

SUPPLEMENTAL CONTRACT

(To the contract for the Procurement of a Service Provider for the interim Operations and Maintenance (O&M) of the New Clark City (NCC) Sports Facilities under a fifteen (15) - month service contract)

KNOW BY ALL MEN BY THESE PRESENTS

This CONTRACT AGREEMENT made on 11th Day of March 2025 by and between:

Bases Conversion and Development Authority (BCDA), a government instrumentality vested with corporate powers created by virtue of Republic Act (RA) No. 7227, as amended, with office address at the BCDA Corporate Center, 2nd Floor Bonifacio Technology Center, 31st Street corner 2nd Avenue, Bonifacio Global City, Taguig City, represented by its President, Engr. Joshua M. Bingcang, who is duly authorized for this purpose, as evidenced by Secretary's Certificate, a copy of which is hereto attached as **Annex "A"**

-and-

AGS Facilities Services Philippines, Inc. (Formerly Atalian Global Services Philippines, Inc.) (the Service Provider) with principal place of business at Unit 1001, 10th Floor Mega Tower, EDSA cor. J. Vargas Avenue, Mandaluyong City, Philippines represented by its Authorized Representative, Mr. Jerry G. Cambal, who is duly authorized for this purpose as evidenced by Secretary's Certificate dated 15 May 2024, a copy of which is hereto attached as **Annex "B"**

ANTECEDENTS

WHEREAS, the BCDA invited Bids for certain goods and ancillary services, particularly the Procurement of a Service Provider for the interim Operations and Maintenance (O&M) of the New Clark City (NCC) Sports Facilities under a fifteen (15) - month service contract and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Pesos: One Hundred Three Million Two Hundred Forty Thousand Two Hundred Eighty Eight and 40/100 only (Php 103,240,288.40)** inclusive of all applicable taxes and fees.

WHEREAS, part of the Supplier's obligations under the contract as interim Operations and Maintenance (O&M) of the New Clark City (NCC) Sports Facilities is to determine the current condition of the property.

WHEREAS, based on the Facilities Condition Assessment made by the service provider, the immediate repair of specific areas and equipment must be done immediately. The repairs of which are not included in the General and Special Conditions of the contract.

WHEREAS, the end-user validated the costs submitted by the Supplier, conducted the necessary due diligence in arriving at the final cost estimate and that the same does not exceed the 10% of the original contract price. Thus, issuance of the Amendment to Order following Annex D of the Revised Implementing Rules and Regulations of Republic Act No. 9184 was recommended.

WHEREAS, on November 29, 2024, AGSFSPi is willing to undertake the repairs immediately for a total amount of **Pesos: Two Million Seven Hundred Thirty Two Thousand One Hundred Forty Two and 86/100 only (Php 2,732,142.86)** plus VAT, if any. Which will be done Sixty (60) Calendar days from the execution of this Supplemental Contract.



WHEREAS, on January 07, 2025, PCEO Joshua Bingcang approved the recommendation of the end-user PPMD-GSD for an Amendment to Order to cover the above-mentioned repairs.

NOW THEREFORE, for and in consideration thereof, the Bases and Conversion and Development Authority (BCDA) and AGS Facilities Services Philippines, Inc. (AGSFSPi) have agreed to enter into this Supplemental Contract incorporating the said Amendment to Order.

AMENDMENT TO ORDER

1. The Procurement of a service provider for the interim Operations & Maintenance (O&M) of the New Clark City (NCC) Sports Facilities under a 15-month service contract, the contract with Supplier AGSFSPi dated August 8, 2024 duly acknowledged before Atty. Maricel C. Coronacion-Santos, a notary public for and in Taguig City with notarial register as Doc. No. 473, Page no. 96, Book No. 4, series of 2024 shall now include the following:
 - a. Supply and Delivery of Seventy-Seven (77) pcs Fire Extinguishers
 - b. Supply and Delivery of Seventy (70) pcs Emergency Lights
 - c. Supply Labor and Materials for the Removal of Old Sea Games Stickers and installation of Window Tint at the Athletics Stadium.
 - d. Supply labor and materials for the Rewinding of 2 units olympic 4kw pool pump and 1 unit 4kw training pool pump at the aquatics center
 - e. Corrective Maintenance Repairs for Air-conditioning Units at Athletes' Village, Athletics Stadium, and Aquatic Center
 - f. Repair of defective Pool Pump at Athlete's Village
 - g. Supply Labor and Materials for the Replacement of Rubber Seals of Four (4) units of Constant Pressure System Pumps located at the Aquatic Center.
 - h. Supply Labor and Materials for the Replacement of Potable Water Pump AV A
 - i. Supply Labor and Materials for the Replacement of roof drain downspout and Waterproofing of the Power House roof deck located at the Aquatic Center.

