



EMBASSY OF THE REPUBLIC OF THE PHILIPPINES
フィリピン 共和国 大使館
TOKYO, JAPAN

BIDS AND AWARDS COMMITTEE

BAC RESOLUTION NO. 2025-008B

RESOLUTION RECOMMENDING, BY REFERENDUM, TO RESORT TO NEGOTIATED PROCUREMENT FOR HIGHLY TECHNICAL CONSULTANT, AS AN ALTERNATIVE METHOD OF PROCUREMENT UNDER THE 2016 IRR OF R.A. NO. 9184, THE AWARD TO ATTY. KANENORI OSHIKIRI OF SHIROYAMA SOGO LPC FOR THE PROCUREMENT OF HIS SERVICES AS CONSULTANT FOR THE REVIEW OF THE DRAFT CONTRACT AND NON-DISCLOSURE AGREEMENT FOR THE EMBASSY'S ELECTRONIC FUNDS TRANSFER AT POINT OF SALE SYSTEM

WHEREAS, the Embassy of the Republic of the Philippines in Japan (Embassy), through its Administrative and Consular Sections and Finance Unit, has decided to implement an Electronic Funds Transfer at Point of Sale System (EFTPOS) in order to enable electronic payments and provide the Embassy's clients with a fast, convenient and simpler way to process consular transactions;

WHEREAS, the Embassy has undertaken measures to launch its EFTPOS to streamline government services, in order to have simplified procedures for payments to expedite transactions, consistent with the government's policy under Republic Act No. 11032 or the *Ease of Doing Business and Efficient Government Service Delivery Act of 2018*;

WHEREAS, the Embassy requires the services of an experienced attorney who is licensed to practice law in Japan who can provide a legal review of the draft Contract and Non-Disclosure Agreement (NDA) for the EFTPOS;

WHEREAS, in reviewing the draft Contract and NDA for the EFTPOS, the attorney shall be required to ensure that: a) the provisions in the drafts are in compliant with Japanese laws on electronic payments, b) the provisions in the drafts are compliant with Japanese banking laws and handling of funds, and c) that any and all information and documents secured from the Embassy on account of the legal review shall remain highly confidential;

WHEREAS, the Embassy intends to use the approved budget of **Two Hundred Fifty Thousand Japanese Yen (¥250,000.00)**, chargeable against the General Fund – Other Professional Services, which is included in the Embassy's Supplemental Annual Procurement Plan (SAPP) for the hiring of the consultant;

WHEREAS, Section 53.7 of the 2016 Revised Implementing Rules and Regulations ("IRR") of Republic Act ("RA") No. 9184, otherwise known as the "Government Procurement Reform Act of 2003," allows an agency to resort to Negotiated Procurement of Highly Technical Consultants to do work that is: (i) highly technical or proprietary; or (ii) primarily

confidential or policy determining, where trust and confidence are the primary considerations for the hiring of the consultant: *Provided*, however, that the term of individual consultants shall, at the 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;

WHEREAS, the Embassy intends to hire Atty. Kanenori Oshikiri from the Law Firm of Shirayama Sogo LPC as its highly technical consultant for the review of the Contract and NDA, due to Atty. Oshikiri's previous experience in handling legal matters for the Embassy and his special knowledge in law and commercial payments in Japan;

WHEREAS, the procurement for the services of Atty. Oshikiri as consultant for the review of the draft Contract and NDA for the Embassy's EFTPOS is highly technical or proprietary and falls under Sec.53.7 of the 2016 IRR of R.A. No. 9184;

WHEREAS, the BAC conducted due diligence inquiries on the selection of Atty. Oshikiri as a consultant and as a lawyer found him to be technically, legally, and financially capable service provider at the most advantageous price and contract for the Government;

WHEREAS, the Bids and Awards Committee, after taking into consideration all relevant factors, finds that awarding of the consultancy contract amounting to **Two Hundred Fifty Thousand Japanese Yen (¥250,000.00)** to **Atty. Kanenori Oshikiri** may be done under Section 53.7(i) of the 2016 IRR of RA 9184;

NOW, THEREFORE, in light of the foregoing considerations, WE, the Members of the Bids and Awards Committee, hereby **RESOLVE** to:

RECOMMEND, by referendum, to the Head of the Procurement Entity (HOPE) of the Philippine Embassy in Tokyo, Japan, the resort to Negotiated Procurement for a Highly Technical Consultant, as an alternative mode of procurement under Sec. 53.7 of the 2016 IRR of R.A. 9184, for the award of the Contract to **Atty. Kanenori Oshikiri from the Law Firm of Shirayama Sogo LPC**, for the procurement of his services as consultant for the review of the draft Contract and Non-Disclosure Agreement for the Embassy's Electronic Fund Transfer at Point of Sale System, for the total amount of **Two Hundred Fifty Thousand Japanese Yen (¥250,000.00)**.

