



Office of the President of the Philippines
PRESIDENTIAL MANAGEMENT STAFF
Malacañang

PMS-BIDS AND AWARDS COMMITTEE
Resolution No. 159, Series of 2021

RECOMMENDING THE RENEWAL OF CONTRACT OF MR. JOHN BENCH T. ORTIZ AS HEALTH AND WELLNESS FITNESS CONSULTANT FROM JANUARY 01 TO JUNE 30, 2022

WHEREAS, on December 14, 2021, the Strategic Planning, Financial Management, and Human Resource Management Service (SPFM-HRMS) submitted to the PMS-Bids and Awards Committee (PMS-BAC) the Terms of Reference (TOR) and Purchase Request for the consultancy services for health and wellness fitness from January 01 to June 30, 2022, with an Approved Budget for the Contract (ABC) amounting to Php156,000.00.00 for fifty-two (52) sessions or a fee of Php3,000.00 per session (**Annex A**), as specified in the Indicative Annual Procurement Plan for FY 2022 (**Annex B**)¹;

WHEREAS, Item No. 7, Annex H of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184² provides that the procuring entity may engage the services of a "Highly Technical Consultant", subject to the following conditions (**Annex C**):

- "i. The individual consultant will be hired to do work that is either:
 - a) **Highly technical or proprietary**; or
 - b) **Primarily confidential or policy determining, where trust and confidence are the primary consideration.**
- "ii. **The term of the individual consultant shall, at most, be on a six (6) month basis, renewable at the option of the appointing HOPE, but in no case shall exceed the term of the latter.**" (Emphasis supplied)

WHEREAS, in a Memorandum dated December 16, 2021³, the SPFM-HRMS recommended the renewal of contract of Mr. John Bench T. Ortiz (**Annex D**) as health and wellness fitness consultant from January 01 to June 30, 2022 considering his satisfactory services during the course of his contract⁴, and as he is legally and technically capable to undertake and fulfill the consultancy work stated in the TOR;

¹ Item no. 62 thereof. This procurement project is a mere component of the 4% contingency in the amount of Php11,074,920.00 indicated in the Indicative Annual Procurement Plan FY 2022.

² Otherwise known as the "Government Procurement Reform Act.

³ Received by the BAC on December 27, 2021

⁴ Per coordination with SPFM-HRMS on December 28, 2021

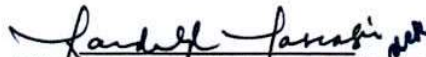
WHEREAS, the PMS BAC finds the recommendation of the OIC-AD, SPFM-HRMS in strict accordance with Republic Act (R.A.) No. 9184 and its 2016 Revised Implementing Rules and Regulations (RIRR); and


WHEREAS, Section 12.1 (h) of the 2016 RIRR of R.A. No. 9184 mandates that the BAC shall recommend the award of contract to the Head of the Procuring Entity or his duly authorized representative.

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the members of the PMS BAC, hereby **RECOMMEND** to the Director, SPFM-HRMS⁵ the following:


- (1) **RENEWAL OF CONTRACT** of Mr. John Bench T. Ortiz as Health and Wellness Fitness Consultant amounting to Ph156,000.00.00 for fifty-two (52) sessions or a rate of Php3,000.00 per session, inclusive of applicable taxes and fees; and
- (2) **GRANT OF AUTHORIZATION** to the BAC Chairperson, or in his absence, the BAC Vice-Chairperson, to sign the Notice of Award and the Notice to Proceed to implement this Resolution.


DONE in Manila this December 29, 2021.


Atty. **RANDOLPH A. PASCASIO**
Director and Chairperson


Atty. **WILBURN L. TAN, JR.**
Acting Director and Vice-Chairperson

ON LEAVE
Atty. **ROMAN CHINO A. RAMOS**
Division Chief and Regular Member


JOAQUIN ROMEO S. SANTIAGO
Acting Director and Provisional Member
(Technical Expert for
Administrative Services)


DOMINGA R. FLORES
Director and Provisional Member
(End-User Representative for
Administrative Services)

APPROVED/ DISAPPROVED:


CLEMENCIA A. CABUGAYAN
Director, SPFM-HRMS
Date: _____

⁵ Pursuant to Memorandum Order No. 2021-033, entitled, "Updating the Signing Authorities for Various Matters in the PMS".