The updated terms and conditions are incorporated in the attached Terms of Reference which is made integral part of this Supplemental Contract as Annex C.

2. The Supplier agrees to complete the scope of work of these repairs.
3. The Supplier shall complete all the additional works under the Supplemental Contract within 60 calendar days from the signing thereof.
4. For and in consideration of the full, satisfactory and faithful compliance of the additional services listed above, BCDA agrees to pay the Supplier the amount of **Pesos: Two Million Seven Hundred Thirty Two Thousand One Hundred Forty Two and 86/100 only (Php 2,732,142.86)** plus VAT, if any.

Except as modified by the terms and conditions of this Supplemental Contract, all other terms and conditions of the contract dated August 8, 2024 that are not inconsistent with this Amendment shall remain in full force and effect.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.


ENGR. JOSHUA M. BINGCANG
President and CEO


JERRY G. CAMBAL
Authorized Representative

for:

for:

**BASES CONVERSION AND
DEVELOPMENT AUTHORITY**

**AGS FACILITIES SERVICES
PHILIPPINES, INC.**

Signed in the Presence of:



ATTY. GISELA Z. KALALO
Executive Vice President


MARIANO P. PAGATPATAN
Chief Operational Officer

Acknowledgment

Republic of the Philippines)
Taguig City) ss.


BEFORE ME, a Notary Public, for and in Taguig City, personally appeared the following:

Name	Government Issued ID	Date/Place Issued
JOSHUA M. BINGCANG		08 FEB 2024 / Manila
JERRY G. CAMBAL	03040343	South

known to me to be the same persons who executed the foregoing instrument and they acknowledge to me that their signatures confirm their own free acts and the entities they represent.

SIGNED AND SEALED on APR 02 2025 in Taguig City, Philippines.

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Book No. 5
Series of 2025


ATTY. MARICEL C. CORONACION-SANTOS
NOTARY PUBLIC FOR AND IN TAGUIG CITY
NOTARIAL COMMISSION UNTIL DECEMBER 31, 2025
ROLL OF ATTORNEYS NO. 63834
IBP NO. 497152 / 1-03-2025 / RIJAL
PTR NO. 6453958 / 1-07-2025 / TAGUIG CITY
MCLE COMPLIANCE NO. VIII-0004912 / 11-20-2023

BCDA
Bases Conversion and
Development Authority

General Services Division

FE2025-0859

SECRETARY'S CERTIFICATE

Republic of the Philippines)
Taguig City) SS.

I, **CHRISTIAN T. DULDULAO**, of legal age, being the Corporate Secretary of the Bases Conversion and Development Authority (BCDA), with office address at the 2/F Bonifacio Technology Center, 31st Street corner 2nd Avenue, Bonifacio Global City, Taguig City, do hereby certify that on the occasion of the 655th Regular BCDA Board Meeting held on 11 April 2024, with a quorum being present, the Board of Directors, upon motion duly seconded, unanimously approved the following resolution:

Resolution No. 2024-04-041


Resolve, as it is hereby resolved, that the authority to proceed with the procurement of a Service Provider for the Interim Operations and Maintenance Services (O&M) of the New Clark City Sports Facility through public bidding with an Approved Budget for the Contract (ABC) of One Hundred Ten Million Six Hundred Sixty Four Thousand Pesos (Php110,664,000.00), inclusive of all applicable taxes and fees for fifteen (15) months service contract be, as it is hereby APPROVED.

Resolve further, as it is hereby further resolved, that the authority of the BCDA President and Chief Executive Officer (PCEO), or in his absence the Executive Vice President and Chief Operating Officer, or in the absence of both, the Officer-in-Charge of the Office of the PCEO to approved and sign the following documents for the subject stated procurement project be, as it is hereby APPROVED.

- a. Bidding Documents and Terms of Reference;
- b. Lowest Calculated and Responsive Bid / Single Calculated Responsive Bid;
- c. Notice of Award;
- d. Contract;
- e. Notice to Proceed
- f. Declaration of failure of bidding, if any; and
- g. All other documents related to the implementation of the Project.

This certification is being issued subject to the final approval of the Minutes of the 11 April 2024 BCDA Board Meeting.

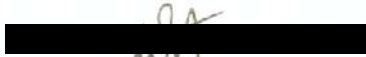
IN WITNESS WHEREOF, I have hereunto affixed my signature this 17th day of April 2024.


CHRISTIAN T. DULDULAO
Corporate Secretary
APR 29 2024

SUBSCRIBED AND SWORN to before me this _____ at Taguig City _____, Philippines, by Atty. CHRISTIAN T. DULDULAO who exhibited to me his Passport No. P8274275B, issued at DFA Manila on 24 November 2021 and valid until 23 November 2031.

