



Republic of the Philippines
Department of Education
REGION IV-A CALABARZON
GATE 2, KARANGALAN VILLAGE
1900 CAINTA, RIZAL



Office of the Regional Director

CONTRACT OF SERVICE

KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered into by and between:

DEPARTMENT OF EDUCATION, Region IV-A, a government agency with office address at Gate 2 Karangalan Village, Cainta, Rizal, represented by its Regional Director, **FRANCIS CESAR B. BRINGAS**, hereinafter referred to as the **CLIENT**.

-and-

THE BAYLEAF HOTEL - CAVITE, with principal address at Governors Drive, Barangay Manggahan, General Trias City Cavite, represented herein by its Assistant Director of Sales, **MARIVIC MALAYAW**, hereinafter referred to as the **HOTEL COMPANY**.

WITNESSETH

WHEREAS, the **CLIENT** needs the services of a contractor who will provide food and hotel accommodation to the participants in the **"DESIGNING AND DEVELOPMENT OF LEARNING RESOURCE PACKAGE FOR PROFICIENT TEACHERS (TI-TIII) AND SUPERVISORS PROFESSIONAL DEVELOPMENT PROGRAMS"** on April 25-30, 2022.

WHEREAS, the Approved Budget for the Contract (ABC) is **FOUR HUNDRED TWENTY THOUSAND PESOS ONLY (Php420,000.00)**;

WHEREAS, Rule XVI, Section 48.2 of the IRR of RA 9184 provides the general rule that public bidding is the general mode of procurement. However, the same section allows procuring entities to resort to alternative methods of procurement such as Negotiated Procurement subject to the approval of the Head of the Procuring Entity;

WHEREAS, Rule XVI, Section 53.9 of the IRR of RA 9184 allows Negotiated Procurement under Small Value Procurement as a mode of procurement subject to the approval of the Head of the Procuring Entity;

WHEREAS, the Request for Quotation (RFQ) was posted at the website of PhilGEPS, office website and conspicuous bulletin board of the regional office on April 11, 2022 to April 18, 2022;

WHEREAS, RFQs were sent to at least three prospective suppliers;

WHEREAS, two (2) Suppliers submitted their respective proposal before the deadline for the submission of bids, offering the following financial bids, as read:

NAME OF BIDDER	AMOUNT OF BID	REMARKS
THE BAYLEAF CAVITE	Php420,000.00	Complying
TECHNOPARK HOTEL	Php419,000.00	Non-Complying, No documents required submitted

WHEREAS, upon evaluation or careful examination of the documents submitted by **TECHNOPARK HOTEL**, the BAC found that said supplier failed to submit the required documents stated in the Request for Quotation (RFQ), hence is automatically disqualified.

WHEREAS, after review and deliberation on the proposal, **THE BAYLEAF HOTEL-CAVITE** complied with the requirements and declared as the Single Calculated and Responsive Bid (SCRB);

WHEREAS, under the latest resolution and guidelines of the Inter-Agency Task Force on Emerging Infectious Diseases (IATF-EID) issued on October 18, 2021, the Certificate of Authority to Operate and Safety Seal **Certificate issued by the Department of Tourism (DOT) applies in areas classified under General Community Quarantine (GCQ), GCQ with Heightened Restriction (GCQ-HR), or Alert Level 4 and Alert Level 3.**

WHEREAS, **THE BAYLEAF HOTEL-CAVITE** is within Gen. Trias City under Alert Level 1.

WHEREAS, the Entity invited Bids for the Procurement for the hotel accommodation of the participants in the **“DESIGNING AND DEVELOPMENT OF LEARNING RESOURCE PACKAGE FOR PROFICIENT TEACHERS (TI-TIII) AND SUPERVISORS PROFESSIONAL DEVELOPMENT PROGRAMS”** on **April 25-30, 2022** and has accepted a Bid of **THE BAYLEAF HOTEL-CAVITE** for food and hotel accommodation in the sum of **FOUR HUNDRED TWENTY THOUSAND PESOS ONLY (Php420,000.00)**. (Hereinafter called “the Contract Price”).

NOW, THEREFORE, for and in consideration of the foregoing premises of the mutual covenants and provisions hereafter set forth the parties hereto have agreed and do hereby mutually agree as follows:

Section 1

Responsibilities of the Hotel Company

The Hotel Company shall:

1. Provide food and hotel accommodation on April 25-30, 2022 to the Thirty-Five (35) participants of the client;
2. Maintain that all of the services to be performed under or pursuant to this contract shall be of the standard and quality which prevail among similar businesses and organizations of superior knowledge and skill engaged in providing similar services under the same or similar circumstances.

Section 2

Responsibilities of the Client

The Client will pay the Hotel Company the guaranteed number of participants. The Client shall be charged or billed the amount of Two Thousand Pesos Only (Php2,000.00) per participant or the total amount of Four Hundred Twenty Thousand Pesos Only (Php420,000.00) for the whole duration of the event.

Section 3

Supervision and Control

The Hotel Company shall exercise strict discipline, close supervision and exclusive control and administration over its personnel in accordance with law, ordinances and pertinent

laid down by the CLIENT on the matter. In so far as enforcement of police and company rules and regulations related to safety is concerned, the CLIENT shall exercise supervision and control over the participants.

