



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION
BIDS AND AWARDS COMMITTEE

BAC Secretariat Office: G/F Higher Education Development Center (HEDC) Bldg., CP
Garcia Avenue, UP Diliman, Quezon City
Website: <http://www.ched.gov.ph> email: bacsecretariat@ched.gov.ph

BAC RESOLUTION NO. 2020-001

"Recommendation to approve the award of the contract to DR. JAIME B. VENERACION as Highly Technical Consultant to write the history of CHED for five (5) months amounting to One Million Forty Three Thousand Eight Hundred Twenty Two Pesos (P1,043,822.00)"

WHEREAS, the Commission en banc (CEB) during its Joint Management Committee and Commission en Banc meeting on October 15, 2019 through CEB Resolution No. 627-2019 approved the hiring of one (1) Highly Technical Consultant to write the CHED History which has not been written ever;

WHEREAS, J. Prospero E. De Vera III, DPA, CHED Chairman issued a justification letter for the hiring of **DR. JAIME B. VENERACION** as Highly Technical Consultant to write the history of CHED for five (5) months. The Bids and Awards Committee (BAC) during its December 26, 2019 special BAC meeting deliberated on the justification for the hiring of **DR. JAIME B. VENERACION** as Highly Technical Consultant to write the history of CHED for five (5) months amounting to **One Million Forty Three Thousand Eight Hundred Twenty Two Pesos (P1,043,822.00)**;

WHEREAS, during the aforementioned meeting, the Bids and Awards Committee (BAC) with the assistance of the Technical Working Group for Other Goods and Services (TWG-OGS), approved the mode of procurement under "**Negotiated Procurement-Highly Technical Consultants**" due to the nature of work which is highly technical pursuant to Section 53.7 of the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 which states;

^{xxx} In the case of individual consultants hired to do work that is (i) highly technical or proprietary; (ii) primarily confidential or policy determining, where trust and confidence are the primary consideration for the hiring of the consultant: Provided, however, that the term of the individual consultants shall at most, be on a six month basis, renewable at the option of the appointing Head of the Procuring Entity, but in no case shall exceed the term of the latter ^{xxx}

WHEREAS, on January 3, 2020, negotiation was conducted pursuant to Annex H, V, 7 b(ii) wherein the members of the BAC verified with **DR. JAIME B. VENERACION** his education, trainings, work experiences specifically his expertise in compliance with the Terms of Reference (TOR) required by the project;

WHEREAS, upon deliberation, the BAC declared that **DR. JAIME B. VENERACION** has complied with the legal, technical and financial requirements to undertake the task as Highly Technical Consultant to write the history of CHED for five (5) months amounting to **One Million Forty Three Thousand Eight Hundred Twenty Two Pesos (P1,043,822.00)**;

BAC RESOLUTION NO. 2020-001

WHEREFORE, RESOLVE AS IT IS HEREBY RESOLVED, that the Bids and Awards Committee with the assistance of the Technical Working Group for Other Goods and Services (TWG-OGS) and upon conduct of negotiation, hereby recommends for approval by the Commission en Banc (CEB) the award of the contract to **DR. JAIME B. VENERACION** as Highly Technical Consultant to write the history of CHED for five (5) months amounting to **One Million Forty Three Thousand Eight Hundred Twenty Two Pesos (P1,043,822.00)** under "**Negotiated Procurement-Highly Technical Consultants**" due to the nature of work which is highly technical pursuant to Section 53.7 of the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184.

Done this 3rd day of January 2020, BAC Room, 2/F Higher Education Development Center (HEDC) Building, C.P Garcia, Diliman, Quezon City.

