

## CONTRACT AGREEMENT

### Consulting Services for the Appraisal of Properties to be Affected by the New Clark City Access Road Project and Other Properties for Disposition and/or Development

This **CONTRACT** is executed between:

The **BASES CONVERSION AND DEVELOPMENT AUTHORITY**, a government instrumentality vested with corporate powers, created by virtue of Republic Act No. 7227, as amended, with principal office address at the BCDA Corporate Center, 2/F Bonifacio Technology Center, 31<sup>st</sup> Street Crescent Park West, Bonifacio Global City, Taguig City, represented herein by its Executive Vice President, **AILEEN ANUNCIACION R. ZOSA**, duly authorized for this purpose under Item 178 of the revised Manual of Approval which was approved by the BCDA Board on 22 November 2017, a copy of which is hereto attached as **Annex "A"**; hereinafter referred to as "**BCDA**";

- and -

The **COLLIERS INTERNATIONAL PHILIPPINES, INC.**, a private corporation duly organized and existing under the laws of the Republic of the Philippines, with office address at 11F Frabella Business Center, 111 Rada Street, Legaspi Village, Makati City, represented herein by **HAROLD ERWIN CRUZ**, duly authorized for this purpose as evidenced by a *Secretary's Certificate* dated 28 September 2018, a copy of which is hereto attached as **Annex "B"**; hereinafter referred to as "**Consultant**".

BCDA and Consultant shall hereinafter be referred to, individually, as Party or, collectively, as Parties.

#### ANTECEDENTS

BCDA is mandated under Republic Act No. 7227, as amended by Republic Act 7917, to accelerate the sound and balanced conversion into alternative productive uses of the military reservations and their extensions, to raise funds by the sale of portions of Metro Manila military camps; and to apply said funds to the development and conversion into alternative productive uses of these properties.

Pursuant to this mandate, BCDA, in partnership with the private sector, is actively pursuing the development of its properties. Hence, BCDA needs to ascertain the current market value of the properties subject for appraisal listed in **Annex "C"**.

The technical expertise required by the said task is not within the capabilities of BCDA's personnel. In order to fulfill the said purpose, BCDA needs to procure the services of a Consultant possessing the necessary expertise to perform the said task.

BCDA decided to procure the said consultancy services under Section 53.9 of the revised IRR of RA 9184 through Small Value Procurement since the total project cost is less than the prescribed threshold of PhP1,000,000 for Government Owned and Controlled Corporations (GOCCs).

In compliance with Annex "H" of RA 9184, which is the Consolidated Guidelines for the Alternative Methods of Procurement, BCDA's Land and Assets Development Department (LADD) requested the authority from the Bids and Awards Committee for Consultancy (BAC-C) to delegate to LADD the procurement of the consultancy services for the appraisal of the subject properties. A copy of the BAC-C Resolution BC-2018-034 is hereto annexed as **Annex "D"**;

A Request for Proposal (RFQ) was sent to three (3) consultants of known qualifications. The said RFQ was also posted to the websites of PhilGEPS and BCDA;

The CONSULTANT was one of the two (2) proponents which submitted its qualifications and proposal to perform the appraisal services and which communicated its willingness to provide the necessary expertise to BCDA;

After thorough evaluation, validation and verification of the proposals submitted, it was found that the CONSULTANT is competent and qualified to provide the consultancy services required by BCDA;

The BCDA is desirous that the Consultant execute the Appraisal of Properties to be Affected by the New Clark City Access Road Project and other Properties for Disposition and/or Development (hereinafter called the "Project") and the BCDA has accepted the bid for Eight Hundred Ninety Thousand Pesos (Php890,000.00) by the Consultant for the execution and completion of such Consulting Services and the remedying of any defects therein.

**ACCORDINGLY**, for and in consideration of the foregoing premises, and in accordance with the stipulations and conditions hereinafter stated, the Parties hereby agree and bind themselves to the following:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:
  - (a) General and Special Conditions of the Contract;
  - (b) Terms of Reference;
  - (c) Request for Quotation;
  - (d) Bid forms; and
  - (e) Notice of Award of Contract and the Bidder's conforme thereto;
3. In consideration of the full and satisfactory performance of the services rendered by the Consultant, BCDA shall pay the Consultant the Total Contract Price of **Eight Hundred Ninety Thousand Pesos (Php890,000.00)**, inclusive of applicable taxes and fees, to be paid upon submission to and approval by BCDA of the final appraisal report as evidenced by the issuance by BCDA of the Certificate of Completion.

4. In consideration of the payments to be made by the BCDA to the Consultant as hereinafter mentioned, the Consultant hereby covenants with the Entity to execute and complete the Consulting Services and remedy any defects therein in conformity with the provisions of this Consultant in all respects.
5. The BCDA hereby covenants to pay the Consultant in consideration of the execution and completion of the Consulting Services, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

OCT 19 2018

**SIGNED BY THE PARTIES** on \_\_\_\_\_ in Taguig City, Philippines.

**BASES CONVERSION AND DEVELOPMENT AUTHORITY**

**COLLIERS INTERNATIONAL PHILIPPINES, INC.**

By:

By:

*Aileen An. R. Zosa*  
**AILEEN ANUNCIACION R. ZOSA**  
 Executive Vice President

*Harold Erwin Cruz*  
**HAROLD ERWIN CRUZ**  
 Authorized Representative



Land and Assets Development Department  
 DC2018 - 0414

Signed in the presence of:

*Joshua M. Bingcang*  
**JOSHUA M. BINGCANG**  
 Vice President, BDOG

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*[Signature]*

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*[Signature]*

*\**

**ACKNOWLEDGMENT**

Republic of the Philippines)

Taguig City ) ss.

**BEFORE ME,** a Notary Public for and in Taguig City, personally appeared the following:

Name	Competent Evidence of Identity	Date of Issue / Expiry	Place of Issue
Aileen Anunciacion R. Zosa			
Harold Erwin Cruz			

who are known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the signatures they affixed confirm their voluntary act and the entities they represent.

**SIGNED AND SEALED** on (OCT 19 2018) in Taguig City, Philippines.

Doc. no. 203  
Page no. 12  
Book no. XV  
Series of 2018.

*[Signature]*  
**ATTY. HENRY D. ADASA**  
 NOTARY PUBLIC CITY OF PASAY  
 UNTIL DECEMBER 31, 2018  
 NOTARIAL COMMISSION NO. 17-23  
 KNIGHT OF RIZAL BLDG.,  
 GROUND FLOOR BESIDE PASAY CITY HALL  
 HSP NO. 022011 / 01/02/2018 PASIG  
 PTR NO. 5326667 / 01/03/2018 P.C.  
 MCLE COMPLIANCE NO. IV-0302830 - 4/14/2019  
 ROLL OF ATTORNEYS NO. 25679  
 ☎ TEL. 171-520-640-640

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