

20-00286

Contract for the Procurement of Consulting Services for the Philippine International Dive Expo (PHIDEX) Virtual Platform

This Contract for the Procurement of Consulting Services for the Philippine International Dive Expo (PHIDEX) Virtual Platform ("Agreement") is made this DEC 29 2020 2020, in the City of Makati, by and among:

The **DEPARTMENT OF TOURISM (DOT)**, a government agency with principal office address at the DOT Building, No. 351 Sen. Gil Puyat Avenue, Makati City, Philippines, represented by its **UNDERSECRETARY BENITO C. BENGZON, JR.** ("Entity");

and

DDB PHILIPPINES, INC., a private entity with business address at 16F Two World Square, 22 Upper McKinley Road, Mckinley Hill, Fort Bonifacio, Taguig City, represented by its **GROUP CHIEF FINANCIAL OFFICER JUDD B. BALAYAN** ("Consultant");

WITNESSETH:

WHEREAS, under Republic Act No. 9593 or the Tourism Act of 2009, the ENTITY is mandated to provide an integrated market development program to attract people to visit the Philippines and enhance the prestige of the country and the Filipino people in the international community;

WHEREAS, the 2016-2022 National Tourism Development Plan considers Diving and Marine Sports Tourism as one of the tourism development areas;

WHEREAS, for the effective promotion of Diving and Marine Sports Tourism, the Entity seeks to launch the Philippine International Dive Expo (PHIDEX) Virtual Platform to provide an online avenue for dissemination of information on dive-related events, the participation of exhibitors, conduct of dive exchanges and conferences, as well as publicity and ad placements;

WHEREAS, the Entity needs to engage the services of a consultant that will handle the development, promotion, and management of the Philippine International Dive Expo (PHIDEX) Virtual Platform, with a contract duration of four (4) months effective from the receipt of the Consultant of the Notice to Proceed;

WHEREAS, the Bids and Awards Committee (BAC) of the Entity, through **BAC Resolution No. 2020-219** has declared the Consultant to be the **Highest Rated and Responsive Bid (HRRB)** following a competitive bidding procedure for the procurement of Consulting Services for the Philippine International Dive Expo (PHIDEX) Virtual Platform;

WHEREAS, pursuant to the abovementioned BAC Resolution, the Entity has accepted the bid of the Consultant for **Thirteen Million Seven Hundred Ninety-Eight Thousand Four Hundred Philippine Pesos (PhP13,798,400.00)**, inclusive of all applicable taxes;

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.

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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 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 Entity.

3. In consideration of the payments to be made by the Entity to the Consultant as hereinafter mentioned, the Consultant hereby covenants with the 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 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
(Entity)**

**DDB PHILIPPINES, INC.
(Consultant)**

By:

By:


BENITO C. BENGZON, JR.
Undersecretary


JUDD B. BALAYAN
Group Chief Financial Officer

SIGNED IN THE PRESENCE OF:



JOSEPHINE P. BARBA

Certified Funds Available:


ROY V. DANDO
OIC, Accounting Division, DOT

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ACKNOWLEDGEMENT

Republic of the Philippines) S.S
Makati


December BEFORE ME, a Notary Public, in and for Makati, this 29th day of December 2020, personally appeared:

Name	Government ID	Date Issued	Place Issued
Usec. Benito C. Bengzon, Jr.	DOT ID# 800326		
Mr. Judd B. Balayan	NDI-92-141247	2018-12-27	

all known to me to be the same persons who executed the foregoing instrument consisting of three (3) pages, including this page on which the Acknowledgement is written, 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 29th day of December 2020.

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ATTY. AUDELLE H. ZAMORA
NOTARY PUBLIC
UNTIL DECEMBER, 2021
PENTHOUSE, LEGAL AFFAIRS SERVICE, DOT BLDG.
PTR NO. 8144622 - 1/15/20 - MAKATI CITY
IBP LIFETIME MEMBER 04646 / MAKATI CITY
ROLL NO. 44115 MCLE VI - 0024349



CERTIFICATION

I, **BENITO C. BENGZON, JR.**, of legal age and with office address at the New DOT Building, 351 Gil Puyat Avenue, Makati City, after having been sworn in accordance with the law, state that:

1. I am the Undersecretary for Tourism Development Planning in the Department of Tourism (DOT) and the Delegated Head of the Procuring Entity;
2. Pursuant to Bids and Awards Committee (BAC) Resolution No. 2020-219, the DOT and DDB Philippines, Inc. entered into a Service Contract for the Procurement of Consulting Services for the Philippine International Dive Expo (PHIDEX) amounting to Thirteen Million Seven Hundred Ninety-Eight Thousand Four Hundred Philippines Pesos (PhP13,798,400.00) (the "Contract");
3. I hereby certify that the Contract has been entered into in faithful compliance with Republic Act No. 9184 and its Implementing Rules and Regulations, and all other applicable laws, rules, and regulations;
4. This Certification is being made in compliance with Executive Order No. 423 s. 2005 as amended by Executive Order No. 34 s. 2017.


IN WITNESS WHEREOF, I have affixed my signature this _____ day of _____ at Makati City.


BENITO C. BENGZON, JR.
 Undersecretary
 Department of Tourism

SUBSCRIBED AND SWORN to before me this 29th day of December 2020 at Makati affiant exhibiting to me his/her DOT ID # 860326.

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NOTARY PUBLIC


 ATTY. AUDELLE A. ZAMORA
 NOTARY PUBLIC
 UNTIL DECEMBER, 2021
 PENTHOUSE, LEGAL AFFAIRS SERVICE, DOT BLDG.
 PTR NO. 144622 - 1/15/20 - MAKATI CITY
 IBP LIFETIME MEMBER 04646 / MAKATI CITY
 ROLL NO. 41115 MCLE VI - 0024349