



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. 2023-013

RESOLUTION RECOMMENDING, BY REFERENDUM, AWARD OF CONTRACT IN ACCORDANCE WITH THE "GUIDELINES FOR THE PROCUREMENT OF GOODS AND SERVICES, INFRASTRUCTURE PROJECTS, AND CONSULTING SERVICES TO BE PROCURED AND PERFORMED OVERSEAS," AS APPROVED UNDER GPPB RESOLUTION NO. 28-2017 DATED 31 JULY 2017, FOR THE PROCUREMENT OF SERVICES FOR RENOVATION OF SEVEN (7) BATHROOMS, INSTALLATION OF AN OUTDOOR BATHROOMS AND ROOM CONVERSION OF THE OFFICIAL RESIDENCE OF THE AMBASSADOR, AND THE AWARD TO AKITEM CO. LTD. FOR THE SAID SERVICES.

WHEREAS, Post intends to procure the services of a company for the renovation of seven (7) bathrooms and two (2) toilets, installation of an outdoor bathroom and conversion of storage room to bathroom at the Official Residence of the Ambassador located at 1-1-1 Fujimi, Chiyoda-ku, Tokyo, Japan;

WHEREAS, the Residence has a total of seven (7) bathrooms and two (2) toilets at the 1st floor and 2nd floor, and one (1) bathroom at the caretaker's residence. However, seven (7) of these bathrooms and two (2) toilets are outdated and in need of repair;

WHEREAS, the bathtubs, lavatories, and water closets are already showing signs of wear and tear, making them less functional and less hygienic, especially at the bathrooms of the household staff and at the caretaker's residence. Also, the broken tiles not only look unsightly but also pose a safety hazard to the occupants of the Residence, including the guests which may include high level government and diplomatic officials;

WHEREAS, there is a need to renovate the bathrooms and toilets of the Ambassador's Official Residence;

WHEREAS, the Department and Tokyo PE have received authority from the National Historical Commission for the rehabilitation and renovation, and the adaptive reuse of a storage room of the Official Residence of the Ambassador through a letter dated 27 June 2023;

WHEREAS, the NHCP in its approval stated that the above renovations and rehabilitation will be essential in the upkeep of the heritage structure while meeting the needs of the changing times;

WHEREAS, the procurement of the services for the said bathroom renovations and installation works with an Approved Budget for the Contract (ABC) of Fifty Two Million Japanese Yen (JPY52,000.00) is included in Post's PPMP for 2023, chargeable against its Capital Outlay for FY 2023;

WHEREAS, under the "*Guidelines for the Procurement of Goods and Services, Infrastructure Projects, and Consulting Services to be Procured and Performed Overseas*," as approved under GPPB Resolution No. 28-2017 dated 31 July 2017, the procurement of any goods, services, infrastructure or consultancy project, regardless of amount, can be conducted by sending out Requests for Quotations (RFQ) to at least three (3) suppliers, contractors or consultants of known qualifications, and receipt of one (1) quotation would be sufficient to recommend award of the project;

WHEREAS, under the same Guidelines, Foreign Service Posts are no longer required to post their procurement activities on the PhilGEPS website until the corresponding facility has become available through the PhilGEPS Modernization Project, and the requirement of advertisement of procurement projects through newspapers have been dispensed with, as well as documentary requirements are relaxed to take into consideration the usual trade and business practices of the host country;

WHEREAS, for the renovation of the bathrooms and other installation works inside the Residence, the Philippine Embassy requested quotations from reputable companies in Japan, namely PAE Design, Facility Management, A-tom Company, Takenaka Corporation and Akitem Co. Ltd.;

WHEREAS, based on the Abstract of Quotations submitted to the Bids and Awards Committee, **Akitem Co. Ltd. responded and submitted the lowest and responsive quotation in the amount of Fifty One Million One Hundred Twenty Five Thousand Japanese Yen (JPY51,125,000);**

NOW, THEREFORE, in light of the foregoing considerations, WE, the Members of the Bids and Awards Committee, hereby RESOLVE to RECOMMEND to the Head of the Procuring Entity (HOPE) of the Philippine Embassy in Tokyo, Japan, to resort to the mode of procurement in accordance with the "*Guidelines for the Procurement of Goods and Services, Infrastructure Projects, and Consulting Services to be Procured and Performed Overseas*," as approved under GPPB Resolution No. 28-2017, the renovation of seven (7) bathrooms and two (2) toilets, installation of an outdoor bathroom and conversion of storage room to bathroom at the Official Residence of the Ambassador, **through Akitem Co. Ltd. in the total amount of Fifty One Million One Hundred Twenty Five Thousand Japanese Yen (JPY51,125,000)**, including taxes and other lawful charges, delivery cost and installation charges.

