

## Contract Agreement Form for the Procurement of Goods (Revised)

[Not required to be submitted with the Bid, but it shall be submitted within ten (10) days after receiving the Notice of Award]

### CONTRACT AGREEMENT

THIS AGREEMENT, made this 19 day of DEC 2023 by and between:

The **AUTHORITY OF THE FREEPORT AREA OF BATAAN (AFAB)**, with office address at the Second Floor, AFAB Administration Building, Freeport Area of Bataan, Mariveles, Bataan, represented herein by its Administrator and Chief Executive Officer, **MOHAMMED HUSSEIN P. PANGANDAMAN**, pursuant to Secretary's Certificate dated 30 May 2023, hereto attached as *Annex "A"*, and hereinafter called "the Procuring Entity and/or the Entity" of the one part;

- and -

**GRAND MERITUS SECURITY AGENCY, INC.**, with office address at No. 12 Xavier Ville Avenue corner Pajo St., Loyola Heights, Quezon City, represented herein by its Authorized Representative, **ROSARIO B. LIPATA**, who is likewise duly authorized pursuant to Secretary's Certificate dated 31 March 2023, hereto attached as *Annex "B"*, and hereinafter called "the Supplier and/or Winning Bidder" of the other part.

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly the **SECURITY SERVICES FOR AREAS OF RESPONSIBILITY (AORs) I-V** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **One Hundred Ten Million Nine Hundred Seventy Thousand Six Hundred Sixty Eight Pesos and Twelve Centavos (Php 110,970,668.12)** (hereinafter called "the Contract Price").

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, viz.:
  - a. Philippine Bidding Documents (PBDs);
    - i. Schedule of Requirements;
    - ii. Technical Specifications;

- iii. General and Special Conditions of Contract; and
- iv. Supplemental or Bid Bulletins, if any

- b. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;

- c. Performance Security;
- d. Notice of Award of Contract and the Bidder's conforme thereto; and
- e. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs, particularly the AFAB-Bids and Awards Committee (BAC) Resolution No. G-39 dated 31 October 2023 recommending the Award of the Contract to the winning bidder, and the Certificate of Availability of Funds, which are hereto attached as *Annexes "C" and "D"*, respectively, and made integral parts of this Agreement.

Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.

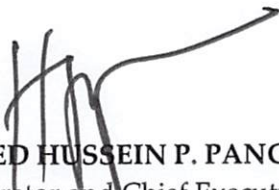
- 3. In consideration for the sum of *One Hundred Ten Million Nine Hundred Seventy Thousand Six Hundred Sixty Eight Pesos and Twelve Centavos (Php 110,970,668.12)* or such other sums as may be ascertained, **GRAND MERITUS SECURITY AGENCY, INC.**, agrees to satisfactorily supply the goods and execute services in accordance with its Bid.
- 4. The **AUTHORITY OF THE FREEPORT AREA OF BATAAN** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof, the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

**AUTHORITY OF THE FREEPORT  
AREA OF BATAAN**

**GRAND MERITUS SECURITY  
AGENCY, INC.**

By:



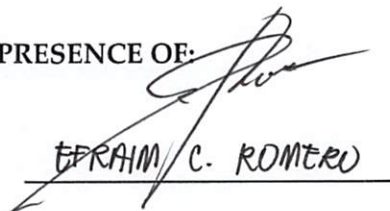
**MOHAMMED HUSSEIN P. PANGANDAMAN**  
Administrator and Chief Executive Officer

By:



**ROSARIO B. LIPATA**  
Authorized Representative

SIGNED IN THE PRESENCE OF:

  
JOMAR S. EBARIDO  
EFRAIM C. ROMERO



## ACKNOWLEDGMENT

Republic of the Philippines)  
Province of Bataan )  
Municipality of Mariveles ) S.S.

