



REPUBLIC OF THE PHILIPPINES  
**Sandiganbayan**  
Quezon City

SIXTH DIVISION

**PEOPLE OF THE PHILIPPINES,** **SB-17-CRM-0495**  
**Plaintiff,** For: Violation of Section 3(e)  
of R.A. 3019

*Present*

- versus -

**TERESITA R. MANZALA,**  
**ET AL.,**

**Accused.**

**FERNANDEZ, SJ, J.,**  
Chairperson  
**MIRANDA, J.** and  
**VIVERO, J.**

*Promulgated:*

*November 20, 2020*

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**DECISION**

**FERNANDEZ, SJ, J.**

Accused Teresita R. Manzala (Chairperson), Alfredo Y. Po (Commissioner), Teofilo Gaius M. Sison, Jr. (Regional Director of PRC Baguio), Sarah Edna A. Tabije (Chief Professional Regulations Officer), and Tricia D. Camara (Supervising Professional Regulations Officer), all of the Professional Regulation Commission (PRC), are charged with Violation of Sec. 3(e) of Republic Act No. 3019 (R.A. No. 3019) for allegedly intervening in the preparation, execution and implementation of the subject lease of office space for the PRC Baguio Regional Office, despite knowing that the lease arrangement did not undergo competitive bidding.

The accusatory portion of the Information reads:

During the period from February 2011 to December 2012, or sometime prior or subsequent thereto, in Quezon City and Baguio City, all within this Honorable Court's jurisdiction, accused high-ranking and low-ranking public officers **TERESITA R. MANZALA**

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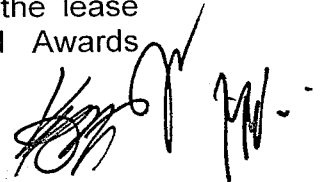
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(Manzala), **ALFREDO Y. PO (Po)**, **TEOFILO GAIUS M. SISON, JR. (Sison)**, **SARAH EDNA A. TABIJE (Tabije)** and **TRICIA D. CAMARA (Camara)**, all of the **PROFESSIONAL REGULATION COMMISSION (PRC)**, a government agency organized and existing under R.A. No. 8981, while in the performance of their administrative and/or official functions and conspiring with one another; acting with manifest partiality and/or evident bad faith; did then and there willfully, unlawfully and criminally cause undue injury to the Government and/or give unwarranted benefits and advantage to one Ernesto Delos Santos (Delos Santos), owner of CTLL Building located in Baguio City, in the amount of **SIX MILLION SIX HUNDRED NINETY-SIX THOUSAND FIVE HUNDRED ELEVEN PESOS AND NINETY-EIGHT CENTAVOS (PHP6,696,511.98)**, more or less, by intervening in the preparation, execution and implementation of Contract of Lease No. CL11-2012-07 (the Contract) respecting PRC Baguio City Regional Office's (PRC Baguio) lease of office space located at the CTLL Building through the following acts:

- (a) Sison, as Regional Director of PRC Baguio: repeatedly wrote letters/memoranda to Manzala and Po reiterating the PRC Baguio's urgent need to transfer to another location; prepared a cost benefit analysis in which he stated that CTLL Building was the best site for PRC Baguio's relocation; facilitated the transfer of PRC Baguio to the CTLL Building even before the execution of the contract; and acted, in his capacity as head of PRC Baguio, as a witness during the execution of the Contract;
- (b) Manzala, as PRC Chairperson: issued and signed a letter of intent dated 20 July 2012 (LOI), informing Delos Santos of PRC's intent to lease the subject building even in the absence of public bidding and months before the execution of the Contract; signed the Contract formalizing PRC's lease of office space in CTLL Building; and co-signed the disbursement vouchers (DVs) and Landbank of the Philippines (LBP) checks authorizing payment of rental fees to Delos Santos;
- (c) Po, as PRC Commissioner in charge of PRC's Physical Infrastructure and Building Advisory Committee: counter-signed the LOI in Delos Santos' favor; directed PRC Baguio to transfer to CTLL Building even before the execution of the Contract; acted as a witness during the execution of the Contract; and co-signed LBP check/s authorizing payment of rental fees to Delos Santos;
- (d) Tabije, as Chief Professional Regulations Officer, counter-signed the Contract and prepared the obligation request which facilitated the release of funds to cover the security deposit and rental fees to Delos Santos despite knowing that the lease arrangement did not go through the Bids and Awards



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Committee (BAC) or comply with the procurement process under R.A. No. 9184;

- (e) Camara, as Supervising Professional Regulations Officer, acted as a witness during the execution of the Contract and certified that funds were available to cover rental fees and other charges and co-signed the DVs authorizing payment of rental fees to Delos Santos despite not having seen BAC documents authorizing the lease of CTLL Building; and

when, in fact, the subject lease arrangement did not undergo competitive public bidding due to accused public official's pre-selection of a preferred supplier and thus effectively deprived the PRC of the chance to obtain the best, if not, the most reasonable price, and, at the same time, they also extended preferential treatment to Delos Santos, who unduly earned rentals from the aforesaid lease paid for by public funds amounting to PHP6,696,511.98, to the great prejudice of the PRC and the Filipino people.

