

CONTRACT

FOR THE PROCUREMENT OF SERVICES FOR THE CONDUCT OF THE 2020 CUSTOMER SATISFACTION SURVEY FOR THE POWER SECTOR ASSETS AND LIABILITIES MANAGEMENT CORPORATION (Project Reference No. 2020-SVP-CSSP-045-01)

This CONTRACT is executed on the 10th day of December 2020, at Quezon City between:

The POWER SECTOR ASSETS AND LIABILITIES MANAGEMENT (PSALM) CORPORATION with principal office address at the 24th Floor Vertis North Corporate Center 1, Astra cor. Lux Drives, North Avenue, Diliman, 1101 Quezon City, Philippines, represented by its President and Chief Executive Officer, IRENE JOY BESIDO-GARCIA, duly authorized for this purpose under Board Resolution No. 2015-0616-10, dated 16 June 2015 as evidenced by the Secretary's Certificate dated 13 September 2019, a copy which is attached as Annex "A", hereinafter referred to as "PSALM";

-and-

The MARKET RELEVANCE CORPORATION, with principal office address at Unit 1201 One San Miguel Condominium, Ortigas Center, Pasig City, Philippines, represented by its Research Manager, RAINIER AUBREN M. SANTIAGO, duly authorized for this purpose under Board Resolution No. 2020-01 dated 10 January 2020, as evidenced by the Secretary's Certificate dated 05 August 2020, a copy of which is attached as Annex "B", hereinafter referred to as "the SUPPLIER";

ANTECEDENTS:

PSALM submitted a request to its Bids and Awards Committee (BAC) for the Procurement of Services for the Conduct of the 2020 Customer Satisfaction Survey for the Power Sector Assets and Liabilities Management Corporation (Project Reference No. 2020-SVP-CSSP-045-01), through Negotiated Procurement (Small Value Procurement), with an Approved Budget for the Contract of Six Hundred Thirty-Five Thousand Pesos (PHP635,000.00), inclusive of taxes.

Pursuant to such request, the BAC sent out Requests for Proposal (RFP) to at least three suppliers of known qualifications and at the same time, posted the RFP in the Philippine Government Electronic Procurement System (PhilGEPs) and PSALM's websites and at conspicuous areas of its premises for three (3) calendar days.

Based on the Abstract of Quotations gathered from the proposals submitted, the BAC recommend the SUPPLIER, through BAC Resolution No. SBAC-2020-062, as the one who submitted the Lowest Calculated and Responsive Quotation in the amount of Four Hundred Forty Thousand Pesos (Php440,000.00) ("Contract Price"), which recommendation was approved by PSALM.

ACCORDINGLY, the Parties agree as follows:

1. All words and expressions shall have the same meaning as are respectively assigned to them in this CONTRACT and all documents deemed part of it, unless the context of the use of the words and expressions require otherwise.
2. The following documents shall be deemed to form and be read and construed as part of this Contract, viz:

signed in the presence of:

EMELINA S. BLANCO
Department Manager, SCPMO
PSALM Corporation

Market Relevance Corporation

RAINIER AUBREN M. SANTIAGO
Research Manager

PSALM Corporation

IRENE JOY BESIDO-GARCIA
President and CEO

MANEZA MARIE S. DE VERA
HR/OPER

- (a) the Supplier's proposal, including the Technical and Financial Proposals, and all other documents/statements submitted, including corrections to the bid resulting from PSALM's bid evaluation;
 - (b) the RFP, including Terms of Reference;
 - (c) the BAC Resolution No. SBAC-2020-062;
 - (d) the Office of the Government Corporate Counsel (OGCC) Contract Review No. 1137, Series of 2020 dated 23 September 2020;
 - (e) the Notice of Award; and
 - (f) the Notice to Proceed.
3. In consideration of the payments to be made by PSALM to the Supplier as hereinafter mentioned, the Supplier hereby covenants with PSALM to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract.
 4. PSALM hereby covenants to pay the Supplier in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract.
 5. The failure of PSALM to insist upon a strict performance of any of the terms, conditions and covenants hereof shall not be deemed a relinquishment or waiver of any of the rights or remedies that PSALM may have, nor shall it be construed as a waiver of any subsequent breach or default of its terms, conditions and covenants which shall continue to be in full force and effect. Silence on the part of PSALM shall not be considered as condonation or waiver of any breach or default by the Supplier of any covenant or condition herein provided. No waiver by PSALM of its rights under this Contract shall be deemed to have been made unless expressed in writing and signed by PSALM through its duly authorized representative.
 6. The parties hereby agree that that venue of the action for any cause or causes of action which may arise from this Contract shall be exclusively in the proper court of Quezon City, Philippines to the exclusion of all other courts.
 7. This Contract shall be subject to the review and approval of the OGCC. Any of its ensuing comments, recommendations, or directives shall form part of this Contract.

