



Republic of the Philippines
Tourism Infrastructure & Enterprise Zone Authority

MEMORANDUM

For : The Manager
Human Resources Division

The Manager
Business Development Department

From : The BAC Secretariat

Subject : Contract, Notice of Award and Notice to Proceed of Atty.
Teodoro M. Hernandez

Date : November 3, 2021

Respectfully endorsing the attached copies of Consultancy Contract, Notice of Award, and Notice to Proceed of Atty. Teodoro M. Hernandez, as Highly Technical Consultant.

Thank you.

ENGR. ANTHONY V. MENDOZA
Secretariat Head



Republic of the Philippines
Tourism Infrastructure & Enterprise Zone Authority

22 July 2021

Atty. Teodoro M. Hernandez
2306 Citadel Condominium, P. Burgos St.,
Barangay Poblacion, Makati City, Metro Manila
tedhernandez619@gmail.com
Contact No. 09175010486

SUBJECT: NOTICE OF AWARD

Dear **Atty. Hernandez:**

We are pleased to inform you that after a thorough evaluation of the Bids and Awards Committee of your legal, technical and financial capabilities vis-à-vis the scope of work and, as they have recommended and approved by the undersigned, a consultancy contract is awarded to you, Atty. Teodoro M. Hernandez through Negotiated Procurement- Highly Technical Consultant, an alternative method prescribed under Section 53.7 of the 2016 Revised IRR of R.A. 9184, in the amount of Php20,000.00 net per month for the period of August 1, 2021 to January 31, 2022.

Truly yours,

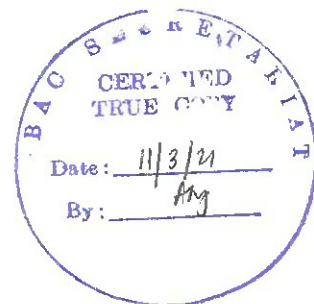


Mark T. Lapid
Chief Operating Officer

Conforme:

Teodoro M. Hernandez
Teodoro M. Hernandez
Printed Name and Signature

July 26 20 21
Date Received





Republic of the Philippines
Tourism Infrastructure & Enterprise Zone Authority

July 31, 2021

Atty. Teodoro M. Hernandez

2306 Citadel Condominium, P. Burgos St.,
Barangay Poblacion, Makati City, Metro Manila
tedhernandez619@gmail.com
Contact No. 09175010486

NOTICE TO PROCEED

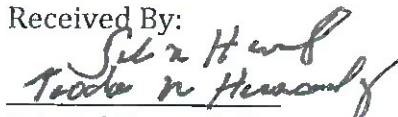
Dear **Atty. Hernandez:**

Pursuant to **Section 53.7 of the 2016 Revised IRR of R.A. 9184 (Negotiated Procurement- Highly Technical Consultant)** and your consultancy contract with TIEZA, you are hereby directed to commence with your undertaking upon receipt of this Notice.

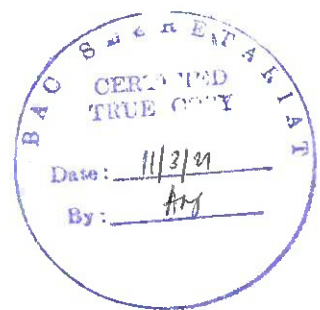
Truly yours,


Mark T. Lapid
Chief Operating Officer

Received By:


Printed Name & Signature

Aug 1, 2021
Date Received



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 7th 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 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 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;

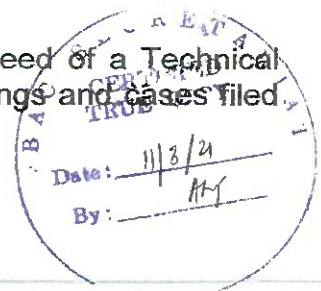
WHEREAS, the **AUTHORITY** is in need of a **PRINCIPAL WITNESS** with personal and first-hand knowledge of circumstances pertaining to TIEZA properties with pending court cases related to informal settlers, claimants, including legal issues and cases pertaining to the real assets of the **AUTHORITY**;

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

APD

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 DagunanSamal on the 330 square meters lot (water pumping and Right of Way) located at the **Island Garden City of Samal**;
 - Rey Carlos M. Farinas for Quieting of Title on the **PAOAY** Property; and
 - City of Manila on their opposition to titling of the **Club Intramuros Golf Course**;
 - 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 developments 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 to act as **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;

SECRETARIA
Date: 11/13/21
By: Ary
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 (P20,000.00)** net per month, for a period of **SIX (6) MONTHS** or from August 1, 2021 to January 31, 2022, unless sooner terminated at the option of the **AUTHORITY**.
9. It is mutually understood that this Contract does not create an Employee-Employer relationship between the **AUTHORITY** and the **CONSULTANT**, that

MARK T. LAPID
For the Authority

ATTY. TEODORO M. HERNANDEZ
For the Consultant

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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:

By:


MARK T. LAPID
Chief Operating Officer


ATTY. TEODORO M. HERNANDEZ
Consultant

SIGNED IN THE PRESENCE OF:


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


MA. EVELYNA A FRANCISCO
Manager
Business Development Department



ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)

MAKATI CITY) S.S.

BEFOREME, a Notary Public in and for MAKATI CITY, Philippines,
this 30 day of July, 2021 personally appeared:

NAME	ID Presented/ID No.	Date and Place Issued
MARK T. LAPID	<u>PRC HCHH H</u>	
ATTY. TEODORO M. HERNANDEZ	<u>070000120117</u>	
Senior Citizen ID No. 61312 City of Makati (04/03/18)		

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 will and voluntary act and deed and that the entities they respectively represent.

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

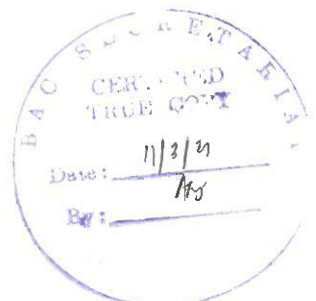
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal on the date and place first above written.

NOTARY PUBLIC

Doc. No. _____
Page No. _____
Series of 2021.

Doc. No. 42
Page No. 86
Book No. 176
Series of 2021

ATTY. GEORGE DAVID D. SITON
NOTARY PUBLIC FOR MAKATI CITY
APPT. NO. M-351-17TH PTC 31, 2021
ROLI NO. 68402/MC/NOTARY PUBLIC (17), 14/03/2019
ISP O.R. No. 2021-07-01-001
PTR No. 2021-07-01-001
EXECUTIVE BLDG. CENTER MAKATI AVE., COR., JUPITER ST. MAKATI CITY



MARK T. LAPID
For the Authority

ATTY. TEODORO M. HERNANDEZ
For the Consultant

[Signature]