CONTRARY TO LAW.

When arraigned, the accused separately entered their pleas of "Not Guilty".<sup>1</sup>

During the pre-trial,<sup>2</sup> the parties stipulated as follows:<sup>3</sup>

1. During the period material to the allegations in the Information, accused Teresita R. Manzala is a public officer, being then the Chairperson of the Professional Regulation Commission (PRC).
2. During the period material to the allegations in the Information, accused Alfredo Y. Po is a public officer, being then a Commissioner of the PRC and In-charge of PRC's Physical Infrastructure and Building Advisory Committee (PIBAC).
3. During the period material to the allegations in the Information, accused Teofilo Gaius M. Sison, Jr. is a public officer, being then the Regional Director of PRC Baguio.
4. During the period material to the allegations in the Information, accused Tricia D. Camara is a public officer, being then the Officer-in-Charge (OIC) of the Accounting Division of PRC.

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<sup>1</sup> Record, Vol. 2, pp. 502-505 (accused Po and Sison); Record, Vol. 3, pp. 98-100 (accused Camara), pp. 218 to 219-A (accused Manzala and Tabije)

<sup>2</sup> Pre-Trial Order dated January 18, 2018; Record, Vol. 3, pp. 412-E to 412-E

<sup>3</sup> Pre-Trial Order dated January 18, 2018, pp. 1-2; Record, Vol. 3, pp. 412-E to 412-F

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5. During the period material to the allegations in the Information, accused Sarah Edna A. Tabije is a public officer employed with PRC and designated as Officer-in-Charge (OIC) of the Office of Financial and Administrative Services (OIC-OFAS).
6. On 12 November 2012, contract of Lease No. CLI-2012-07 was executed between the PRC and Atty. Ernesto Delos Santos, lessor of CTTL Building in Baguio City.

According to the parties, the issues to be resolved are as follows:<sup>4</sup>

**A. For the prosecution**

Whether the accused violated the provision of Section 3 (e) of Republic Act No. 3019

**B. For accused Manzala**

Whether or not the basis of probable cause for violation of Section 3 (e) of R.A. 3019 by accused Manzala is anchored on evidentiary facts

Whether or not the probable cause findings of the prosecution are sufficient to establish conspiracy against accused Manzala and her co-accused, especially accused Po

Whether or not the elements of Section 3 (e) of R.A. 3019 are present in the case lodged by the prosecution against accused Manzala.

**C. For accused Po**

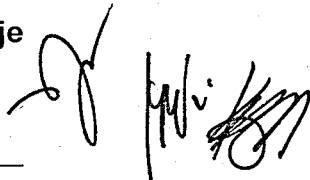
Whether accused Alfredo Y. Po is guilty of violating Section 3 (e) of R.A. 3019

Whether conspiracy exists between accused Alfredo Y. Po and his co-accused

**D. For accused Sison**

Whether accused Sison is guilty of violation of Section 3 (e) of RA 3019 in conspiracy with the other accused

**E. For accused Tabije**



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<sup>4</sup> Pre-Trial Order dated January 18, 2018, pp. 2-3; Record, Vol. 3, pp. 412-F to 412-G

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Whether or not accused Sarah Edna A. Tabije committed the crime of violation of Section 3 (e) of Republic Act No. 3019

Whether or not accused Sarah Edna A. Tabije conspired with her co-accused to commit the offense charged in the Information

**F. For accused Camara**

Whether the accused participated in the negotiations and approval of the contract of lease

Whether a bidding is required under the circumstances of this case

Whether the rate of rentals in this case is prejudicial to the interests of the government

Whether the actions of the accused in the subject transactions were purely ministerial by virtue of her position

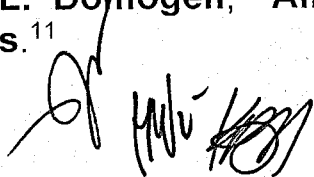
Whether the accused acted in good faith in the subject transactions

Whether the accused, in her actions as OIC of the Accounting Division, colluded with her co-accused in causing undue injury to the government or giving any private party unwarranted benefits;

Whether the accused is guilty as charged in the Information

**EVIDENCE FOR THE PROSECUTION**

The prosecution presented as witnesses **Arjay R. Rosales**,<sup>5</sup> **Henrietta P. Narvaez**,<sup>6</sup> **Gloria D. Baylon**,<sup>7</sup> **Jane R. Seveses**,<sup>8</sup> **Juanita L. Domogen**,<sup>9</sup> **Alfonso C. Vilorio**,<sup>10</sup> and **Peter Kate C. Maningas**.<sup>11</sup>



<sup>5</sup> TSN, January 18, 2018; *Judicial Affidavit* dated January 11, 2018 (Record, Vol. 3, pp. 374-410)

<sup>6</sup> TSN, February 1, 2018; *Judicial Affidavit* dated January 23, 2018 (Record, Vol. 3, pp. 415-511)

<sup>7</sup> TSN, February 22, 2018; *Judicial Affidavit* dated February 14, 2018 (Record, Vol. 4, pp. 116-136)

<sup>8</sup> TSN, February 28, 2018; *Judicial Affidavit* dated February 21, 2018 (Record, Vol. 4, pp. 153-204)

