



Republic of the Philippines  
**Tourism Infrastructure & Enterprise Zone Authority**

02 February 2021

**MEMORANDUM FOR THE CHIEF OPERATING OFFICER**

**FROM :** The Assistant Chief Operating Officer  
Assets Management Sector

**SUBJECT :** **HIRING OF ATTY. TEODORO M. HERNANDEZ**

We are respectfully recommending the hiring of Atty. Teodoro M. Hernandez as Consultant for the period 01 February 2021 – 30 June 2021, in order to stand as key witness for TIEZA in various pending cases related to Paoay, Moalboal cases, Samal, among others. Our Legal Department can provide the list.

It is to the advantage of TIEZA that a former manager of the Legal Department, with institutional memory to these cases, can help our Legal team and the OGCC in the cases.

Other than witnessing in court hearings, the legal services of Atty. Hernandez can help our sector and the Legal Department in clarifying some issues relative to TIEZA ownership and possession of assets.

The hiring of Atty. Hernandez at **Twenty Thousand Pesos Only** per month (P20,000.00/month) rate is reasonable and is hereby recommended. Budget will be chargeable against Business Development Department (BuDD).

For your consideration and approval, Sir.

  
**JETRO NICOLAS F. DOZADA**

APPROVED / DISAPPROVED

  
**MARK T. LAPID**  
Chief Operating Officer



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**JETRO NICOLAS F. LOZADA**

APPROVED / DISAPPROVED

  
**MARK T. LAPID**  
Chief Operating Officer

## CONSULTANCY SERVICES CONTRACT

This Consultancy Services Contract of made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2021 at Pasay City, Philippines, by and between:

The **TOURISM INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY**, an attached body corporate of the Department of Tourism by virtue of Republic Act No. 9593, with principal office address at 7<sup>th</sup> Floor Tower I, Double Dragon Plaza, Double Dragon Meridian Park, Macapagal Avenue, corner EDSA Extension, Bay Area, Pasay City 1308, represented herein by its Chief Operating Officer, **MARK T. LAPID** (hereafter referred to as "**AUTHORITY**").

- and -

**ATTY. TEODORO M. HERNANDEZ**, of legal age, Filipino Citizen, and with residence at 2306 Citadel Condominium, P. Burgos St., Barangay Poblacion, Makati City, (hereafter referred to as "**CONSULTANT**").

### RECITALS

**WHEREAS**, the **AUTHORITY** is in need of consultancy services with in-depth personal and institutional knowledge to provide expert advisory services and assistance with respect to the TIEZA Assets being overseen nationwide;

**WHEREAS**, a **MEMORANDUM** from the Assistant Chief Operating Officer of the Assets Management Sector on the engagement of a highly technical consultant with the scope of work stated was endorsed to the Office of the Chief Operating Officer;

**WHEREAS**, the **CONSULTANT** was employed with the **AUTHORITY** formerly Philippine Tourism Authority (PTA) on 29 April 1975, and became its corporate legal counsel from 1996 up to 30 June 2011;

**WHEREAS**, the **AUTHORITY** is in need of a PRINCIPAL WITNESS with personal and first-hand knowledge of circumstances pertaining to TIEZA properties with pending court cases related to informal settlers, claimants, including legal issues and cases pertaining to the real assets of the **AUTHORITY**;

**WHEREAS**, pursuant to Section 53.7 of the Revised Implementing Rules and Regulations of R.A. 9184, otherwise known as the "Government Procurement and Reform Act", negotiated procurement may be utilized in engaging the services of highly-technical consultants;

**WHEREAS**, the Audit Report by the Commission on Audit highlighted the *untitled* real assets of TIEZA as one of its major findings;

**WHEREAS**, the Rules and Regulations for the Implementation of the Revised Organizational Structure and Staffing approved by the Governance Commission for GOCCs in Memorandum Order No. 2013-09 and adopted by Board Resolution No. 07-29-2013-R defined in the Business Research and Development Division Work Instruction "To undertake complete documentation of all TIEZA owned properties and assets." (TIEZA Functional Statement, Item V. B. a.)