Bids and Awards Committee


DIR. CORINNA FRANCES O. CABANILLA
Provisional Member, OCC


ATTY. MICHELLE DIANA P. MANIWANG-BASA
Member

(on leave)
ATTY. SEPTON A. DE LA CRUZ
Member


DIR. NELSON G. CAINGHOG
Member

(on official business)
DIR. LUISA S. VALENCIA
Member

(on official business)
ATTY. LILY FREIDA M. MILLA
Vice Chair


ATTY. CINDERELLA FILIPINA BENITEZ-JARO
Chairperson



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Provisional Member, OCC


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Member

(on leave)
ATTY. SEPTON A. DE LA CRUZ
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Vice Chair

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Chairperson



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION

BIDS AND AWARDS COMMITTEE
Notice of Award

NO. 2020-01-011

January 21, 2020

DR. JAIME B. VENERACION

Highly Technical Consultant
8 Our Lady's Court Congressional Avenue
Brgy. Culiat, Quezon City

Dear **Dr. Veneracion**:

We are pleased to inform you that we are engaging your services as Highly Technical Consultant to write the history of CHED in the amount of One Million Forty Three Thousand Eight Hundred Twenty Two Pesos (P1,043,822.00).

In this regard, may we invite you or your authorized representative to this office within ten calendar days upon receipt of this Notice to sign the corresponding Contract.

Very truly yours,


J. PROSPERO E. DE VERA III, DPA
Chairman 

Received by:  _____

Date: Jan 29, 2020

NOA No. 2020-01-011 for DR. JAIME B. VENERACION
BAC Reso No. 2020-001 dated January 3, 2020
PR No. 2019-1226-680
Prepared by YMadlangsakay

CONTRACT OF CONSULTANCY SERVICES

KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT is entered into by and between:

The COMMISSION ON HIGHER EDUCATION, a government instrumentality created and operating under and by virtue of Republic Act (RA) No. 7722, otherwise known as the "Higher Education Act of 1994", with principal office address at Division Education Development Center (HEDC) Building, C.P. Garcia Avenue, UP Diliman, Quezon City, represented in this Contract by its CHAIRMAN, J. PROSPERO L. DAVERA III, DPA hereinafter referred to as the "COMMISSION".

-and-

PROF. JAIME B. VENERACION, Filipino, of legal age and a resident of No. 08 Our Lady's Court, Quezon City, herein referred to as the "HIGHLY TECHNICAL CONSULTANT".

WHEREAS, on October 15, 2019 under Resolution No. 627-2019, the Commission on Banc (CEB) approved the hiring of a Highly Technical Consultant (HTC) with the expertise to write the CHED history for purposes of ensuring the publication of CHED History;

WHEREAS, on December 26, 2019, the Office of the Chairperson, filed the Purchase Request (PR) for the engagement of consultancy services of an HTC as per deliverables stipulated in the Terms of Reference;

WHEREAS, on January 3, 2020, the Bids and Awards Committee (BAC) under its Resolution No. 2020-001, approved to award the contract through Negotiated Procurement to Prof. Veneracion as HIGHLY TECHNICAL CONSULTANT to write the institutional history of CHED;

WHEREAS, on January 7, 2020, the BAC, pursuant to its authority under Section 12 of Republic Act (RA) No. 9184, recommended to the CEB, the approval of the Notice of Award (NOA) to the HIGHLY TECHNICAL CONSULTANT for the Engagement of Consultancy Services for the writing of the institutional history of CHED, as per agreed upon Terms of Reference;

That, the Commission on Banc through Resolution No. 022-2020 dated 07 January 2020 approved the engagement through Negotiated Procurement of Prof. Veneracion as a Highly Technical Consultant to provide highly technical services to write the institutional history of CHED for a period of five (5) months;

MARIA PAMELA G. LADANGA
HRDD-AFMS

20-11-1115
-3-11-1115
T.A.

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That, in full consideration for the services rendered, the COMMISSION shall pay the CONSULTANT the amount of ONE MILLION FORTY THREE THOUSAND EIGHT HUNDRED TWENTY-TWO PESOS (PhP 1,043,822.00), subject to mandatory government taxes. It is hereby understood that the processing of the consultancy shall be upon submission of deliverables by the CONSULTANT duly attested by the Office of the Chairperson and/or Commission En Banc and the Head of the Procuring Entity;

Therefore, the COMMISSION and the HIGHLY TECHNICAL CONSULTANT have agreed on the following terms and conditions:

