

23 · 00417

**Contract for the Procurement of Consulting Services for the
Production of Creative Assets**

This *Contract for the Procurement of Consulting Services for the Production of Creative Assets* ("Agreement") is made and entered into this 21 day of December 2023 by and between:

The **DEPARTMENT OF TOURISM (DOT)**, a government agency with principal office at New DOT Building, 351 Sen. Gil Puyat Avenue, Makati City, represented by **Secretary, MA. ESPERANZA CHRISTINA GARCIA FRASCO** ("Procuring Entity");

and

DAVID AND GOLYAT MANAGEMENT INC., a private entity with business address at 19F Marco Polo Ortigas Manila, Sapphire Road, Ortigas Center, Pasig City represented by its **Project Manager, JACQUELINE N. FLANCIA** ("Consultant");

Each a "Party" and collectively, the "Parties"

WITNESSETH:

WHEREAS, the Procuring Entity is desirous that the Consultant execute the *Contract for the Procurement of Consulting Services for the Production of Creative Assets (DOT-SBAC-REI No. 2023-027)* (hereinafter called "the Works") and the Procuring Entity has accepted the bid for **Fifty-Nine Million Nine Hundred Ninety-Nine Thousand Six Hundred Eighty-Five Pesos and 72/100 (Php59,999,685.72)**, inclusive of all applicable taxes and charges, by the Consultant for the execution and completion of such Consulting Services and the remedying of any defects therein.

NOW, THEREFORE, based on the foregoing, the Parties agree as follows:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be attached, deemed to form and be read and construed as part of this Agreement, to wit.:
 - (a) General and Special Conditions of Contract;
 - (b) Terms of Reference;
 - (c) Request for Expression of Interest;
 - (d) Instruction to Bidders;
 - (e) Bid Data Sheet;
 - (f) Addenda and/or Supplemental/Bid Bulletins, if any;
 - (g) Bid forms, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents/statements submitted (e.g., bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from Procuring Entity's bid evaluation;
 - (h) Eligibility requirements, documents and/or statements;
 - (i) Performance Security;
 - (j) Notice of Award of Contract and the Bidder's conforme thereto;



(k) Other contract documents that may be required by existing laws and/or the Procuring Entity.

- 3. In consideration of the payments to be made by the Procuring Entity to the Consultant as hereinafter mentioned, the Consultant hereby covenants with the Procuring Entity to execute and complete the Consulting Services and remedy any defects therein in conformity with the provisions of this Consultant in all respects.
- 4. The Procuring Entity hereby covenants to pay the Consultant in consideration of the execution and completion of the Consulting Services, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed the day and year first above written.

DEPARTMENT OF TOURISM
(Procuring Entity)

DAVID AND GOLYAT
MANAGEMENT INC.
(Consultant)

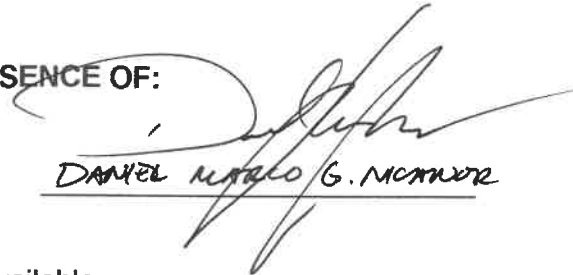
By:

By:


 MA. ESPERANZA CHRISTINA
 GARCIA FRASCO
 Secretary


 JACQUELINE N. FLANCIA
 Project Manager

SIGNED IN THE PRESENCE OF:

_____ 
 DANIEL MARCO G. MORAN

Certified Funds Available:


 ROMAN G. BERSAMIRA
 Chief, Accounting Division

23-00417

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
MAKATI)S.S.

BEFORE ME, a Notary Public, in and for Makati, this 28th day of December 2023, personally appeared:

Name	Government ID	Date/Place Issued
MA. ESPERANZA CHRISTINA GARCIA FRASCO	P8716798A	
JACQUELINE N. FLANCIA	P9532151A	

known to me to be the same persons who executed the foregoing Agreement and they acknowledged the same to be their free and voluntary act and deed and of the entities they represent.

WITNESS MY HAND AND SEAL on this 28th day of December 2023.

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Series of 2023

ATTY. AUDELIN N. ZAMORA
Notary Public
Until December 31, 2023
Penthouse Legal Affairs Service, DOT Bldg.
PTR No. 9569460/ 01-09-2023/ Makati City
IBP Lifetime Member # 04646/ Makati City
Roll # 44115/ MCLE # VIII-0002095