Signed, sealed, and delivered by Irene Joy Besido-Garcia, the President and CEO of PSALM



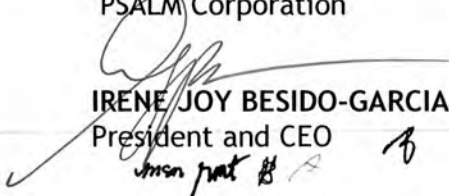
IRENE JOY BESIDO-GARCIA

Signed, sealed, and delivered by Rainier Aubren M. Santiago, the Research Manager of Market Relevance Corporation.



RAINIER AUBREN M. SANTIAGO

PSALM Corporation

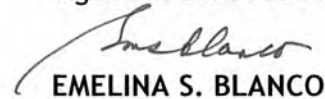

IRENE JOY BESIDO-GARCIA
President and CEO


unseen part B

Market Relevance Corporation


RAINIER AUBREN M. SANTIAGO
Research Manager

Signed in the Presence of:


EMELINA S. BLANCO
Department Manager, SCPMO
PSALM Corporation


~~MARCELINE S. DEASIS~~
HR OFFICER

Witnessed by:

EMELINA S. BLANCO
Department Manager
SCPMO, PSALM Corporation



Certification of Funds Availability: ₱ 131,000.00 + CBT ₱ 208,000.00
(Per BUR00034191 dated 01 Dec 2020 + CBT dated 01 Dec 2020)


SOFE A. SOTERAÑA
Manager, Contollership
PSALM Corporation

Republic of the Philippines)
_____) s.s.
PASIG CITY

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in _____, Philippines, this DEC 14 2020 day of _____, personally appeared: PASIG CITY

Name	Identification Document	Issued on	Issued at
IRENE JOY BESIDO-GARCIA	Passport No. P0087701B	03 January 2019	DFA Manila
RAINIER AUBREN M. SANTIAGO			

known to me and to me known to be the same person who executed the foregoing instrument consisting of four (4) pages, including the page whereon this Acknowledgment is written, all pages signed by both parties and their instrumental witnesses, and they acknowledged before me that the same is their free and voluntary act and deed and that of the Corporations they represent.


WITNESS MY HAND AND NOTARIAL SEAL, on the date and place first above written.


Signed in the Presence of:

Market Relevance Corporation

PSALM Corporation


MARIELLA _____
MAR. 14, 2020
HR. OF PASIG



EMELINA S. BLANCO
Department Manager, SCPMO
PSALM Corporation


RAINIER AUBREN M. SANTIAGO
Research Manager


IRENE JOY BESIDO-GARCIA
President and CEO

Doc. No. 102;
Page No. 24;
Book No. CLXXVII
Series of 2020.

Notary Public


EDWINA CONDAYA
NOTARY PUBLIC
PASIG-PATEROS & SAN JUAN
UNTIL DEC. 31, 2020
PTR NO. 8423914/1-2-20
IBP NO. 056031/APPT. NO. 5412019-20
ROLL NO. 26683
TIN NO. 210-588-191-000
MGLE V-0004493
2ND FLOOR ARMAL BLDG. URBANO
VELASCO AVE. MALINAO, PASIG CITY



POWER SECTOR
ASSETS & LIABILITIES
MANAGEMENT CORPORATION



Management
System
ISO 9001:2015



www.tuv.com
ID 5105076059

SECRETARY'S CERTIFICATE

I, MARIA BELEN P. MONTES-NERA, of legal age, Filipino, and with office address at 24th Floor Vertis North Corporate Center I, Astra corner Lux Drives, North Avenue, Quezon City 1105, hereby certify that:

1. I am the duly appointed Corporate Secretary of the Power Sector Assets and Liabilities Management Corporation ("PSALM"), a corporation duly organized and existing under and by virtue of Republic Act 9136, with office address as stated above. As such Corporate Secretary, I am the custodian of the corporate records of the Corporation including, but not limited to, Board Resolutions.
2. As per records on file, at a regular meeting of the Board of Directors held on 16 June 2015, at which meeting a quorum was present and acting throughout, the following resolution, among others, was approved and adopted by the Board, thus:

BOARD RESOLUTION NO. 2015-0616-10

REVISED MANUAL OF APPROVALS

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that, as recommended by the Management of the Power Sector Assets and Liabilities Management Corporation ("PSALM") and favorably endorsed by the PSALM Board Review Committee, the PSALM Board of Directors resolve the following:

Section 14.01 Item 5 of PSALM's Manual of Approval

X X X

ITEM	LIMIT OF AUTHORITY	APPROVING AUTHORITY
5. Signing and Issuance of NOA, Contract and NTP	Regardless of amount	President and CEO

X X X

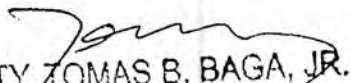
APPROVED AND CONFIRMED this 16th June 2015.

3. The foregoing resolution has not been revoked, amended, nor in any manner modified and may be relied upon until written notice to the contrary is issued by PSALM.


MARIA BELEN P. MONTES-NERA
Corporate Secretary

Republic of the Philippines }
Quezon City, Metro Manila }

SUBSCRIBED AND SWORN TO BEFORE ME on 13 September 2019 at Quezon City, Metro Manila, Affiant exhibiting to me her IBP ID No. 37737, IBP Chapter Quezon Province.


ATTY. TOMAS B. BAGA, JR.
NOTARY PUBLIC
UNTIL DECEMBER 31, 2019
ADM. NO. NP-013 (2018-2019)
ATTYS. ROLL NO. 13003
IBP NO. 058254, 01/03/19
PTR NO. 892/869 / 1-3-19 N. COT.
MCLE NO. IV-0000096
RGH BLDG. TIMOG COR. PANAY AVE. QC

DOC NO. 46 ;
PAGE NO. 11 ;
BOOK NO. 68811 ;
SERIES OF 201 9 ;



Unit 1201 One San Miguel Condominium,
Ortigas Center, Pasig City
Telephone: (63-2) 6877173; (63-2) 4705011
Website: www.marketrelevancecorporation.com
A Mores Member since 2004

OMNIBUS SWORN STATEMENT

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF PASIG CITY.

AFFIDAVIT

I, **RAINIER AUBREN M. SANTIAGO**, of legal age, Married, Filipino, and residing at **Unit 10-I Tower 3, Governor's Place Condominium, Shaw Blvd, Mandaluyong City**, after having been duly sworn in accordance with law, do hereby depose and state that:

1. I am the duly authorized and designated representative of **MARKET RELEVANCE CORP** with office address at **U1201, One San Miguel Condominium, Ortigas Center, Pasig City**;
2. 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 ensuing contract for **2020 Customer Satisfaction Survey (Project Reference No. 2020-SVP-CSSP-045-01)** of the **Power Sector Assets and Liabilities Management Corporation (PSALM)**, accompanied by the duly notarized Secretary's Certificate.
3. **MARKET RELEVANCE CORP**, 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;
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. **MARKET RELEVANCE CORP** is authorizing the Procuring Entity or its duly authorized representative (s) to verify all the documents submitted;
6. None of the officers, directors, and controlling stockholders of **MARKET RELEVANCE CORP** is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;
7. **MARKET RELEVANCE CORP** complies with existing labor laws and standards; and
8. **MARKET RELEVANCE CORP** is aware of and has undertaken the following responsibilities as a Bidder:



Unit 1201 One San Miguel Condominium,
Ortigas Center, Pasig City
Telephone: (63-2) 6877173; (63-2) 4705011
Website: www.marketrelevancecorporation.com
A Mores Member since 2004

- a. Carefully examine all of the Bidding Documents;
 - b. Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
 - c. Made an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d. Inquire or secure Supplemental/Bid Bulletin (s) issued for the **2020 Customer Satisfaction Survey (Project Reference No. 2020-SVP-CSSP-045-01)**; and
9. **MARKET RELEVANCE CORP** 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.

IN WITNESS WHEREOF, I have hereunto set my hand this OCT 09 2020 day of _____, _____ at _____, Philippines.

RAINIER AUBREN M. SANTIAGO
Bidder's Representative/Authorized Signatory.

SUBSCRIBED AND SWORN to before me this OCT 09 2020 day of _____, _____ at _____, Philippines. Affiant/s 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 his UMID ID, with his photograph and signature appearing thereon, with No. CRN-0111-04322123-1.

Witness my hand and seal this OCT 09 2020 day of _____, 2020.