I. The HIGHLY TECHNICAL CONSULTANT shall be responsible in writing the institutional history of CHED, of which shall include the deliverables indicated in the Terms of Reference;

II. In this Contract, words and expressions shall have the same meaning as are respectively assigned to them;

III. The following documents shall be attached, deemed to form, and be read and construed as part of this Contract, to wit:

a. Terms of Reference b. Proposal/Bid Data Sheet, Bid Bulletin, if any; c. Eligibility requirements, documents, and/or statements; d. Notice of Award to Original Contract and the Proponent's/Bidder's conforme thereto;

IV. In consideration of the payments to be made by the Commission to the Highly Technical Consultant, the Highly Technical Consultant hereby agrees to deliver services in conformity with the provisions of this Contract in all respects;

V. The Commission hereby agrees to pay the Highly Technical Consultant in consideration of his/her services rendered, the Contract Price subject to accounting rules and regulations, and other pertinent provisions of RA 9184.

VI. This Contract shall not create an employer-employee relationship between the Commission and the Highly Technical Consultant nor shall the services rendered herein be considered as government service. The Highly Technical Consultant shall not be entitled to benefits enjoyed by the regular personnel of the government;

VII. The Highly Technical Consultant shall hold in confidence any confidential information obtained in the course of his consultancy with CHED and shall comply with the provisions of RA 10173 or the Data Privacy Act of 2012.

VIII. Should any dispute related to this Contract and/or rights of the Parties arise, the same shall be submitted to mutual consultation and mediation. The venue in case of dispute shall be in Quezon City;

IX. In case of a court suit, the venue shall be the courts of competent jurisdiction in Quezon City, to the exclusion of all other courts.

X. Notwithstanding the term of this contract, the consultancy services may be pre-terminated in accordance with RA 9184 or the Government Procurement Reform Act.

IN WITNESS WHEREOF, the parties hereto have set their hands this 27 of January 2020 in Quezon City.

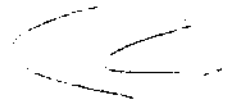
COMMISSION ON HIGHER EDUCATION

HIGHLY TECHNICAL CONSULTANT

BY:



J. PROSPERO E. DE VERA III, DPA
Chairman



PROF. JAIME B. VENERACION
Highly Technical Consultant

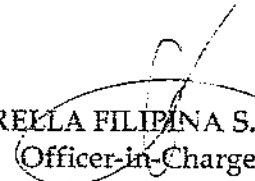
CERTIFIED FUNDS AVAILABLE:



MIRRIAM V. MIRANDA
Chief Accountant
AFMS

Commission on Higher Education
EXP 0000-01-00574 F 1, CHE, BSL, EC

Signed in the Presence of:



ATTY. CINDERELLA FILIPINA S. BENITEZ-JARO
Officer-in-Charge
Office of the Executive Director
Director IV, Legislative and Legal Service
Commission on Higher Education

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
QUEZON CITY) s.s.

BEFORE ME, a Notary Public for QUEZON CITY personally appeared on 2020 VI 2020 following persons, presenting to me their respective Competent Evidence of Identity, as indicated below:

NAME	GOVERNMENT ISSUED IDENTIFICATION NO.	ISSUED AT/ON
J. PROSPERO E. DE VERA III	CHED ID CO-0394	QC/29 January 2018
JAIME B. VENERACION	GSIS #CRN-006-0086-9311-2	QC/2010 January

Known to me to be the same persons who executed the foregoing instrument consisting of four (4) pages, including this page, having acknowledged before me that it is their own, respective, free and voluntary act and deed.

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

Doc. No. 323
Page No. 66
Book No. IX
Series of 2020

Miriam
 ATTY. MARY CATHERINE A. DAMIAN
 Notary Public for Quezon City until December 31, 2020
 Office: Original Acad's Residence Multi Support Area
 Laurel Ave., UP Diliman, Quezon City
 Phone: (09) 934-195 (2019-2020) and (02) 48243
 Fax: (02) 4824355 (Quezon City) and (02) 4824328
 E-mail: marydamian@up.edu.ph
 My Commission No. 000013544, No. 13, Notary's Office