Adopted this 13th day of September 2023 in Tokyo, Japan.


ROBESPIERRE L. BOLIVAR
Chairperson

EVANGELINE T. ONG JIMENEZ-DUCROCQ
Vice Chairperson

CHARMAINE A. SERNA-CHUA
Member

MARY JOY B. RAMIREZ
Member

JAN KENNETH T. BOLANTE
Member

Approved:

MYLENE J. GARCIA-ALBANO
Ambassador

Head of the Procuring Entity
Date Approved: 13 September 2023



EMBASSY OF THE REPUBLIC OF THE PHILIPPINES
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NOTICE OF AWARD

14 September 2023

Sir/Madam:

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.2022-0012 dated 23 August 2023, the Philippine Embassy in Tokyo is awarding to **Akitem Company Limited** the contract for the renovation of seven (7) bathrooms, renovation of toilets, installation of an outdoor bathroom and conversion of storage room to bathroom at the Official Residence of the Ambassador for the total amount of **Fifty One Million One Hundred Twenty Five Thousand Japanese Yen (JPY51,125,000)** only, inclusive of taxes and other lawful charges, subject to the Department of Foreign Affairs' existing accounting and auditing requirement and subject to the signing of the Contract.

Thank you.

Very truly yours,

MYLENE J. GARCIA-ALBANO

Ambassador

Head of the Procuring Entity

Date Approved: 13 September 2023

Mr. Kentaro Koibuchi

President

Akitem Co. Ltd.

1-1-2 Higashiyama Bldg., Meguro-ku

Tokyo, Japan



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NOTICE TO PROCEED

15 September 2023

Sir/Madam:

Please be informed that pursuant to the Notice of Award dated 24 August 2023 issued by the Philippine Embassy in Tokyo, **Akitem Company Limited** is hereby given this **Notice to Proceed** for the renovation of seven (7) bathrooms, renovation of toilets, installation of an outdoor bathroom and conversion of storage room to bathroom at the Official Residence of the Ambassador for the total amount of **Fifty One Million One Hundred Twenty Five Thousand Japanese Yen (JPY51,125,000)** only, inclusive of taxes and other lawful charges.

This Notice is issued in accordance with the requirements of Republic Act No. 9184, otherwise known as the "Government Procurement Act of 2003.

Very truly yours,

MYLENE J. GARCIA-ALBANO

Ambassador

Head of the Procuring Entity

Date Approved: 13 September 2023

MR. KENTARO KOIBUCHI

President

Akitem Co. Ltd.

1-1-2 Higashiyama Bldg., Meguro-ku

Tokyo, Japan

**CONTRACT FOR RENOVATION OF SEVEN (7) BATHROOMS, TWO (2) TOILETS,
INSTALLATION OF AN OUTDOOR BATHROOM AND CONVERSION OF STORAGE
ROOM TO BATHROOM LOCATED AT THE OFFICIAL RESIDENCE OF THE
AMBASSADOR "KUDAN", 1-1-1 FUJIMI, CHIYODA-KU, TOKYO, JAPAN**

KNOW ALL MEN BY THESE PRESENTS:

This Contract is made and entered into this date, 18 September 2023 at the Philippine Embassy, 5-15-5 Roppongi, Minato City, Tokyo, Japan, by and between:

THE PHILIPPINE EMBASSY, TOKYO, (hereinafter referred to as "Tokyo PE")

--- and ---

AKITEM CO. LTD., an architecture and engineering firm, represented by Mr. Kentaro Koibuchi, located at Higashiyama Bldg. 1-1-2 Higashiyama, Meguro-ku, Tokyo, Japan (hereinafter referred to as "Contractor"),

The Tokyo PE and the Company shall hereinafter be individually referred to as a "Party" and collectively as the "Parties".