BEFORE ME, this DEC 19 2023 of \_\_\_\_\_ 2023 in Mariveles, Bataan, personally appeared:

| NAME                            | COMPETENT EVIDENCE OF IDENTITY | DATE & PLACE OF ISSUE/EXPIRY |
|---------------------------------|--------------------------------|------------------------------|
| MOHAMMED HUSSEIN P. PANGANDAMAN | TIN NO. 920-103-898-000        | 11/17/2014                   |
| ROSARIO B. LIPATA               | TEA ID# 6053-2876-854-3144     | 9/12/2022                    |

both known to me to be the same persons who executed the foregoing instrument and who acknowledged to me that the same is their free and voluntary act and deed, as well as the entities represented herein.

This instrument refers to a "Contract Agreement Form for the Procurement of Goods (Revised)" consisting of four (4) pages, including the page whereon this acknowledgment is written, and signed by the Parties and their instrumental witnesses on each and every page thereof and sealed with my notarial seal.

IN WITNESS WHEREOF, I have hereunto set my hand on the date and at the place first written above.

Notary Public

Doc. No. 123;  
Page No. 24;  
Book No. XXX;  
Series of 2023.

Atty. LORENZO B. CASTILLO  
NOTARY PUBLIC until December 31, 2023  
For and in the PROVINCE OF BATAAN  
Notarial Commission No. 2021-002-ML  
1/F FAB Post Office Bldg., Mariveles, Bataan  
Roll No. 24642; MCLE VII- 0012139 03/07/22  
IBP No. 272149 01/05/23; PTR # 1249198 01/05/23

REPUBLIC OF THE PHILIPPINES)  
MARIVELES, BATAAN ) SS

**SECRETARY'S CERTIFICATE**

I, MARISTELLA KATRINA C. GARINO of legal age, Filipino, and with office address at Second Floor, AFAB Administration Building, FAB, Mariveles, Bataan 2106, after having been duly sworn in accordance with law do hereby depose and say:

1. That I am the duly appointed Board Secretary of the Authority of the Freeport Area of Bataan with office at Second Floor, AFAB Administration Building, FAB, Mariveles, Bataan 2106;
2. That as such Board Secretary, I am in possession of the minutes of meetings of the Board of Directors of said agency;
3. That in the special meeting of the Board of Directors of the Authority of the Freeport Area of Bataan held on 29 May 2023, the following resolution was unanimously approved, to wit:

**RESOLUTION NO. 2023-31**

"WHEREAS, under Republic Act No. 9184 (RA 9184), otherwise known as "The Government Procurement Reform Act," and its Revised Implementing Rules and Regulations (RIRR) provided that the Head of the Procuring Entity (HOPE) for government-owned and controlled corporations is the Governing Board or its duly authorized official;

RESOLVED, as it is hereby resolved, that the AFAB Board of Directors delegates its power under RA 9184 and its RIRR to, and thus authorizes and designates, the AFAB Administrator, as the Head of Procuring Entity;

RESOLVED FURTHER, that in consideration of the Ease of Doing Business, the Deputy Administrator for Support Services (DASS) shall be designated as the Alternate Approving Official for the procurement under Alternative Methods of Procurement (AMP) specifically small value procurement, shopping, emergency cases, agency to agency, lease of venue, scientific, scholarly, artistic and media services, community participation, direct contracting and online subscription with the threshold amount of One Hundred Fifty Thousand Pesos (Php150,000.00);



RESOLVED FURTHERMORE, that in the absence of the HOPE, the DASS shall be the Approving Official for all AMP regardless of amount provided the items to be procured is/are in accordance with the Approved Annual Procurement Plan;

RESOLVED, FINALLY, as it is hereby resolved, that the Board Secretary be authorized to issue certification(s) relative to the foregoing resolution."


  
MARISTELLA KATRINA C. GARINO  
Board Secretary

**MAY 30 2023**

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_ at MARIVELES, BATAAN City, affiant exhibiting to me her P-117 bearing her signature and photograph.

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Book No. XV  
Page No. 92  
Series of 2023



  
**Atty. LORENZO B. CASTILLO**  
NOTARY PUBLIC until December 31, 2023  
For and in the PROVINCE OF BATAAN  
Notarial Commission No. 2021-002-ML  
1/F FAB Post Office Bldg., Mariveles, Bataan  
Roll No. 24642; MCLE VII- 0012139 03/07/22  
IBP No. 272149 01/05/23; PTR # 1249198 01/05/23

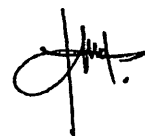
OMNIBUS SWORN STATEMENT (Revised)

(REPUBLIC OF THE PHILIPPINES)  
(CITY OF **QUEZON CITY**) S.S.