<sup>9</sup> TSNs, March 1, 2018 and March 8, 2018; *Judicial Affidavit* dated February 21, 2018 (Record, Vol. 4, pp. 141-152)

<sup>10</sup> TSNs, April 5, 2018 and June 4, 2018; *Amended Judicial Affidavit* dated March 19, 2018 (Record, Vol. 4, pp. 264-281)

<sup>11</sup> TSNs, June 21, 2018, June 27, 2018 and June 28, 2018; *Judicial Affidavit* dated March 27, 2018 (Record, Vol. 4, pp. 290-432)

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In his Judicial Affidavit dated January 11, 2018, **Arjay R. Rosales**, Chief of the Human Resource Management Division of the Professional Regulation Commission (PRC), identified Exhibits SS, SS-1, TT, TT-1, UU, UU-1, VV, VV-1, WW and WW-1. When called to the witness stand, he identified Exhibits TT-2, UU-2, VV-2 and WW-2.<sup>12</sup> None of said exhibits were included in the prosecution's *Formal Offer of Evidence*.

In her Judicial Affidavit dated January 23, 2018, **Henrietta P. Narvaez**, Officer-in-Charge (OIC) of the Records Management Division (RMD) of the PRC, identified Exhibits A to A-1, B to B-1, C to C-1, D, I to I-4, KK, MM to MM-1, NN to NN-1, ZZ, AAA and BBB. She further testified:

1. The RMD assigns a docket number to each document it receives.<sup>13</sup>
2. The docket number for the Contract of Lease dated November 12, 2012 (Exhibit I) is CL-11-2012-07, where "CL" means "Contract of Lease," "2012," the year of the contract, and "7," "Number 7."<sup>14</sup>
3. Of the documents she submitted, only five (5) had originals. The rest were certified true copies of the photocopied documents on file at the RMD.<sup>15</sup>
4. As the custodian of the documents, her work is limited to receiving, scanning and filing said documents.<sup>16</sup>

After witness Narvaez completed her testimony, the parties stipulated that the documents marked as Exhibits I to I-4, KK, MM, NN and PP-3 are all faithful reproductions of the originals of the documents she brought.<sup>17</sup>

The testimony of **Romel B. Ruiz** was dispensed with after the parties stipulated that he issued certified photocopies of the documents marked as Exhibits G to G-1 and RR to RR-1; that he can identify said

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<sup>12</sup> TSN, January 18, 2018, p. 33

<sup>13</sup> TSN, February 1, 2018, p. 59

<sup>14</sup> TSN, February 1, 2018, pp. 64-65

<sup>15</sup> TSN, February 1, 2018, p. 68

<sup>16</sup> TSN, February 1, 2018, p. 80

<sup>17</sup> Order dated February 1, 2018; Record, Vol. 4, p. 94-A

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documents; and that he has no personal knowledge of the contents of said documents.<sup>18</sup>

In her Judicial Affidavit dated February 14, 2018, **Gloria D. Baylon**, State Auditor IV, and assigned as Audit Team Leader at the PRC, identified Exhibits S, U, W, Z, BB, CC, DD, EE, FF and GG.

In her Judicial Affidavit dated February 21, 2018, **Jane R. Seveses**, Chief Accountant of the PRC, identified Exhibits H-1, I-1, I-2, I-3, I-4, J-1, J-2, K, K-1, K-2, L, M, M-1, M-2, N, N-1, N-3, O, P, P-2, Q, Q-1, Q-2, R, S-1, T, T-1, V, V-1, W-1, X, Y, Y-1, Y-2, Z-1, AA, BB-1, BB-2, CC-1, EE-1, FF-1 and HH, and declared that she is familiar with the signatures of accused Tabije, Sison, Camara, Manzala, and Po because she came across documents they signed and/or issued in the course of the performance of her official functions as the OIC of the Budget and Management Division of the PRC from January 22, 2008 to October 31, 2014. She further testified that she had not seen the accused actually signing the documents.<sup>19</sup>

In her Judicial Affidavit dated February 21, 2018, **Juanita L. Domogen**, Administrative Officer V, Finance and Administrative Division of the PRC Baguio Regional Office, identified Exhibits F and H.

She further testified:

1. PRC Baguio received a copy of the Letter of Intent on July 24, 2012.<sup>20</sup>
2. She started in the PRC Central Office in 1998. She transferred to Baguio in 2000, and stayed there since then. She was with PRC Baguio the entire time it leased the CTLL Building, from 2012 to 2017.<sup>21</sup>
3. Sometime in 2012, the Presiding Justice of the CA visited them, and personally informed Director Sison, Mrs. Vergara and her that the CA needed the space occupied by PRC Baguio.<sup>22</sup>