1. Scope of Work:

The Contractor agrees to work on the renovation of seven (7) bathrooms, renovation of toilets, installation of an outdoor bathroom and conversion of storage room to bathroom at the Official Residence of the Ambassador at the Official Residence of the Philippine Ambassador located at 1-1-1 Fujimi, Chiyoda-ku, Tokyo, Japan.

The following are the items of the project and the scope works are indicated in the separate sheet:

ITEMS	
1	Renovation of maid's bathroom (1st floor Room 111)
2	Installation of portable toilet and shower for maid's use while their bathroom is under renovation
3	Renovation of twin guestroom's toilet (2nd floor inside Room 217)
4	Renovation of the bathroom of masterbedroom's annex room (2nd floor, Room 213)
5	Installation of shower booth at the master's bedroom (2nd floor Room 211)
6	Renovation of bathroom of the big guest room (2nd floor Room 206)
7	Renovation of guest's toilet near door entrance (1st floor Room 103)

8	Renovation of the caretaker's bathroom
9	Installation of outdoor toilet and shower unit outside the Residence (at the back of the caretaker's house)
10	Conversion of storage room (in front of attic stairs) to toilet and bath (Room 224)

2. Timeline:

The Contractor shall commence the replacement work within the month of September and complete it by 30 December 2023. The Parties may agree to extend the timeline in writing if necessary.

3. Payment:

Tokyo PE agrees to pay the Contractor the total amount of **Fifty One Million One Hundred Twenty Five Thousand Japanese Yen (JPY51,125,000)** for the renovation/installation works. The payment shall be made upon completion of the project.

4. Warranty:

The Contractor warrants that all work, installation and replacement performed under this Contract shall be free from defects in materials and workmanship for a period of one (1) year from the date of completion. In the event of any defects arising during the Warranty Period, the Contractor shall promptly rectify the issue at no additional cost to Tokyo PE.

5. Indemnification:

The Contractor shall indemnify and hold Tokyo PE harmless from any claims, damages, liabilities, costs, and expenses arising out of or related to the repair work performed under this Contract.

6. Governing Law and Jurisdiction:

This Contract shall be governed in all respects by the laws of the Philippines and Japan and any applicable law. Both Parties consent to jurisdiction under the law where this Contract is executed.

7. Entire Agreement:

This Contract constitutes the entire agreement between the Parties and supersedes any prior agreements or understandings, whether written or oral, relating to the subject Project.

8. Amendments:

Any amendments or modifications to this Contract must be made in writing and signed by both Parties.

9. Severability:

If any provision of this Contract is found to be invalid, illegal, or unenforceable, the remaining provisions shall continue to be valid and enforceable to the fullest extent permitted by law.

10. Confidentiality:

Both Parties agree to keep confidential any proprietary or sensitive information disclosed during the course of this Contract.

11. Force Majeure:

Neither Party shall be liable for any delay or failure to perform its obligations under this Contract due to circumstances beyond its reasonable control, including but not limited to acts of God, war, terrorism, strikes, or natural disasters.

12. Settlement of Disputes:

12.1. If any dispute shall arise between the Parties in connection with or arising out of this Contract, the Parties shall make every effort to resolve amicably such dispute by mutual consultation.

12.2. If after thirty (30) days, the Parties have failed to resolve their dispute by such mutual consultation, then either Party may give notice to the other Party of its intention to commence arbitration, as hereinafter provided, as to the matter in dispute, and no arbitration in respect of this matter may be commenced unless such notice is given.

IN WITNESS WHEREOF, the Parties have executed this Contract as of the Effective Date.

AKITEM CO. LTD.
Higashiyama Bldg. 1-1-2 Higashiyama,
Meguro-ku, Tokyo, Japan

By:

KENTARO KOIBUCHI
President/Director



PHILIPPINE EMBASSY, TOKYO,
JAPAN
5-15-5 Roppongi, Minato-ku, Tokyo,
Japan 106-8537

By:

Mylene Garcia Albano
MYLENE J. GARCIA-ALBANO
Ambassador

Witnesses:

Mary Joy B. Ramirez

MARY JOY B. RAMIREZ

Jan Kenneth T. Bolante

JAN KENNETH T. BOLANTE