Signature of Notary Public
NAME OF NOTARY PUBLIC
 Serial No. of Commission _____
 Notary Public For _____ Until _____
 Roll Of Attorneys No. _____
 PTR No. _____
 IBP No. _____

GOVERNOR: DE. DOMINILA
 PASIG CITY: TERES & SAN JUAN
 PASIG CITY: 2019-2020
 IBP NO. 5-12019-20
 PTR NO. 101-506-181-006
 PASIG CITY: 2019-2020
 GROUP REGISTRAR: DR. BERNARDINO
 NE. ASCOLING, REGISTRAR, PASIG CITY

Doc. No. 204
Page No. 72
Book No. 024x
Series of 70



Unit 1201 One San Miguel Condominium, Ortigas Center, Pasig City
 Telephone: (63-2) 6877173; (63-2) 4705011
 Website: www.marketrelevancecorporation.com
 A MORES Member Since 2004

REPUBLIC OF THE PHILIPPINES)

)S.S

PASIG CITY

SECRETARY'S CERTIFICATE

(Authority of Signatory)

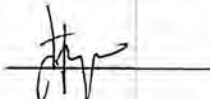
I, ROSELLE NIKKA S. DIZON, of legal age, Filipino and with office address at U1201, One San Miguel Condominium, Ortigas Center, Pasig City, after having been sworn in accordance with law, hereby depose and state that:

1. I am the duly elected and qualified Corporate Secretary of MARKET RELEVANCE CORP, a corporation duly organized, and existing under and by virtue of the laws of the Republic of the Philippines, with principal office and place of business at U1201, One San Miguel Condominium, Ortigas Center, Pasig City;
2. I am the custodian of the corporate books and records of the Corporation, including the Minutes and Resolutions of its Board of Directors;
3. At the regular meeting of the Board of Directors of the said Corporation duly convened and held on January 10, 2020 at MRC Board room at U1201, One San Miguel Condominium, Ortigas Center, Pasig City, at which meeting a quorum was present and acting throughout, the following resolution was unanimously approved:

Resolution No: 2020-01

RESOLVED, that MARKET RELEVANCE CORP to participate in the bidding of any Government Project and that, if awarded the project, to enter into a contract with the said Government Agency; and in connection therewith hereby appoint RAINIER AUBREN M. SANTIAGO, acting as duly authorized and designated representative of MARKET RELEVANCE CORP granted with full power and authority to do, execute and perform any and all acts necessary and/or to represent MARKET RELEVANCE CORP in the bidding.

RESOLVED, that RAINIER AUBREN M. SANTIAGO is authorized to sign and execute for and in behalf of the Corporation contracts, agreements, instruments, statements, reports, and other bid documents pertaining to the bidding of any Government Projects with the following specimen signature and initial:

Name Initial	Position	Specimen Signature
<u>Rainier Aubren M. Santiago</u>	<u>Research Manager</u>	

RESOLVED FURTHER THAT, the MARKET RELEVANCE CORP:

- (1) Submits itself to the jurisdiction of the Philippine Government and waives its right to question the jurisdiction of the Philippine courts; and
- (2) Shall neither seek nor obtain writs of injunction or prohibition or restraining order against any Government Organizations or any other agency in connection with this project to prevent and restrain the bidding procedures related thereto, the negotiating of the award of a contract to a successful bidder, and the carrying out of the awarded contract.

4. The foregoing resolution has not been altered, modified, annulled, nor revoked; and that the same is now in full force and effect; and
5. I am executing this Certificate for whatever legitimate purpose it may serve.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 5th day of August 2020 at Pasig City.

ROSELLE NIKKA S. DIZON
Corporate Secretary

SUBSCRIBED AND SWORN to me, a Notary Public for and in Pasig City, personally appeared **ROSELLE NIKKA S. DIZON**, who has satisfactorily proven to me his/her identity through his/her UMID with CRN No. 0111-7354776-1 that he/she is the same person who executed and voluntarily signed the foregoing Secretary's Certificate which he/she acknowledged before me as his/her free and voluntary act and deed this _____ day of _____, 2020 at Pasig City.

AUG 05 2020

NOTARY PUBLIC

EDWIN G. CONDAYA
NOTARY PUBLIC
PASIG PATEROS & SAN JUAN
UNTIL DEC. 31, 2020
PTR NO. 1411-2-20
IBP NO. 601-1411-2019-20
P.O. BOX 1200
TIN NO. 210-2019-000
MCLE N-000433
2ND FLOOR ARMAL BLDG. WISBAND
VELASCO AVE. MAJILAO, PASIG CITY

Doc. No. 77
Page No. 08
Book No. 00441
Series of 2019 2020