



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



RESOLUTION 2022-618

A RESOLUTION RATIFYING THE CONTRACT OF SECURITY SERVICES ENTERED AND SIGNED BY THE CITY MAYOR ATTY. JAIME R. FRESNEDI IN BEHALF OF THE CITY GOVERNMENT OF MUNTINLUPA WITH BEST SECURITY AGENCY, INC. & BEST ARMS SECURITY FOR THE PROVISION OF SECURITY AND PROTECTION SERVICES IN THE PREMISES OF MUNTINLUPA PUBLIC MARKET LOCATED AT BARANGAY ALABANG, MUNTINLUPA CITY AMOUNTING TO SIX MILLION ONE HUNDRED SIXTY-THREE THOUSAND SEVEN HUNDRED NINE PESOS AND 76/100 (P6,163,709.76) WHICH AMOUNT SHALL BE TAKEN FROM THE 2022 EXECUTIVE BUDGET

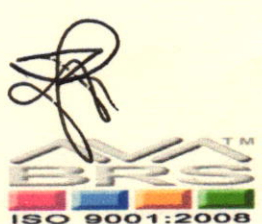
Sponsored by: *Hon. Coun. Francis Ian T. Bagatsing*
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ivey Rhia A. Tadea
Hon. Coun. Engr. Marissa C. Rongavilla
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Walter A. Arcilla

WHEREAS, Article 1317, 2nd paragraph, and Article 1403(1) of the New Civil Code, specifically provides that, ***“a contract entered into in the name of another by one who has no authority or legal representation, or who has acted beyond his powers, shall be unenforceable, xxx”;***

WHEREAS, under the New Civil Code, ***“unauthorized or unenforceable contracts are susceptible to ratification. Contracts entered into by the xxx Mayor maybe cured from its defect after the Sanggunian xxx shall have passed a resolution ratifying the same;”***

WHEREAS, Republic Act No. 9184, otherwise known as the “Government Procurement Reform Act” xxx authorizes the Bids and Awards Committee (BAC) to conduct competitive bidding in the procurement of Security Services among others”;

WHEREAS, Article 86 (b) (1) (vi) of the Local Government Code of 1991, provides that, ***“the City Mayor shall represent the city in all its business transactions and sign in its behalf all bond, contracts, and obligations and such other documents upon authority of the Sangguniang Panlungsod or pursuant to law or ordinances”;***





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WHEREAS, when a *Local Chief Executive enters or negotiates a contract in behalf of the local government unit, he is acting as a mere agent of the LGU. Contract entered into by the local chief executive without the requisite prior authority given by the local Sanggunian concerned shall make the contract unauthorized or unenforceable.*;

WHEREAS, the ratification given by the *9th Sangguniang Panlungsod* to the *City Mayor Atty. Jaime R. Fresnedi* to enter into a Construction Agreement is based on the documents submitted by the *Bids and Awards Committee (BAC)*;

WHEREAS, the Contract of Security Service was signed of both parties and duly notarized on **January 18, 2021**;

WHEREAS, the City Government of Muntinlupa advertised the invitation to apply for eligibility and to bid for the provision of *Security & Protection Services* for the *Muntinlupa City Public Market located at Barangay Alabang, Muntinlupa City* in the newspaper of general circulation and likewise posted at the Government Electronic Procurement System (GEPS) and City's Website and conspicuous place at the premises of the City Government of Muntinlupa continuously for seven (7) days;

WHEREAS, in response to the said advertisement, lone (1) bidder submitted letter of intent and application for eligibility and was found eligible on **December 9, 2021**;

NAME OF BIDDER	PRICE
Joint Venture of Best Security Agency, Inc. and Best Arms Security	6,163,709.76

WHEREAS, one (1) Bidder who submitted their Bid on **December 9, 2021** and bidder Passed the Preliminary Examination of Bid at the City Administration Conference Room, 2nd Floor City Hall Main Building, National Road, Barangay Putatan. Muntinlupa:

WHEREAS, upon post-qualification or careful examination, validation and verification of all the eligibility, technology and financial requirements submitted by the lone bidder *Joint Venture of Best Security Agency, Inc. and Best Arms Security's* bid has been responsive to **Approved Budget for the Contract (ABC)** amounting to **Six Million Three Hundred Thirty-Five Thousand Four Hundred Three Pesos (Php6,335,403.00)**;

WHEREAS, the contract was awarded to *Joint Venture of Best Security Agency, Inc. and Best Arms Security*, who being the lone bidder for the provision of Security and Protection Services;

WHEREAS, there is an appropriated budget from the 2022 Executive Budget under the abovementioned Offices/departments;

WHEREAS, the *City Legal Office (CLO)* interposes no objection to the Contract Security Services since it went thru the bidding process conducted by the BAC Office and in accordance with Republic Act No. 9184 or the General Procurement Act;





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NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 9th Sangguniang Panlungsod, to ratify the Contract of Security Services entered into and signed by the City Mayor Atty. Jaime R. Fresnedi, in behalf of the City Government of Muntinlupa with Best Security Agency, Inc. & Best Arms Security for the provision of security and protection services on the premises of Muntinlupa City Public Market located at Barangay Alabang, Muntinlupa City amounting to Six Million One Hundred Sixty-Three Thousand Seven Hundred Nine Pesos And 76/100 (P6,163,709.76) which amount shall be taken from the 2021 Executive Budget.

APPROVED, by the 9th Sangguniang Panlungsod this 14TH day of March 2022, on its 140th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REYA A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2:

(ABSENT)
COUN. ESTRELITA S. SANTIAGO
Member

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member





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(ABSENT)
COUN. MA. DHESIREE G. AREVALO

Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.

Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

(ABSENT)
COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 18 MAR 2022

Norie/9th SP