<sup>18</sup> Order dated February 15, 2018; Record, Vol. 4, p. 138-A

<sup>19</sup> TSN, February 28, 2018, pp. 54-55

<sup>20</sup> TSN, March 1, 2018, pp. 14-15

<sup>21</sup> TSN, March 1, 2018, p. 15

<sup>22</sup> TSN, March 8, 2018, p. 10



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4. Aside from the visit, Mrs. Vergara, the Officer-in-Charge at the time, informed her that a call was received from the CA.<sup>23</sup>
5. Another government office that occupied the CTLL Building at the time was the Philippine Statistics Authority (PSA). When they moved in, it was also occupied by the National Housing Authority (NHA).<sup>24</sup>
6. They did not receive any COA disallowance in connection with the lease rentals paid.<sup>25</sup>
7. From the CTLL Building, PRC Baguio subsequently moved to Pine Lake View Building. The rental rate for the former was ₱400.00 per square meter. For latter, it was ₱470.00 per square meter.<sup>26</sup>
8. PRC Baguio did not have a Bids and Awards Committee at the time of the subject lease because the procurements were still centralized, meaning that all procurement activities were done by the PRC Central Office in Manila.<sup>27</sup>
9. She was given a copy of the *Letter of Intent* because it concerned PRC Baguio.<sup>28</sup>
10. PRC Baguio started to transfer some of its equipment to the CTLL Building on August 31, 2012, and transferred the rest in September 2012.<sup>29</sup>
11. Aside from the verbal notice from the Presiding Justice of the CA, PRC Baguio had to transfer from the CA Compound because they had problems with the facilities, and they were receiving negative feedback with respect to the location from clients.<sup>30</sup>
12. The transfer to the CTLL Building was urgent at the time.<sup>31</sup>
13. If there was no PRC Regional Office in Baguio, its clients—around 365,000 a year—would have to go to Manila or to the Tuguegarao regional office.<sup>32</sup>

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<sup>23</sup> TSN, March 8, 2018, p. 11

<sup>24</sup> TSN, March 8, 2018, p. 17

<sup>25</sup> TSN, March 8, 2018, p. 19

<sup>26</sup> TSN, March 8, 2018, p. 21

<sup>27</sup> TSN, March 8, 2018, pp. 28-29

<sup>28</sup> TSN, March 8, 2018, p. 30

<sup>29</sup> TSN, March 8, 2018, p. 31

<sup>30</sup> TSN, March 8, 2018, pp. 32-34

<sup>31</sup> TSN, March 8, 2018, p. 35

<sup>32</sup> TSN, March 8, 2018, p. 36



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14. Sometime in 2015 or 2016, an office order was issued, creating the Bids and Awards Committee in ten (10) regional offices.<sup>33</sup>
15. In 2017, PRC Baguio transferred to Pine Lake View Building. It was procured through negotiated procurement.<sup>34</sup>
16. The rental rate for Pine Lake View was higher than that for the CTLL Building.<sup>35</sup>

In his Amended Judicial Affidavit dated March 19, 2018, **Alfonso C. Vitoria**, Chief Professional Regulation Officer, declared:

1. On March 8, 2012, he was designated as Bids and Awards Committee (BAC) Secretary of the PRC through Office Order No. 88 (Exhibit KK).<sup>36</sup>
2. He learned about the need to lease an office space for the PRC Baguio Regional Office sometime in June 2012, when Sarah Edna Tabije, OIC of the Office of the Financial and Administrative Services (OFAS) and BAC Chairperson, directed him to include in the agenda of the BAC meeting on June 25, 2012 the review of documents relative to the lease of office space for said Regional Office.<sup>37</sup>
3. The BAC Secretariat was given copies of the documents (Exhibits A, B, C and D) to be reviewed by the BAC. The BAC Secretariat had said documents reproduced to be distributed to the BAC members during the meeting.<sup>38</sup>
4. After the documents were distributed to the members of the BAC, they agreed to conduct an ocular inspection of the prospective sites for the PRC Baguio Regional Office for validation and assessment. Travel Order No. 2012-307 was issued for such purpose.<sup>39</sup>
5. They were not able to comply with said travel order because of a conflict in the schedule of some BAC members, and because of an objection from Commissioner Alfredo Y. Po.<sup>40</sup>
6. According to Commissioner Po, the head of the Physical Infrastructure and Building Advisory Committee (PIBAC), the

<sup>33</sup> TSN, March 8, 2018, p. 37

<sup>34</sup> TSN, March 8, 2018, pp. 37-38

<sup>35</sup> TSN, March 8, 2018, p. 38

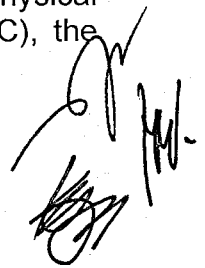
<sup>36</sup> Amended Judicial Affidavit dated March 19, 2018, p. 3 (Record, Vol. 4, p. 266)

<sup>37</sup> Amended Judicial Affidavit dated March 19, 2018, p. 5 (Record, Vol. 4, p. 268)

<sup>38</sup> Ibid.