**WHEREAS**, the **AUTHORITY** has determined that it is in need of a Technical Consultant who has full knowledge and background of its landholdings and cases filed for and against TIEZA involving said properties;

  
MARK T. LAPID  
For the Authority


  
ATTY. TEODORO M. HERNANDEZ  
For the Consultant

**WHEREAS**, the Bids and Awards Committee, thru BAC Resolution No. \_\_\_\_\_, recommended the award of the Consultancy Contract for approval of the Chief Operating Officer;

**NOW THEREFORE**, for and in consideration of the foregoing premises, the parties have mutually agreed as follows:

1. That the **CONSULTANT** shall perform the function as a **TECHNICAL CONSULTANT** in the transfer of title of TIEZA properties in its favor in the ASSETS MANAGEMENT SECTOR, Business Development Department, having possess the institutional knowledge and expertise on how TIEZA properties were acquired, its history and other related circumstances in connection with its acquisition;
2. That the **CONSULTANT** shall render the following services to the **AUTHORITY**, to wit:
  - a. To provide advice, assistance, information, knowledge and act as "**Principal Witness**" in the following Cases filed against the **AUTHORITY**:
    - Gotesco Properties, Inc. Case on the **KANG IRAG** property;
    - Cadastral Cases filed for the numerous TIEZA owned lots located at **Moalboal, Cebu**;
    - Heirs of Dagunan Samal on the 330 square meters lot (water pumping and Right of Way) located at the **Island Garden City of Samal**; and
    - Rey Carlos M. Fariñas for Quieting of Title on the **PAOAY** Property;
  - b. To provide all historical information regarding TIEZA Assets on a regular basis and to be duly compiled by Business Development Department of TIEZA in its databank;
3. That the **CONSULTANT** shall be obliged to accomplish the above mentioned tasks within the duration of the Contract;
4. That the **CONSULTANT** will perform such other functions necessary to achieve the objectives of this agreement;
5. That the **CONSULTANT** shall provide the Authority a report in writing of whatever development that transpired on or whatever movement that has been accomplished on the services to be rendered, on a monthly basis;
6. That all expenses on transportation, food and lodging shall be charged to the Business Development Department budget if the **CONSULTANT** will be required to officially travel locally to act as a **PRINCIPAL WITNESS** for the **AUTHORITY**;
7. That the monthly fee shall only be processed and paid only upon submission of the **CONSULTANT's** report of monthly accomplishments required, supported by documents and duly certified by the Business Development Department Manager of the Assets Management Sector;
8. That for and in consideration of the technical, advisory and expertise services that the **CONSULTANT** will render, the **AUTHORITY** shall pay the **CONSULTANT** the amount of **TWENTY THOUSAND PESOS (Php20,000.00)** net per month, for a period of **SIX (6) MONTHS** or from February 01, 2021 to July 31, 2021, unless sooner terminated at the option of the **AUTHORITY**.

  
**MARK T. LAPID**  
For the Authority

  
**ATTY. TEODORO M. HERNANDEZ**  
For the Consultant

9. It is mutually understood that this contract does not create an employer-employee relationship between the **AUTHORITY** and the **CONSULTANT**, that the services rendered hereunder are not considered as bases for entitlement to leave privileges and other benefits enjoyed by the regular personnel of the **AUTHORITY**, such as but not limited to PERA, COLA, and RATA.

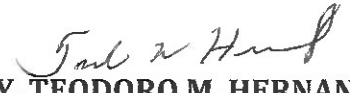
**IN WITNESS WHEREOF**, the parties hereto have set their hands on the date and place above-written.

**TOURISM INFRASTRUCTURE AND  
ENTERPRISE ZONE AUTHORITY**


By:

  
**MARK T. LAPID**  
*Chief Operating Officer*

By:

  
**ATTY. TEODORO M. HERNANDEZ**  
*Consultant*

**SIGNED IN THE PRESENCE OF:**

  
**JETRO NICOLAS F. LOZADA**  
*Assistant Chief Operating Officer*  
*Assets Management Sector*

  
**MA. EVELYNE A. FRANCISCO**  
*Manager*  
*Business Development Department*

## ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)  
\_\_\_\_\_ ) S.S.

BEFORE ME, a Notary Public in and for \_\_\_\_\_, Philippines, this \_\_\_\_ day of  
\_\_\_\_\_ 2021 personally appeared:

Name	ID Presented/ID No.	Date & Place Issued
MARK T. LAPID		
ATTY. TEODORO M. HERNANDEZ	Senior Citizen ID No. 61312	City of Makati (04/03/18)

  
MARK T. LAPID  
For the Authority

all known to me to be the same persons who executed the foregoing Consultancy Services Contract and acknowledged to me that the same is their free and voluntary act and deed and that of the entities they respectively represent.

This instrument consists of **FOUR (4) PAGES**, including this page where this acknowledgment is written.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my notarial seal on the date and at the place first above written.

NOTARY PUBLIC

  
ATTY. TEODORO M. HERNANDEZ  
For the Consultant

Doc No. \_\_\_\_;  
Page No. \_\_\_\_;  
Book No. \_\_\_\_;  
Series of 2021.