

\_\_ November \_\_\_\_

**GOVERNMENT-OWNED AND CONTROLLED CORP. (GOCC)**

Address

ATTENTION : \_\_\_\_\_  
**Executive Vice President**

THROUGH : \_\_\_\_\_  
**Project Manager**  
Infrastructure Project Management Office (IPMO)

SUBJECT : **MEMORANDUM OF AGREEMENT (MOA) AND ARTICLES OF JOINT VENTURE BETWEEN DACY ARCHITECTS/ PLANNERS CO. AND \_\_\_\_\_ CORPORATION TO JOINTLY UNDERTAKE THE REQUIRED DESIGN CONSULTING SERVICES FOR THE PROPOSED GOCC BUILDING COMPLEX PROJECT**  
\_\_\_\_\_, **Metropolitan Manila**

Gentlemen :

We, the undersigned, representing the architectural firm of **DACY Architects/ Planners Co. (DACY)** and the engineering firm of \_\_\_\_\_ **Corporation (EFC)** hereby confirm:

- 1) that DACY and EFC have agreed to form an Association (the “**Association**”) for the sole purpose of undertaking the required design consulting services relative to the preparation of the **Detailed** Architectural and Engineering (DA&E) Plans and Contract Documentation for the aforementioned Project which shall be developed as an office complex;
- 2) that the Association understands that the **Client** for the engagement is the GOCC while the **end-users** of the Project shall be the \_\_\_\_\_ ;
- 3) that the Association has agreed to tender a joint Technical and Financial Proposal for the intended engagement;
- 4) that the Association has agreed to the following task distribution:
  - a) Confirmation of the Client and End-user development objectives and requirements to be undertaken by both DACY and EFC;
  - b) On-Site and Off-Site Analyses by both DACY and EFC;
  - c) Preparation of the Site Development Plan by DACY;
  - d) Preparation of the Site Civil Works Plan by EFC;
  - e) Conduct of required special engineering investigations i.e., geotechnical, foundation, geo-resistivity, etc. EFC or by a third party to be engaged by EFC;
  - f) Preparation of the Space Plans and the Detailed Architectural Plans and Designs by DACY;
  - g) Preparation of the Detailed Engineering Plans and Designs by EFC;
  - h) Preparation of the Contract and Tender Documents by both DACY and EFC;
  - i) Attendance in Periodic Project Coordination Meetings and in the Conduct of the Periodic Construction Supervision by both DACY and EFC; and
  - j) Management of the Consultancy Engagement/ Contract Administration by both DACY and EFC.
- 5) that in case the Association is commissioned to undertake the required professional services, both DACY and EFC shall sign the covering Agreement with the GOCC;
- 6) that in case of award, DACY and EFC shall sign the covering Agreement with the GOCC as co-equal entities but that the key technical entities of both DACY and EFC shall separately assume professional responsibilities and civil liabilities in accordance with the pertinent provisions of R.A. No. 9266 (the Architecture Act of 2004), R.A. 1582 (the Civil Engineering Law of 1956), their respective implementing rules and regulations (IRRs) and such other derivative regulations promulgated by the Professional Regulation Commission

(PRC) through the concerned Professional Regulatory Boards (PRBs) of Architecture and Civil/Mechanical/Electrical/Sanitary Engineering, etc.; and

- 7) that the total gross compensation to be proposed by the Association shall be derived in the following manner:
- a) DACY shall comply with R.A. No. 9184 (Government Procurement Reform Act or GPRA of 2003 and its IRR) and shall use the percentage of construction cost method for determining the architectural fee; in the absence of detailed GPRA IRR provisions concerning the breakdown of the architectural fee and in the absence of service rates issued by the Council of Consulting Architects and Planners (**CCAPP**), the 1979 United Architects of the Philippines (UAP) Architect's National Code or Standards of Professional Practice (hereinafter referred to as the "**UAP Documents**") shall be used as basis; allied architectural services not specifically provided for under the GPRA and its IRR shall have the fees based on the UAP Documents; and
  - b) that EFC shall comply with the GPRA IRR and should it be necessary, with the rates for engineering services approved by the Council of Engineering Consultants of the Philippines (**CECOPHIL**).

This Articles of Joint Venture is executed today, the \_\_\_\_\_ ( \_\_th) day of November in the year \_\_\_\_\_ at Quezon City, Metropolitan Manila.

**THE ASSOCIATION OF**

**DACY ARCHITECTS/ PLANNERS CO. AND \_\_\_\_\_ CORPORATION**

**DACY Architects/ Planners Co.**

\_\_\_\_\_ **Corporation**

**ARMANDO N. ALLI**  
**Partner and Business Manager**

\_\_\_\_\_  
**Executive Vice President**