<sup>39</sup> Amended Judicial Affidavit dated March 19, 2018, p. 6 (Record, Vol. 4, p. 269)

<sup>40</sup> Amended Judicial Affidavit dated March 19, 2018, p. 7 (Record, Vol. 4, p. 270)



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persons named in the travel order were not qualified or competent to conduct the ocular inspection.<sup>41</sup>

7. An ocular inspection was eventually conducted, but under Travel Order 2012-353 dated July 27, 2012 (Exhibit NN).<sup>42</sup> The sites they inspected were:<sup>43</sup>
  - a. MBP Building (along Session Road corner Upper Mabini St., Baguio City);
  - b. DBP Building (Lowe Session Road, Baguio City);
  - c. Juniper Building (Bonifacio St., Baguio City);
  - d. DOLE-CAR Building;
  - e. Strawberry Valley Hotel (Bitag, Km. 6, La Trinidad, Benguet);
  - f. DPWH (Loangan, La Trinidad, Benguet);
  - g. CTLL Building (Kisad Road, Baguio City);
  - h. Summer Place Hotel (Marcos Highway, Baguio City);  
and
  - i. PRC Satellite Office (Rosales, Pangasinan).
8. To validate and assess the proposed sites, the BAC used as guideline GPPB Resolution No. 08-2009 on Lease of Real Estate.<sup>44</sup>
9. After the ocular inspection, he prepared the *Post-Report* [sic] *Ocular Inspection Baguio Regional Office and Rosales Satellite Office* (Exhibit G).<sup>45</sup>
10. Thereafter, in one of their meetings, BAC Chairperson Tabije instructed Mei-Lin Anit, a member of the BAC Secretariat, to prepare the necessary bidding documents for the lease of office space for the PRC Baguio Regional Office.<sup>46</sup>
11. Under GPPB Resolution No. 08-2009, the end-user should submit a Cost-Benefit Analysis and Market Analysis of the

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<sup>41</sup> *Ibid.*

<sup>42</sup> *Amended Judicial Affidavit* dated March 19, 2018, p. 7 (Record, Vol. 4, p. 270)

<sup>43</sup> *Amended Judicial Affidavit* dated March 19, 2018, p. 8 (Record, Vol. 4, p. 271)

<sup>44</sup> *Ibid.*

<sup>45</sup> *Amended Judicial Affidavit* dated March 19, 2018, p. 9 (Record, Vol. 4, p. 272)

<sup>46</sup> *Ibid.*

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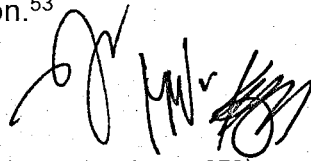
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prevailing rates of lease contracts. The Approved Budget for the Contract (ABC) shall be determined using the midpoint of the range obtained from the results of said Market Analysis.<sup>47</sup>

12. If the proposed lease was in the Annual Procurement Plan (APP), the invitation to bid, request for quotation, draft contract and technical specifications for the lease will be prepared. After the BAC reviews said documents, the same will be published at the PhilGEPS, and bidding activities will be conducted.<sup>48</sup>
13. The prescribed procurement procedure was not complied with in the lease of the office space for the PRC Baguio Regional Office. The BAC only conducted the ocular inspection, for the purpose of assessing and validating the prospective sites. No bidding activities were done.<sup>49</sup>
14. Mei-Lin Anit prepared the bidding documents, as instructed by BAC Chairperson Tabije, but no other meetings were held with regard to the subject lease. They were waiting for further instructions when the information that the PRC Baguio Regional Office already transferred to the CTLL Building sometime in September 2012 started circulating. At the time, Mei-Lin Anit was still waiting for the evaluation of the BAC members who conducted the ocular inspection.<sup>50</sup>
15. He confirmed that the information, *i.e.*, that PRC Baguio had already transferred, was true when the OIC of the Records Division, a member of the BAC, informed him that there was already a contract of lease between PRC and CTLL Building.<sup>51</sup>
16. He was surprised when he learned of said contract of lease because there was no BAC Resolution for the subject lease, and the Secretariat did not prepare any contract.<sup>52</sup>

He further testified:

1. There is no document attached to his Judicial Affidavit that shows that accused Po specifically endorsed the CTLL Building for the purpose of the subject lease. The only recommendation was to transfer to another location.<sup>53</sup>



<sup>47</sup> Amended Judicial Affidavit dated March 19, 2018, p. 10 (Record, Vol. 4, p. 273)

<sup>48</sup> *Ibid.*

<sup>49</sup> Amended Judicial Affidavit dated March 19, 2018, p. 11 (Record, Vol. 4, p. 274)

<sup>50</sup> Amended Judicial Affidavit dated March 19, 2018, pp. 11-12 (Record, Vol. 4, pp. 274-275)

<sup>51</sup> Amended Judicial Affidavit dated March 19, 2018, p. 12 (Record, Vol. 4, p. 275)

