

CONTRACT AGREEMENT

(as per GPPB Resolution No. 16-2020)

Invitation to Bid No.: IB22-400818-05

KNOW ALL MEN BY THESE PRESENTS:

THIS AGREEMENT (herein referred to as "Agreement") made this _____ day of _____ 2022 between **DEVELOPMENT ACADEMY OF THE PHILIPPINES** of San Miguel Avenue, Ortigas Center, Pasig City, Philippines (*hereinafter called "DAP"*) of the one part and **STAR SPECIAL CORPORATE SECURITY MANAGEMENT, INC.** of No. 140 J.P. Rizal Street, Project 4, Quezon City, Philippines (*hereinafter called "SSCSMI"*) of the other part.

WHEREAS, the **DAP** invited Bids for certain goods and ancillary services, particularly for: **"ONE (1) LOT SECURITY SERVICES FOR DAP FACILITIES IN PASIG CITY AND TAGAYTAY CITY"** and has accepted a Bid by **SSCSMI** for the supply of those goods and services in the sum of **SEVEN MILLION TWO HUNDRED FORTY-TWO THOUSAND ONE HUNDRED TWENTY-THREE PESOS AND 48/100 [₱7,242,123.⁴⁸]** (*hereinafter called "the Contract Price"*), inclusive of VAT.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

01. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
02. The **SSCSMI** shall render security services to **DAP** by safeguarding and protecting its personnel, visitors, guests, tenants, facilities, equipment and all its other properties
 - 02.1. Within its main **DAP** Building in San Miguel Ave., Ortigas Center, Pasig City; and
 - 02.2. Within the **DAP** Conference Center in Barangay Sungay, Tagaytay City... against theft, pilferage, robbery, sabotage, and other unlawful related acts as well as maintaining peace and order within the secured premises during the effectivity of this contract.
03. 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 part of this Agreement, viz.:
 - 03.1. Official Bidding Documents (OBDs);
 - i. Schedule of requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contracts; and
 - iv. Supplemental or Bid Bulletins (**ANNEX "A"**)¹, if any
 - 03.2. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted (**ANNEX "B"**)²;

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 **DAP**'s bid evaluation;
 - 03.3. Performance Security (**ANNEX "C"**)³;
 - 03.4. Notice of Award of Contract; and the Bidder's conforme thereto (**ANNEX "D"**)⁴; and

¹ Annex "A" – Bid Bulletin No.1 to 3

² Annex "B" – Financial Bid Form

³ Annex "C" – Performance Security

⁴ Annex "D" – Notice of Award

- 03.5. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the OBDs. 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.
04. **OBLIGATIONS OF SSCSMI.** In consideration for the sum of **SEVEN MILLION TWO HUNDRED FORTY-TWO THOUSAND ONE HUNDRED TWENTY-THREE PESOS AND 48/100 [P7,242,123.48]** per year inclusive of VAT or such other sums as may be ascertained, **STAR SPECIAL CORPORATE SECURITY MANAGEMENT, INC.** agrees to supply and install those goods and services in accordance with its Bid. **SSCSMI** hereby commits and covenants to the continuation of the security services it is rendering in DAPCC, Tagaytay City and DAP-HQ, Pasig City **based on the date indicated in the Notice to Proceed.**
05. **SSCSMI QUARTERLY SECURITY ASSESSMENT REPORT.** A Security Assessment Report shall be submitted by the **SSCSMI** to the **DAP** covering the DAP Pasig and DAPCC Tagaytay detachments every quarter of each year. Each report must be reckoned with previous reports highlighting the observed weak protocols of the past quarter for improvement that can be implemented in the following quarter. **The said report must be submitted every 10th day of the beginning of each quarter;**
06. **TOUR OF DUTY AND POSTING REQUIREMENTS:**
- 06.1. **SSCSMI** shall deploy a minimum of nineteen (19) security personnel inclusive of at least one (1) Detachment Commander in DAP Pasig, who will directly report to the DAP Chief Executive Security Officer (CESO) or the Chief Operating Security Officer (COSO) and one (1) Detachment Commander in DAPCC Tagaytay, who will directly report to the DAP-CESO, DAP-COSO or DAPCC Civil Security and Safety Officer (CSSO).
- The **SSCSMI** ensures that the actual deployment of security personnel shall be formally approved by the DAP President or the DAP-CESO or the DAP-COSO;
- 06.2. As part of the regular program to ensure the objectivity of the assigned security personnel, **SSCSMI** shall deploy security personnel in DAP Pasig and DAPCC Tagaytay premises based on the proposal submitted by **SSCSMI** and duly approved by the DAP President or through his instruction to the DAP-CESO or the DAP-COSO before the actual tour-of-duty.
- DAP** reserves the right to specify the schedule and the total number of security personnel deployed by **SSCSMI** in DAP;
- 06.3. The **SSCSMI** shall make available at all times guard relievers for replacements to ensure continuous service in case of absence, leave, suspension, or/and transfer of any particular security personnel assigned to DAP. As the need arises, the number of personnel, or/and hours of duty may be changed.
- Any change must be acceptable and duly authorized by the DAP President or through his instruction to the DAP-CESO or the DAP-COSO;
- 06.4. The **SSCSMI** shall ensure that all security guards assigned to **DAP** are duly licensed and are qualified under the existing laws governing the security guards and any other **SSCSMI** personnel who are directly or indirectly involved in providing the security services being rendered by the **SSCSMI** for **DAP**;
- 06.5. The **SSCSMI** shall do its own psychological and neurological assessment for all