AFFIDAVIT


I, **ROSARIO BUENAOBRA-LIPATA**, of legal age, Married, Filipino and residing at No. 12 Xavierville Avenue corner Pajo St. Loyola Heights Quezon City after having been duly sworn in accordance with law, do hereby depose and state that;

1. That, I am the duly authorized and designated representative of **GRAND MERITUS SECURITY AGENCY, INC** with office address at No. 12 Xavier Ville Avenue corner Pajo St. Loyola Heights Quezon City;
2. That, I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuring contract for **"SECURITY SERVICES FOR AREAS OF RESPONSIBILITY (AORs) I-V" (Project Identification No. GG10052023)** of the **AUTHORITY OF THE FREEPORT AREA OF BATAAN (AFAB)** as shown in the attached duly notarized Secretary's Certificate;
3. **GRAND MERITUS SECURITY AGENCY, INC** is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board; **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on blacklisting;**
4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
5. **GRAND MERITUS SECURITY AGENCY, INC** is authorizing the Head of the Procuring Entity or its duly authorized representative/s to verify all the documents submitted;
6. None of the officers, Directors, and members of **GRAND MERITUS SECURITY AGENCY, INC** is related to the Head of Procuring Entity, member of the Bids and Awards Committee (BAC), the Technical Working Group, and BAC Secretariat, the head of the Project Management Office or end-user unit, and the project consultant by consanguinity or affinity up to the third civil degree;
7. **GRAND MERITUS SECURITY AGENCY, INC** complies with existing labor laws and standard; and
8. **GRAND MERITUS SECURITY AGENCY, INC** is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
  - a. Carefully examining all of the Bidding Documents;
  - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
  - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
  - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the **"SECURITY SERVICES FOR AREAS OF RESPONSIBILITY (AORs) I-V" (Project Identification No. GG10052023)**
9. **GRAND MERITUS SECURITY AGENCY, INC** did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity



10. In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code

IN WITNESS WHEREOF, I have hereunto set my hand this OCT 02 2023 day of \_\_\_\_\_ 2023  
at QUEZON CITY, Philippines

  
ROSARIO BUENAOBRA-LIPATA  
Marketing Officer In-charge  
Bidder's Authorized Signatory

**ACKNOWLEDGEMENT**

OCT 02 2023  
SUBSCRIBED AND SWORN TO BEFORE ME a Notary Public of \_\_\_\_\_, on \_\_\_\_\_ 20\_\_\_\_, affiant exhibited to me his competent proof of identity on the date and place as indicated above.

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Page No. 59  
Book No. 3  
Series of 2023

NAME NOTARY PUBLIC \_\_\_\_\_  
Serial No. of Commission \_\_\_\_\_  
Notary Public for \_\_\_\_\_  
Roll of Attorney's No. \_\_\_\_\_  
PTR No. \_\_\_\_\_  
IBP No. ATTY. NIAJHAN ROSEKIAN H. PALATTAO  
Notary Public Quezon City  
Commission ADM-12345, Expires Dec. 31, 2023  
Roll No. 79084  
PTR No. 4007227; 01/03/2023; O/C.  
IBP No. 262242; 01/03/2023; O/C.  
MCLE Compliance: In Process  
(Admitted to Bar on May 14, 2022)





## SECRETARY'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

I, **Stephanie Lauren C. Josen**, of legal age, Filipino, and with office address at **No. 12 Xavierville Avenue corner Pajo Street, Loyola Heights, Quezon City 1108.**, after being sworn in accordance with law, hereby certify:

1. I am the duly appointed and incumbent Corporate Secretary of **Grand Meritus Security Agency, Inc.** (hereinafter the "Corporation"), a corporation duly organized and existing under and by virtue of laws of the Republic of the Philippines, with principal address at **No. 12 Xavierville Avenue corner Pajo Street, Loyola Heights, Quezon City 1108.**;
2. At the special meeting of the Board of Directors of the Corporation held on **20 March 2023** at the principal office of the corporation, the following resolution was passed and approved by the majority of the directors where a valid quorum was present, to wit:

**"BOARD RESOLUTION NO. 2023-03200008  
Series of 2023**

**WHEREAS**, **Grand Meritus Security Agency, Inc.**, a corporation duly organized and existing under and in accordance with the laws of the Republic of the Philippines, with principal office and place of business at **No. 12 Xavierville Avenue corner Pajo Street, Loyola Heights, Quezon City 1108.**

**WHEREAS**, in a Board of Directors Special Meeting held on **20 March 2023** at the principal office and place of business of the corporation, it was unanimously agreed and approved by the Board of Directors of the corporation and hereby authorize and approve **Mrs. Rosario A. Buenaobra-Lipata and/or Ms. Cristina L. Llarenas** as authorized representatives of the corporation with representation for public and private bidding of government and private institutions for security services procurement. The foregoing designation granted shall include, but shall not be limited to, the execution (signing) of contract, documents, and other instruments of whatever nature entered into his corporation in connection with the bidding procurement for security services.

**RESOLVE AS IT IS HEREBY RESOLVED**, that the Board of Directors hereby authorize and approve **Mrs. Rosario A. Buenaobra-Lipata and/or Ms. Cristina L. Llarenas** as authorized representatives of the corporation with representation for public and private bidding of government and private institutions for security services procurement. The foregoing designation granted shall include, but shall not be limited to, the execution (signing) of contract, documents, and other instruments of whatever nature entered into his corporation in connection with the bidding procurement for security services.

**RESOLVED, FINALLY**, that all things/acts done and documents executed and entered into by the aforementioned signatories pursuant to and in accordance with the foregoing authorities are hereby confirmed, affirmed and ratified. Likewise, all things/acts done and documents executed and entered into prior to this Resolution are hereby affirmed, confirmed and ratified."

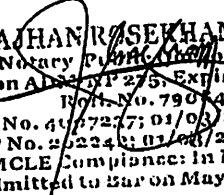
IN WITNESS WHEREOF, I have hereunto affixed my signature this 20 day of MAR 2023, at Quezon City, Metro Manila.

  
Stephanie Lauren C. Joson  
Corporate Secretary

SUBSCRIBED AND SWORN to before me this MAR 31 2023 day of \_\_\_\_\_ at QUEZON CITY, Philippines Affiant is personally known to me and was identified by me through competent evidence of Identity as defined in the 2004 Rules on Notarial Practice (A.M No. 02-8-13-SC). Affiant/s exhibited to me her LTO Driver's License with her photograph and signature appearing thereon, with no NO1-13-005152 Valid until November 11, 2023.

NOTARY PUBLIC

Doc. No.: 800  
Page No.: 45  
Book No.: 1  
Series of 2023

  
ATTY. NIAHHAN R. SEKHAN P. PALATTAO  
Notary Public in and for the City of Quezon City  
Commission A1224175, Expires Dec. 31, 2023  
R.N. No. 79014  
PTR No. 4077217; 01/01/2023; Q.C.  
IBP No. 252246; 01/01/2023; Q.C.  
MCLE Compliance: In Process  
(Admitted to Bar on May 14, 2022)



**BIDS AND AWARDS COMMITTEE**

**RESOLUTION NO. G-39 S. 2023**

**BAC RESOLUTION DECLARING THE SINGLE CALCULATED AND  
RESPONSIVE BID (SCRB) AND RECOMMENDING THE AWARD OF  
CONTRACT FOR THE PROJECT "SECURITY SERVICES FOR AREAS OF  
RESPONSIBILITY (AORS) I-V" TO GRAND MERITUS SECURITY AGENCY, INC.**

WHEREAS, the Authority of the Freeport Area of Bataan (AFAB) advertised the Invitation to Bid on 11 September 2023 for the project: "Security Services for Areas of Responsibility (AORS) I-V" at the Philippine Government Electronic Procurement System (PhilGEPS), the AFAB website, and in the BAC bulletin board of the AFAB pursuant to Section 21.2 of the Revised Implementing Rules and Regulations (RIRR) of R.A. No. 9184;

