

Contract for the Procurement of Consulting Services for the Development of a DOT Learning Management System

This *Contract for the Procurement of Consulting Services for the Development of a DOT Learning Management System* ("Agreement") is made this **OCT 18 2021** 2021, in the City of Makati, by and between:

The **DEPARTMENT OF TOURISM (DOT)**, a government agency with principal office address at the DOT Building, No. 351 Senator Gil Puyat Avenue, Makati City, Philippines, represented by its **ASSISTANT SECRETARY MARIA RICA C. BUENO** ("PROCURING ENTITY");

and

MOODLEARNING, INC., a private entity with business address at 3RD Floor, National Engineering Center, University of the Philippines, Diliman, Quezon City, represented by its **VICE-PRESIDENT MS. MARIA ELENA T. MENDOZA** ("CONSULTANT")

WITNESSETH:

WHEREAS, the Procuring Entity is mandated to develop training modules and conduct seminars and continuing education program for the industry manpower, in coordination with appropriate government agencies and tourism enterprises and associations, thereby upgrading their quality, competence, and excellence in tourism services;

WHEREAS, pursuant to its mandate, and in view of the need to implement blended learning as a safeguard against the spread of COVID-19, the Procuring Entity intends to develop and maintain a DOT Learning Management System, an online training platform for tourism stakeholders;

WHEREAS, for this purpose, the Procuring Entity needs to engage the services of a provider for the planning, development, maintenance, and implementation of the Learning Management System with a contract duration of five (5) months effective from the receipt of the Consultant of the Notice to Proceed;

WHEREAS, the Bids and Awards Committee (BAC) of the Procuring Entity, through **BAC Resolution No. 2021-155** has declared the Consultant to be the **Highest Rated and Responsive Bidder (HRRB)** following a competitive bidding procedure for the procurement of consultancy services for the Development of a DOT Learning Management System;

WHEREAS, pursuant to the abovementioned BAC Resolution, the Procuring Entity has accepted the bid of the Consultant for a total contract price of **Four Million Seven Hundred Eighty Thousand Philippine Pesos (PhP4,780,000.00)** 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;
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. Instructions 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 the 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 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.

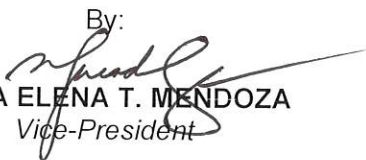
IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

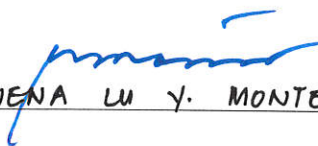
DEPARTMENT OF TOURISM

By:


MARIA RICA C. BUENO
 Assistant Secretary

MOODLEARNING, INC.


By:

MARIA ELENA T. MENDOZA
 Vice-President


 ROWENA LU Y. MONTECIUO

Signed in the presence of:


 ROWENA LU Y. MONTECIUO

FUNDS AVAILABLE:


 ROMAN G. BERSAMIRA
 Chief, Accounting Division, DOT

21-00163

ACKNOWLEDGEMENT

Republic of the Philippines) S.S
Makati

BEFORE ME, a Notary Public, in and for MAKATI, this 20th day of OCTOBER 2021, personally appeared:

Name	Government ID	Date Issued	Place Issued
Maria Rica C. Bueno	PPT 80008928A		
Maria Elena T. Mendoza	CRN-0111-6986617-1		

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 20th day of OCT 2021.

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Book No. 111
Series of 2021

ATTY: AUDELLE P. ZAMORA
 NOTARY PUBLIC
 UNTIL DECEMBER 2021
 PENTHOUSE, LEGAL AFFAIRS SERVICE, DOT BLDG
 PTR NO. 8144612 - 1/15/20 - MAKATI CITY
 IBP LIFETIME MEMBER 04646 / MAKATI CITY
 ROLL NO. 40115-MCLE VI-0024349

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