<sup>52</sup> *Ibid.*

<sup>53</sup> TSN, April 5, 2018, p. 15

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2. In 2012, there was only one BAC for the PRC Main Office and all the PRC Regional Offices.<sup>54</sup>
3. When he assumed his position as BAC Secretary, there was no official endorsement of documents from the previous BAC. He became the custodian of the documents because the documents were in the same office.<sup>55</sup>
4. He did not know that the Cost-Benefit Analysis (CBA) and Market Analysis were submitted as early as April 2012.<sup>56</sup>
5. After the BAC reviewed the documents during the meeting in June 2012, the BAC did not require the revision of the Market Analysis.<sup>57</sup>
6. He had no participation in the preparation of the Comparative Analysis. The same came from PRC Baguio.<sup>58</sup>
7. The subject procurement was the first time that the then newly-created BAC handled such kind of procurement.<sup>59</sup>
8. He was BAC Secretary from March 2012 to around September 2013.<sup>60</sup>
9. Sometime in June 2012, he learned that there was a need for PRC Baguio Regional Office to lease an office space. According to the discussion, the office being occupied by PRC Baguio would be used by the Court of Appeals, the owner of the building.<sup>61</sup>
10. They were not able to proceed with the bidding because Ms. Anit was not able to finish preparing the documents.<sup>62</sup>
11. Ms. Anit was the Executive Assistant of Commissioner Manalili.<sup>63</sup>
12. Accused Po's objection to their scheduled travel to PRC Baguio for the purpose of conducting ocular inspections of the proposed

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<sup>54</sup> TSN, April 5, 2018, p. 18

<sup>55</sup> TSN, April 5, 2018, pp. 19-20

<sup>56</sup> TSN, April 5, 2018, pp. 23-24

<sup>57</sup> TSN, April 5, 2018, p. 31

<sup>58</sup> TSN, April 5, 2018, pp. 33-34

<sup>59</sup> TSN, April 5, 2018, pp. 39-40

<sup>60</sup> TSN, April 5, 2018, p. 5

<sup>61</sup> TSN, April 5, 2018, p. 52

<sup>62</sup> TSN, April 5, 2018, p. 60

<sup>63</sup> TSN, April 5, 2018, p. 61

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buildings was embodied in the Memorandum dated July 10, 2012 (Exhibit AAA).<sup>64</sup>

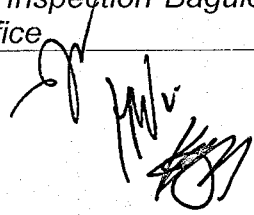
13. He does not know who, in particular, prepared the Comparative Analysis (Exhibit G-2) because it does not even bear any signature.<sup>65</sup>
14. He knows that the Comparative Analysis came from PRC Baguio because Dir. Sison presented the same, together with the itinerary, to the BAC members before they conducted the ocular inspection.<sup>66</sup>

In his Judicial Affidavit dated March 27, 2018, **Peter Kate C. Maningas**, Graft Investigation and Prosecution Officer II at the Field Investigation Bureau (FIB), formerly Field Investigation Unit (FIU) of the Office of the Ombudsman Luzon, identified Exhibits A, B, C, D, E, F, G to G-1, H, I, J to HH, II, ZZ and AAA. He further testified:

1. He prepared his Complaint-Affidavit (Exhibit QQ) based on the documents he gathered during the investigation. He issued a subpoena to obtain said documents from the various offices of the main office of the PRC.<sup>67</sup>
2. The investigation was based on an anonymous complaint.<sup>68</sup>

The following exhibits offered by the prosecution were admitted in evidence:<sup>69</sup>

Exhibit	Document
A	Letter dated April 16, 2012 of Teofilo Gaius M. Sison, Jr.
B	Letter dated April 18, 2012 of Alfredo Y. Po
C	<i>Cost-Benefit Analysis: Baguio Regional Office Transfer</i> signed by Teofilo Gaius M. Sison, Jr.
D	<i>Market Analysis: Office Spaces for Lease &amp; Market Rent Along Central Business District of Baguio City</i> dated February 20, 2012
E	Memorandum dated June 6, 2012
F	<i>Letter of Intent</i> dated July 20, 2012
G	<i>Post-Report [sic] Ocular Inspection Baguio Regional Office and Rosales Satellite Office</i>