WHEREAS, in response to the said advertisement, two (2) bidders purchased and submitted bid documents;

WHEREAS, during the checking of technical documents on 05 October 2023, MBZ Security Agency Specialist Inc. (MBZSASI) was declared non-responsive for its failure to comply with the below requirement as indicated in the Philippine Bidding Documents (PBD) for this project:

*"Statement of the bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid "*

Hence, the checking of MBZSASI's documents was discontinued, and its bid documents were re-sealed. Ms. Nenita H. Olaes, MBZSASI's representative, was notified that a request for reconsideration may be filed within three calendar days. All of the bidders were likewise informed that if a request was received and the BAC resolved to grant the request, a reopening of bids shall be conducted by the BAC in the presence of the bidders and the observers;

WHEREAS, MBZSASI sent a Letter of Reconsideration dated 05 October 2023, which was received by the Records Section of the AFAB on 06 October 2023;

WHEREAS, the Bids and Awards Committee denied the Letter of Reconsideration as indicated in BAC Resolution No. G-32 s. 2023 dated 09 October 2023;

WHEREAS, no protest from MBZSASI was received within the seven calendar day prescribed period to file;

WHEREAS, the bid proposal of the hereunder bidder was found to be complying with the eligibility requirements:

| Name of Bidders                     | Bid Amount as Read |
|-------------------------------------|--------------------|
| Grand Meritus Security Agency, Inc. | Php 110,970,668.12 |

WHEREAS, the detailed evaluation of the bid conducted on 12 October 2023, resulted in the following:

| Name of Bidders                     | Bid Amount as Read |
|-------------------------------------|--------------------|
| Grand Meritus Security Agency, Inc. | Php 110,970,688.83 |


WHEREAS, based on the post-qualification report of the TWG dated 23 October 2023 and after a detailed examination, evaluation and verification of all the eligibility, technical and financial requirements, the bid proposal submitted by Grand Meritus Security Agency, Inc. was found to be responsive;

NOW, THEREFORE, we, the Members of the Bids and Awards Committee, hereby RESOLVE as it is hereby RESOLVED:

- a. To declare GRAND MERITUS SECURITY AGENCY, INC. as the Bidder with the Single Calculated and Responsive Bid for the project *"Security Services for Areas of Responsibility (AORs) I-V"*;
- b. To use the Bid Amount as Read of Php 110,970,668.12 as the contract amount per Section 34.4 of the RIRR of RA 9184;
- c. To recommend for approval by the Administrator of the Authority of the Freeport Area of Bataan as Head of the Procuring Entity of the foregoing findings.

RESOLVED this 31<sup>st</sup> day of October 2023 at the Freeport Area of Bataan, Mariveles, Bataan, Philippines.

**Authority of the Freeport Area of Bataan Bids and Awards Committee**

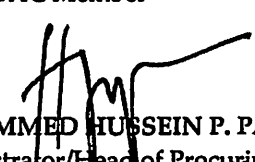
  
PERCIVAL B. PERALTA  
BAC Chairperson

  
MA. LOURDES L. HERRERA  
BAC Vice-Chairperson

  
DONIA G. ALONZO  
BAC Member

  
CRISTINA F. RODRIGO  
BAC Member

  
CHARLES M. RAMONES  
BAC Member


  
MOHAMMED HUSSEIN P. PANGANDAMAN  
Administrator/Head of Procuring Entity  
Approved on OCT 31 2023



## C E R T I F I C A T I O N

This is to certify that the Authority of the Freeport Area of Bataan (AFAB) has available budget allocation in MOOE under the Board-approved Corporate Budget Proposal for FY 2024 and FY 2025 to defray the necessary expenses for the Security Services for Area of Responsibilities (AORs) I-V for the period of 01 January 2024 to 31 December 2025.

Issued this 14<sup>th</sup> of November 2023.

  
**CHARLES M. RAMONES**  
Department Manager A, Finance

*Note:*

ABC FY 2024 51,217,241.04  
ABC FY 2025 51,217,241.04  
Period : 01 Jan 2024 to 31 Dec 2025

