIV Counselling and Testing Seminar/ Workshop – City Health Office, Social Hygiene under PR No. 100-23-08-1793													
TECHNICAL SPECIFICATIONS/SCOPE OF WORK													
I. Number of Days: 4 Days II. Desired Venue and/or Function: Within Pasig Area III. Type of Accommodation: Live in for 43 pax	Comply												
Board and Lodging (Full Board) <input checked="" type="checkbox"/> Single Bed for each 43 participants <input checked="" type="checkbox"/> With working area on accommodation room <input checked="" type="checkbox"/> With Wi-Fi access <input checked="" type="checkbox"/> 24 hours hot and cold shower <input checked="" type="checkbox"/> Toilet and bath ratio of 1:4 <input checked="" type="checkbox"/> Sanitized Beddings, rooms and restrooms <input checked="" type="checkbox"/> Arrival: 8:00 am (17 October 2023) <input checked="" type="checkbox"/> Check in time: 2:00 pm (17 October 2023) <input checked="" type="checkbox"/> Check out time: 12:00 NN (20 October 2023)	Comply												
Function Room Requirements <input type="checkbox"/> Can accommodate 43 pax <input type="checkbox"/> Use of function room for at least 10 hours <input type="checkbox"/> Well lighted and well ventilated <input type="checkbox"/> Availability of audio-visual equipment with stand-by assistant <input checked="" type="checkbox"/> With at least 1 LCD projector <input checked="" type="checkbox"/> With at least 1 whiteboard, whiteboard pen & eraser <input checked="" type="checkbox"/> Basic sound system with at least three (3) microphone with stand <input checked="" type="checkbox"/> At least Six (6) extension cords <input checked="" type="checkbox"/> Note pads and pencils <input type="checkbox"/> Unlimited free access to internet (venue) <input type="checkbox"/> Classroom set up <input type="checkbox"/> One table for the secretariat	Comply												
Meals Requirements: Date: 17 October 2023 to 20 October 2023 <table border="1" data-bbox="256 1800 1019 2231"> <thead> <tr> <th>MEALS</th> <th></th> </tr> </thead> <tbody> <tr> <td>Breakfast</td> <td>Buffet with 2 main viands, dessert, coffee or juice</td> </tr> <tr> <td>AM Snacks</td> <td>Choice of short menu and juice</td> </tr> <tr> <td>Lunch</td> <td>Buffet with 2 main viand, 1 vegetable dish or salad, soup, dessert, coffee or juice</td> </tr> <tr> <td>PM Snacks</td> <td>Choice of short menu and juice</td> </tr> <tr> <td>Dinner</td> <td>Buffet with 2 main viand, 1 vegetable dish or salad, soup, dessert, coffee or juice</td> </tr> </tbody> </table>	MEALS		Breakfast	Buffet with 2 main viands, dessert, coffee or juice	AM Snacks	Choice of short menu and juice	Lunch	Buffet with 2 main viand, 1 vegetable dish or salad, soup, dessert, coffee or juice	PM Snacks	Choice of short menu and juice	Dinner	Buffet with 2 main viand, 1 vegetable dish or salad, soup, dessert, coffee or juice	Comply
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Other Requirements: <ul style="list-style-type: none"> o Standby assistant on function room o With appropriate parking area o 24 hours security 	
FINANCIAL PROPOSAL	
Name of Project	Grand Total Cost for the Lease of Venue
Lease of Venue for the HIV Counselling and Testing Seminar/ Workshop – City Health Office, Social Hygiene under PR No. 100-23-08-1793	PHP <u>471,050.00</u> (Amount in Figures) <u>four hundred seventy-one thousand, fifty pesos only</u> <hr/> <hr/> (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:

- o 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.
 - o 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.sppb.gov.ph/assets/forms/Omnibus%20Sworn%20Statement\(Revised\).docx](https://www.sppb.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 over printed Name Position

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



ANNEX "B"

Pasig City Social Hygiene Clinic / Pasig Treatment Hub

TERMS OF REFERENCE

Activity Title:	HIV Counseling and Testing Training
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Date of Activity	Estimated Number of Pax	Number of Days	Unit Cost	Total Estimated Budget
October 17 –20, 2023	43 pax	4 days – Hotel and food accommodation	P2,742.25	P471,667.00

- I. Number of Days : 4 days
- II. Desired Venue and/or Function : within Pasig Area
- III. Type of Accommodation : Live-in for 43 pax

A. Board and lodging (Full Board) 43 pax:

- o Single bed for each 43 participants
- o With Working area on accommodation room
- o With wifi access
- o 24 hours hot and cold shower
- o Toilet and bath ratio of 1:4
- o Sanitized beddings, rooms and restrooms

- o Arrival : 8:00 am (October 17, 2023)
- o Check-in Time : 2:00 pm (October 17, 2023)
- o Check-out time : 12:00 noon (October 20, 2023)

Function Room Requirements:

- o Can accommodate 43 pax
- o Use of function room for at least 10 hours.
- o Well lighted and well ventilated
- o Availability of audio-visual equipment with stand-by assistant:
 - With at least 1 LCD projector
 - With 1 whiteboard, whiteboard pen and eraser
 - Basic Sound System with at least three (3) microphone with stand
 - At least 6 extension cords
 - Note pads and pencils
- o Unlimited free access to internet (venue)
- o Classroom set-up
- o One table for the secretariat

Meals	October 17-20, 2023	
Breakfast		Buffet with 2 main viand, dessert, coffee or juice
AM Snack		Choice of short menu and juice
Lunch		Buffet with 2 main viand, 1 vegetable dish or salad, soup, dessert, coffee or juice
PM snack		Choice of short menu and juice
Dinner		Buffet with 2 main viand, 1 vegetable dish or salad, soup, dessert, coffee or juice





Other requirements

- Standby assistant on function room
- With appropriate parking area
- 24 hour security

Looking forward on a favorable response from your good office.

Thank you.

Sincerely,


ROCYLENE C. ROQUE, MD

Reviewed and approved by;


JOSEPH R. PANALIGAN, MD, MHA
City Health Officer