<sup>64</sup> TSN, June 4, 2018, p. 7

<sup>65</sup> TSN, June 4, 2018, pp. 22-23

<sup>66</sup> TSN, June 4, 2018, pp. 29-30

<sup>67</sup> TSN, June 21, 2018, pp. 34-35

<sup>68</sup> TSN, June 28, 2018, p. 9

<sup>69</sup> Resolution dated September 25, 2018; Record Vol. 5, pp. 265-267

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G-2	Comparative Analysis of Proposed Building for PRC Baguio Transfer
H to H-2	Letter dated October 8, 2012 of Teofilo Gaius M. Sison Jr.
H-3	Letter dated October 8, 2012 of Teofilo Gaius M. Sison Jr.
I	Contract of Lease CL-11-2012-07 dated 11-12-12
J	Disbursement Voucher No. 12-11-4858
K	Land Bank of the Philippines Check No. 0002154836
L	Official Receipt No. 0139 dated November 23, 2012
M	Disbursement Voucher No. 12-11-4058
N	Land Bank of the Philippines Check No. 0002154837
O	Official Receipt No. 0138 dated November 23, 2012
P	Disbursement Voucher No. 12-11-4083
Q	Land Bank of the Philippines Check No. 0002154856
R	Official Receipt No. 0140 dated November 28, 2012
S	Disbursement Voucher 12-12-4300
T	Land Bank of the Philippines Check No. 0002155174
U	Official Receipt No. 0147 dated December 12, 2012
V	Disbursement Voucher No. 13-01-0029
W	Land Bank of the Philippines Check No. 0002155590
X	Official Receipt No. 0118 dated June 18, 2013
Y	Disbursement Voucher No. 13-11-4352
Z	Land Bank of the Philippines Check No. 0002216980
AA	Official Receipt No. 1101 dated December 5, 2013
BB	Disbursement Voucher 13-12-4692
CC	Land Bank of the Philippines Check No. 0002217319
DD	Official Receipt No. 1102 dated March 12, 2014
EE	Disbursement Voucher 13-12-4835
FF	Land Bank of the Philippines Check No. 0002217466
GG	Official Receipt No. 1103 dated March 12, 2014
HH	Obligation Request No. 12-11-2844
II	Certification dated October 1, 2014 issued by Atty. Aristogerson T. Gesmundo
JJ	Letter dated July 27, 2012 of Atty. Ernesto LL. De Los Santos
KK	Office Order No. 88 dated March 8, 2012
MM	Travel Order No. 2012-307 dated July 10, 2012
NN	Travel Order No. 2012-353 dated July 27, 2012
QQ	Complaint-Affidavit dated January 30, 2015 of the Field Investigation Unit (FIU) – Office of the Deputy Ombudsman for Luzon
RR-1	1 <sup>st</sup> Indorsement [sic] dated April 3, 2013
ZZ	Memorandum dated July 26, 2012 of Alfredo Y. Po
AAA	Memorandum dated July 10, 2012 of Alfredo Y. Po
BBB	Judicial Affidavit dated Alfonso C. Vilorio dated March 3, 2014 in SB-12-CRM-0310 to 0313
CCC	Judicial Affidavit dated February 21, 2014 of Mei-Lin A. Anit in SB-12-CRM-0310 to 0313

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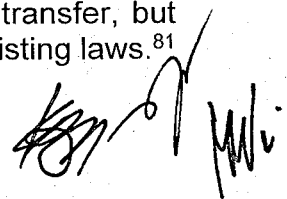
The accused filed their respective *Motions for Leave to File Demurrer to Evidence*, which were all denied in the Resolution dated November 22, 2018.<sup>70</sup> Accused Manzala's *Motion for Reconsideration* was denied in the Resolution dated January 24, 2019.<sup>71</sup> The accused did not file their demurrers to evidence without leave of court.

EVIDENCE FOR THE DEFENSE

The defense presented as witnesses accused **Teresita R. Manzala**,<sup>72</sup> **Alfonso C. Vilorio**,<sup>73</sup> accused **Alfredo Y. Po**,<sup>74</sup> accused **Teofilo Gaius M. Sison, Jr.**,<sup>75</sup> accused **Tricia D. Camara**,<sup>76</sup> and accused **Sarah Edna A. Tabije**.<sup>77</sup>

In her Judicial Affidavit dated March 5, 2019, accused **Teresita R. Manzala** identified Exhibits 2, 27, 33, 35 and 36-Manzala, and declared:

1. She was appointed as the Chairperson of the PRC on January 7, 2011.<sup>78</sup>
2. When she was the PRC Chairperson, PRC Baguio was holding office at the Court of Appeals Compound.<sup>79</sup>
3. OIC Director Evangeline Vergara, and subsequently, Director Sison, informed her that the Court of Appeals was demanding the PRC to vacate the premises. In fact, there were already demands for the PRC to vacate even before she assumed office.<sup>80</sup>
4. She replied to Director Sison that it was okay to transfer, but they should comply with the requirements under existing laws.<sup>81</sup>



<sup>70</sup> Record, Vol. 5, pp. 398-408

<sup>71</sup> Record, Vol. 5, pp. 455-459

<sup>72</sup> TSNs, March 11, 2019, March 25, 2019, March 26, 2019 and April 4, 2019; *Judicial Affidavit of Accused Teresita R. Manzala* dated March 5, 2019 (Record, Vol. 5, pp. 492-510)

<sup>73</sup> TSN, May 6, 2019

<sup>74</sup> TSNs, May 21, 2019 and May 22, 2019; *Judicial Affidavit* dated May 7, 2019 (Record, Vol. 6, pp. 176-206)

<sup>75</sup> TSNs, June 25, 2019 and July 1, 2019; *Amended Judicial Affidavit* dated June 18, 2019 (Record, Vol. 6, pp. 349-427)

<sup>76</sup> TSN, July 9, 2019; *Judicial Affidavit of Tricia D. Camara* dated July 3, 2019 (Record, Vol. 6, pp. 438-509)

<sup>77</sup> TSNs, July 23, 2019 and July 24, 2019; *Judicial Affidavit of Accused Sarah Edna A. Tabije* dated July 16, 2019 (Record, Vol. 7, pp. 7-90)

<sup>78</sup> *Judicial Affidavit of Accused Teresita R. Manzala* dated March 5, 2019, p. 4 (Record, Vol. 5, p. 495)

<sup>79</sup> *Judicial Affidavit of Accused Teresita R. Manzala* dated March 5, 2019, p. 6 (Record, Vol. 5, p. 497)

<sup>80</sup> *Judicial Affidavit of Accused Teresita R. Manzala* dated March 5, 2019, p. 7 (Record, Vol. 5, p. 498)