Section 4

Liability to Personnel and Third Parties

The Hotel Company is NOT an agent or employee of the CLIENT and the personnel to be assigned by the Hotel Company to the CLIENT are in no sense employees of the latter as they are for all intents and purposes employees of the Hotel Company.

Accordingly, the CLIENT shall not be responsible for any and all claims for personal injury caused to any of the personnel or to any third party where such injury arises out of or in the course of performance of said personnel.

Section 5

Hotel Accommodation Inclusions

In addition to the services offered mentioned above, the Hotel Company shall provide for the following inclusions:

a. Food

-Breakfast, AM Snack, Lunch and Dinner (DAY ONE (1): FIRST MEAL TO BE SERVED IS BREAKFAST and LAST DAY: LAST MEAL TO BE SERVED IS PM SNACK) with attached menu options

b. Hotel Accommodation

- Air conditioned, with TV and Hot and Cold Shower.
-3 to 4 persons per room, depend on the size of the room and ALERT LEVEL form the IATF Guidelines (in compliance with social distancing protocol)
-With two (1) Complimentary Room for the Day Zero for the TWGs.

c. Function Hall

-Use of Air-conditioned Function Hall
-5 to 7 persons for round table big depending the size to observe social distancing
-Big halls good to observe social distancing

d. Multi Media Projector with Wide Screen

e. Stable and Strong Internet Connection in the Conference Room and Rooms of the participants

f. Extension Cords

g. Whiteboard

h. Sound System and Microphone

i. Brewed coffee during session

Section 6

Use of Hotel Parking Space

The Hotel Company shall allow the use of its parking space to the workshop participants free of charge.

Section 7

Assignment

This contract cannot be assigned by either party. In case assignment will be made, the party assigning must inform the

other party of such arrangement at least one day prior to the activity.

Section 8 Termination of Contract

Either party may terminate this contract on any ground provided by law and for violation/s of the provisions of this contract. In such case, the party terminating shall serve a written notice to the other party at least three (3) days prior to the intended date of termination.

Section 9 Venue of Action

In case an action will arise from this agreement, the venue of the action shall be in Taytay, Rizal or Pasig City only.

Section 10 Warranty


The Hotel Company hereby warrants and attest that the signatory in this contract is duly authorized by the Board and / or its Management to sign for and its behalf.

Section 11 Other conditions of the contract

The Hotel Company shall cause the notarization of this contract.

IN WITNESS WHEREOF, the parties have hereunto set their hands, this day of _____ at _____, Philippines.

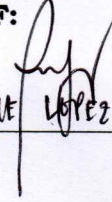
**Department of Education
Region IV-A CALABARZON**


FRANCIS CESAR B. BRINGAS
Regional Director

**THE BAYLEAF HOTEL -
CAVITE**


MARIVIC MALAYAW
Assistant Director of Sales

SIGNED IN THE PRESENCE OF:


Notary Public - LOPEZ - ANAD

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in the City of _____, this _____, personally appeared:

Name

Identification No.

Expiration Date

Francis Cesar B. Bringas

Non-Professional Driver's
License No. A08-89-001189

2023/10/02

who are known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their own free act and voluntary act and deed.

This instrument, consisting of five (5) pages, including the page on which this acknowledgment is written, has been signed on the left margin of each and every page hereof by the concerned parties and their witnesses, and sealed with my notarial seal.

WITNESS MY HAND AND SEAL, ^{21 APR 2022} ~~21 APR 2022~~ **FREE MARTIRES CITY CAVITE** at the place and date above-written.

Notary Public

Doc. No.¹⁰⁵
Page No.²³
Book No.¹⁴¹
Series of 2022.



ATTY. FE B. ANONUEVO

NOTARY PUBLIC, UNTIL 30 JUNE 2022

(By Virtue of Bat. Matter No. 379512/10/20)

For the Cities of Ireci, Martires, Cavite (Mar. 8 Min. of Ireci Province of Cavite)

ROLD OF ATTORNEY NO. 35746

IBF No. 145049-03 January 2022-Manila

PIR No. CAV 5448393 B / 03 January 2022 (MC Cavite)

6TH MCLE Exemption No. 0030069

Unit 6C, Digma Commercial Center, Bigy, Luciano, Ireci Martires City, Cavite

WHEREAS, the CLIENT needs the services of a contractor who will provide food and hotel accommodation to the participants in the "DESIGNING AND DEVELOPMENT OF LEARNING RESOURCE PACKAGE FOR PROFICIENT TEACHERS (TT-TD) AND SUPERVISORS PROFESSIONAL DEVELOPMENT PROGRAMS" on April 25-30, 2022.

WHEREAS, the Approved Budget for the Contract (ABC) is FOUR HUNDRED TWENTY THOUSAND PESOS ONLY (P420,000.00);

WHEREAS, Rule XVI, Section 48.2 of the IRR of RA 9154 provides the general rule that public bidding is the general mode of procurement. However, the same section allows procuring entities to resort to alternative methods of procurement such as Regulated Procurement subject to the approval of the Board of the Procuring Entity;

WHEREAS, Rule XVI, Section 48.2 of the IRR of RA 9154 allows Regulated Procurement under Small Value Procurement as a mode of procurement subject to the approval of the Board of the Procuring Entity;

WHEREAS, the Request for Quotation (RFQ) was posted at the website of the Procuring Entity and conspicuous bulletin board of the regional office on April 11, 2022 to April 18, 2022;

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