Adopted this 5th day of April 2025 in Tokyo, Japan.


CHRISTIAN L. DE JESUS
Chairperson


MARY JOY B. RAMIREZ
Vice Chairperson


JAN KENNETH E. BOLANTE
Member



FATIMA G. QUINTIN
Member



ALVIN C. MALASIG
Member

Approved:



MYLENE J. GARCIA-ALBANO
Ambassador

Head of the Procuring Entity
Date Approved: 5 April 2025



EMBASSY OF THE REPUBLIC OF THE PHILIPPINES
フィリピン 共和国 大使館
TOKYO, JAPAN

NOTICE OF AWARD

Date: 10 April 2025

Sir:

Please be informed that, upon the recommendation of the Bids and Awards Committee (BAC) of the Philippine Embassy in Tokyo, Japan, as contained in its Resolution No. 2025-008 dated 5 April 2025, the Philippine Embassy in Tokyo is awarding the following procurement to **Atty. Kanenori Oshikiri**:

Product/Service	Total Cost (inclusive of taxes and other lawful charges)
Procurement of services as consultant for the review of the draft Contract and Non-Disclosure Agreement for the Embassy's Electronic Fund Transfer at Point of Sale System	Two Hundred Fifty Thousand Japanese Yen (¥250,000.00)

Implementation of the above is subject to existing accounting and auditing requirements and the signing of a contract.

Very truly yours,

MYLENE J. GARCIA-ALBANO

Ambassador
Head of the Procuring Entity

Atty. KANENORI OSHIKIRI
Senior Partner
Shiroyama Sogo LPC
Tokyo, Japan

NOTICE OF AWARD

Date: 10 April 2025

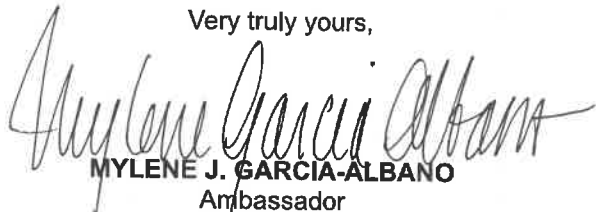
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Product/Service	Total Cost (inclusive of taxes and other lawful charges)
Procurement of services as consultant for the review of the draft Contract and Non-Disclosure Agreement for the Embassy's Electronic Fund Transfer at Point of Sale System	Two Hundred Fifty Thousand Japanese Yen (¥250,000.00)

Implementation of the above is subject to existing accounting and auditing requirements and the signing of a contract.

Very truly yours,


MYLENE J. GARCIA-ALBANO
Ambassador
Head of the Procuring Entity

Atty. KANENORI OSHIKIRI
Senior Partner
Shiroyama Sogo LPC

Tokyo, Japan

NAME	INITIALS
DCM CL De Jesus BAC Chairperson	uy
CG MJB Ramirez BAC Vice Chairperson	m.gre
Consul JKE Bolante BAC Member	
Consul FG Quintin BAC Member	
Consul AC Malasig BAC Member	
Vice Consul AO MIA Rulloda BAC Secretariat Head	
CO JC Disomimba BAC Secretariat, Member	
PO MKCP Garcia BAC Secretariat, Member	
LO JR San Jose BAC Secretariat, Member	

CONTRACT FOR THE PROVISION OF LEGAL SERVICES

Know all by these presents:

This contract is entered into this 15th day of April 2025, by and between:

The **Embassy of the Republic of the Philippines in Tokyo, Japan**, with office address at 5-15-5 Roppongi, Minato-ku, Tokyo, Japan, duly represented by its Ambassador, **Hon. Mylene J. Garcia-Albano**, hereinafter referred to as the Embassy;

-And-

Atty. Kanenori Oshikiri, with office address at Residence Viscountess 810, 1-11-36 Akasaka, Minato-ku, Tokyo, Japan, from the Law Firm of Shiroyama Sogo LPC, hereinafter referred to as the Consultant;