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Series of 2024

Purpose: For reference BCDA-PPMD-GSD
SC2024-042


ATTY. MARICEL C. CORONACION-SANTOE
NOTARY PUBLIC FOR AND IN TAGUIG CITY
NOTARIAL COMMISSION UNTIL DECEMBER 31, 2025
ROLL OF ATTORNEYS NO. 63834
IBP NO. 423744 / 1-16-2024 / RIZAL
PTR NO. 6089649 / 1-16-2024 / TAGUIG CITY
MCL 2 COMPLIANCE NO. VII-0005758 30 JULY 2021

REPUBLIC OF THE PHILIPPINES)
PASIG CITY) S.S.

SECRETARY'S CERTIFICATE

I, **RICHARD ANTHONY D. ALCAZAR** of legal age, Filipino, with postal and office address at 2303A, Tektite Towers (formerly Philippine Stock Exchange Centre), East Tower, Exchange Road, Ortigas Center, Pasig City after being duly sworn to in accordance with the law depose and state that:

1. I am the duly elected and incumbent Corporate Secretary of **AGS Facilities Services Phils. Inc.** (formerly Atalian Global Services Philippines, Inc.) a corporation duly organized and existing under by virtue of the laws of the Philippines with principal office address at 10th Floor, Mega Tower, EDSA cor. J. Vargas Avenue, Mandaluyong City 1555;
2. During a meeting on **03 February 2025**, the following resolutions were passed and adopted:

“RESOLVED, that the Corporation approves the change of signatories for purposes of reviewing and approving authority for third party dealings and contracts of the Corporation with customers, suppliers, service providers, contractors/subcontractors, employees, as well as governmental authorities and agencies, whether national or local. The details on the nature of documents involved per corporate department, the authorized signatories, and the reviewing and approving authority for the documents were summarized in the Matrix of Documents or Dealings Signatories, as follows:

Nature of Documents	Authorized Signatories	Required Review and Approvals
BUSINESS DEVELOPMENT DEPARTMENT		
Accreditation Documents	Managing Director or Business Development (“BD”) Director	Legal Department
Non-Disclosure Agreement	Managing Director or BD Director	Legal Department
Code of Conduct/Ethics	Managing Director or BD Director	Legal Department
Bid Invitation	Managing Director or BD Director	BD Director
Contract of Services for new client	Managing Director or BD Director	Legal Department
OPERATIONS DEPARTMENT		(Note: All contracts/templates reviewed by Legal Department)
Letter of Intent	Account Officer and Operations Director	Operations Director
Contract of Services	Managing Director (primary) or Chief Operational Officer (“COO”) (secondary)	Operations Director/ Legal Department
Contract of Renewal	Managing Director (primary) or COO (secondary)	Operations Director/ Legal Department
Amendment Contract	Managing Director (primary) or COO (secondary)	Operations Director/ Legal Department
PROCUREMENT DEPARTMENT		(Note: All contracts/templates reviewed by Legal Department)

Contractors/Subcontractors Agreement	COO (primary) or Managing Director (secondary)	Legal Department
Purchasing/Supplier/Vendors Agreement	COO (primary) or Managing Director (secondary)	Legal Department
IT DEPARTMENT		(Note: Recommendations by Regional IT but this should go through the procurement process)
Purchase of IT supplies/application for IT-related needs	Chief Financial Officer ("CFO")	

HUMAN RESOURCES DEPARTMENT		(Note: All contracts/templates reviewed by Legal Department)
Job Offer	HR Director	
Employment Contract	HR Director	
SSS	HR Director (primary) or COO (Secondary)	
PHIC	HR Director (primary) or COO (Secondary)	
HDMF	HR Director (primary) or COO (Secondary)	
Internship or Training Programs	HR Director (primary) or COO (Secondary)	
Memorandum of Agreement/Understanding with medical institutions/clinics in connection with employee Annual Physical Exams (APE)	HR Director	
Renewal of HMO	Managing Director	
Renewal of Job Portal Subscription	Managing Director	
FINANCE & ADMINISTRATION		
Local Government Unit transactions	CFO (primary) or Managing Director (secondary)	
Bank Signatories	Group A Mariecon S. Sarabia Jiezl M. Go Group B Phillip Anthony Carter Mariano P. Pagatpatan	
Financial institutions, insurers or Insurance brokers or G-cash payments	Group A Mariecon S. Sarabia Jiezl M. Go Group B Phillip Anthony Carter Mariano P. Pagatpatan	
BIR	CFO (primary) or Managing Director (secondary)	
External Audit Engagement	CFO (primary) or Managing Director (secondary) (post-	