<sup>81</sup> *Ibid.*

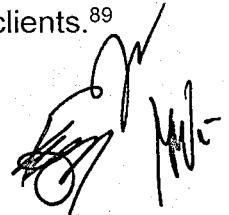
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5. When she visited the PRC Baguio Office, she noticed that the office space was too small to accommodate the personnel and the clients.<sup>82</sup>
6. When clients asked her when will PRC Baguio transfer to a better location, she told them that the transfer will undergo the processes as required by law.<sup>83</sup>
7. She issued a Memorandum (Exhibit 9-Manzala) to Director Sison, instructing him to comply with the procedure in the GPPB Resolution in looking for another office, and to give preference to government-owned real estate. In case of deviation, she directed him to submit a proposal to the BAC, then headed by former Commissioner Jennifer Manalili, and to the GPPB for monitoring.<sup>84</sup>
8. In response, Director Sison sent a letter (Exhibit 11-Manzala) stating that there were no available government properties for PRC Baguio's office requirement.<sup>85</sup>
9. BAC Chairperson Manalili recommended looking for privately owned buildings, and conducting cost benefit and market analyses to determine what is most advantageous to the government.<sup>86</sup>
10. Director Sison prepared the Cost Benefit Analysis (Exhibit 14-Manzala), while the National Real Estate Association (NREA) – Baguio CAR Chapter conducted the Market Analysis (Exhibit 13-Manzala).<sup>87</sup>
11. The NREA and OIC Director of PRC Baguio Evangeline Vergara (Exhibit 6-Manzala) included the CTLL Building in the list of privately-owned buildings to be considered.<sup>88</sup>
12. NREA recommended the CTLL Building because it offered the lowest rent, and it was accessible to PRC Baguio clients.<sup>89</sup>



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<sup>82</sup> *Ibid.*

<sup>83</sup> *Ibid.*

<sup>84</sup> *Judicial Affidavit of Accused Teresita R. Manzala* dated March 5, 2019, pp. 7-8 (Record, Vol. 5, pp. 498-499)

<sup>85</sup> *Judicial Affidavit of Accused Teresita R. Manzala* dated March 5, 2019, p. 8 (Record, Vol. 5, p. 499)

<sup>86</sup> *Judicial Affidavit of Accused Teresita R. Manzala* dated March 5, 2019, pp. 8-9 (Record, Vol. 5, pp. 499-500)

<sup>87</sup> *Judicial Affidavit of Accused Teresita R. Manzala* dated March 5, 2019, p. 9 (Record, Vol. 5, p. 500)

<sup>88</sup> *Ibid.*

<sup>89</sup> *Judicial Affidavit of Accused Teresita R. Manzala* dated March 5, 2019, p. 10 (Record, Vol. 5, p. 501)



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13. Commissioner Manalili's objection with respect to the rental rate had no legal basis because the rate was being compared to rental rates in Cebu and Davao.<sup>90</sup>
14. After the NREA recommended CTLL, the BAC, headed by Sarah Tabije, requested her to issue a travel order (Exhibits 18 and 19-Manzala) for an ocular inspection of the CTLL Building.<sup>91</sup>
15. She had no participation in the selection of the CTLL Building. When Sarah Tabije called her while she (Tabije) was conducting the ocular inspection, she (Manzala) reiterated her preference for government offices.<sup>92</sup>
16. In his letter dated April 16, 2012 (Exhibit 17-A-Manzala), Director Sison emphasized the urgency of the transfer. At the time, the CA already stopped receiving rentals from the PRC, and was already storing the CA's records in the space occupied by the PRC.<sup>93</sup>
17. In response to said letter, she instructed (Exhibit 17-Manzala) the OFAS and the BAC to transfer to another site upon compliance with BAC and other requirements.<sup>94</sup>
18. The Legal Division and the BAC did not bring to her attention any issue with regard to the lease for the PRC Baguio Office.<sup>95</sup>
19. CTLL was not given preference above others. When it was reported that there was a discrepancy between the actual area leased and the area stated in the Contract of Lease, she immediately ordered that rental payments be stopped until the actual area was accurately determined. The overpayments were eventually credited against the rentals.<sup>96</sup>
20. When she was with the DOLE and OWWA, and also when she was in the PRC, she always followed the process and principle of complete staff work (CSW):
  - a. She required the responsible and accountable officers to ensure that all legal and administrative processes and requirements have been complied with before they affix their signatures.<sup>97</sup>

<sup>90</sup> Ibid.

<sup>91</sup> Judicial Affidavit of Accused Teresita R. Manzala dated March 5, 2019, p. 11 (Record, Vol. 5, p. 502)

<sup>92</sup> Ibid.

<sup>93</sup> Judicial Affidavit of Accused Teresita R. Manzala dated March 5, 2019, pp. 11-12 (Record, Vol. 5, pp. 502-503)

<sup>94</sup> Judicial Affidavit of Accused Teresita R. Manzala dated March 5, 2019, p. 12 (Record, Vol. 5, p. 503)

<sup>95</sup> Ibid.

<sup>96</sup> Judicial Affidavit of Accused Teresita R. Manzala dated March 5, 2019, p. 13 (Record, Vol. 5, p. 504)

<sup>97</sup> Ibid.