Individually referred to as a "party", and collectively referred to as "parties", have agreed as follows:

1. **Subject Matter:** The Embassy is requesting for the provision of legal advice from the Consultant on the following subject matter - legal review of the draft Electronic Fund Transfer at Point of Sale (EFTPOS) Agreement (Annex A) and Non-Disclosure Agreement (NDA/Annex B) between the Embassy and FadTech Group of Companies, K.K. (FadTech);
2. **Service Period:** The Consultant is requested to complete the review of the drafts and submit its comments to the Embassy on or before 01 May 2025;
3. **Fee for Legal Services:** For the consultation, the Embassy agrees to pay the Consultant the total amount of Two Hundred Fifty Thousand Japanese Yen (JPY250,000.00) within a reasonable time upon receipt of the Invoice from the Law Firm for its services.
4. **Confidentiality and Data Privacy:** The Consultant agrees to keep any and all information and documents secured from the Embassy on account of the consultation as highly confidential, and shall not permit its disclosure to any other parties, unless it secures a prior written consent from the Embassy.
5. **Notices.** All notices, invoices, correspondences, consents, requests, demands, and other communications hereunder shall be in writing and shall be deemed to have been served upon actual receipt by the other party. Such notices may be served personally, by registered or certified mail, or by electronic or facsimile transmission.
6. **Entire Agreement.** This Contract shall serve as the entire agreement between the parties. No other agreement, statement, or promise made on or before the effective date of this agreement will be binding on the parties.
7. **Severability.** If any provision, sections of this Contract, or its application to any person or circumstance is held invalid, the other provisions or sections of this Contract, and

the application of such provision or section to other persons or circumstance shall not be affected thereby.

8. **Modification.** This Contract may be modified by subsequent agreement of the parties only by an instrument in writing signed by both of them.
9. **Non-waiver.** Nothing in this Contract shall be construed as a waiver of any of the privileges or immunities of the Embassy under the laws of Japan and the Philippines and under international law.
10. **Effectivity.** This Contract shall be effective immediately on the date it is signed by the Embassy and the Consultant.

IN WITNESS WHEREOF, the parties have executed this Contract, composed of **2** pages on **15 April 2025** in Tokyo, Japan.


MYLENE J. GARCIA-ALBANO
Ambassador


KANENORI OSHIKIRI
Senior Partner
Shiroyama Sogo LPC



EMBASSY OF THE REPUBLIC OF THE PHILIPPINES
フィリピン 共和国 大使館
TOKYO, JAPAN

NOTICE TO PROCEED

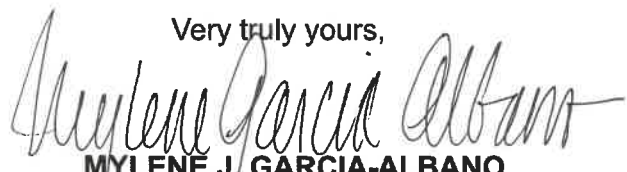
Date: 19 April 2025

Sir:

Please be informed that pursuant to the Notice of Award dated 22 January 2025 issued by the Philippine Embassy in Tokyo, **Atty. Kanenori Oshikiri** is hereby engaged as a consultant for the review of the draft Contract and Non-Disclosure Agreement for the Embassy's Electronic Fund Transfer at Point of Sale System, for the total amount of **Two Hundred Fifty Thousand Japanese Yen (¥250,000.00)**, inclusive of taxes and other lawful charges.

This Notice is being issued in accordance with the requirements of Republic Act No. 9184 or the "Government Procurement Reform Act".

Very truly yours,


MYLENE J. GARCIA-ALBANO
Ambassador
Head of the Procuring Entity

Atty. KANENORI OSHIKIRI
Senior Partner
Shiroyama Sogo LPC
Tokyo, Japan

NOTICE TO PROCEED

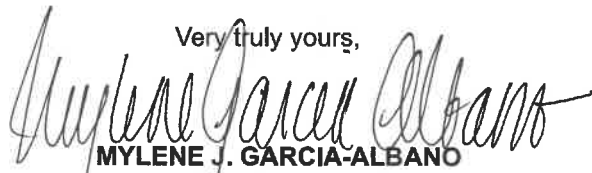
Date: 19 April 2025

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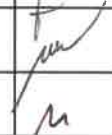
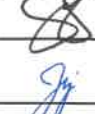
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Very truly yours,


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Atty. KANENORI OSHIKIRI
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Tokyo, Japan

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