

20-00163

Contract for the Procurement of Consulting Services for the Consumer Insights Survey of Target Markets

This Contract for the Procurement of Consulting Services for the Consumer Insights Survey of Target Markets ("Agreement") is made this ~~SEP 16~~ ¹⁶ 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 **ASSISTANT SECRETARY, HOWARD LANCE A. UYKING** ("PROCURING ENTITY");

and

The Joint Venture of **ORIENT INTEGRATED DEVELOPMENT CONSULTANTS, INC.**, a private entity with business address at Unit 518, 5/f, Union Square Condominiums, 145 15th Avenue, Cubao, Quezon City, represented by its **PRESIDENT AND CHIEF OPERATING OFFICER MR. HERMAN Z. ONGKIKO** and **FROST & SULLIVAN (SINGAPORE) PTE. LTD.**, a private entity with business address at 78 Shenton Way #32-00, Singapore, represented by its **PARTNER AND MANAGING DIRECTOR FOR APAC MR. SHIVAJI DAS** ("Consultant");

WITNESSETH:

WHEREAS, the Entity is mandated to be the primary planning, programming, coordinating, implementing, and regulatory government agency in the development and promotion of the tourism industry;

WHEREAS, pursuant to its mandate, the Entity seeks to regain market share of its international tourism target markets for 2021, namely, Western Europe, Russia, the Mediterranean, Southeast Asia, the Middle East, South Korea, Japan, Taiwan, Australia, and Canada;

WHEREAS, to regain its tourism market share, the Entity requires an in-depth consumer insights report to gather and analyze information focused on the consequence of the COVID-19 pandemic and its effect on perception of the Philippines as a travel destination, among others;

WHEREAS, for this purpose, the Entity needs to engage the services of a consultant to gather and analyze relevant data and information, 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-**, 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 Consumer Insights Survey of Target Markets;

WHEREAS, pursuant to the abovementioned BAC Resolution, the Entity has accepted the bid of the Consultant for **Nineteen Million Nine Hundred Ninety-Nine Thousand Nine Hundred Ninety-Six Philippine Pesos and 80/100 (PhP19,999,996.80)**, inclusive of all applicable taxes;

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

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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 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)

**ORIENT INTEGRATED DEVELOPMENT
CONSULTANTS, INC.**
(Consultant)

By:

By:


HOWARD LANCE A. UYKING
Assistant Secretary


HERMAN Z. ONGKIKO
President and Chief Operating Officer

**FROST & SULLIVAN (SINGAPORE)
PTE. LTD**
(Consultant)

By:


SHIVAJI DAS
Partner and Managing Director for APAC



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SIGNED IN THE PRESENCE OF:

_____ *[Signature]*_____

Certified Funds Available:

[Signature]
AIDA T. SORIANO
Chief, Accounting Division

ACKNOWLEDGEMENT

Republic of the Philippines) S.S
Makati

BEFORE ME, a Notary Public, in and for Makati, this 2nd day of October 2020, personally appeared:

Name	Government ID	Date Issued	Place Issued
Asec. Howard Lance A. Uyking	DOT ID # 15005T		
Mr. Herman Z. Ongkiko	UMID 0133-0766309-5		
Mr. Shivaji Das	K0016479A	06NOV2022	Singapore

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 2nd day of October 2020.

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ATTY: AUDELLE H. ZAMORA,
NOTARY PUBLIC
UNTL 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, **HOWARD LANCE A. UYKING**, 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 Assistant Secretary for Branding and Marketing Communications in the Department of Tourism (DOT) and the Delegated Head of the Procuring Entity;
2. Pursuant to Bids and Awards Committee (BAC) Resolution No. 2020-139, the DOT and ORIENT INTEGRATED DEVELOPMENT CONSULTANTS, INC and FROST & SULLIVAN (SINGAPORE) PTE. LTD. entered into a Service Contract for the Procurement of Consulting Services for the Consumer Insights Survey of Target Markets amounting to Nineteen Million Nine Hundred Ninety-Nine Thousand Nine Hundred Ninety-Six Philippine Pesos and 80/100 (PhP19,999,996.80) (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.


HOWARD LANCE A. UYKING
Assistant Secretary
Department of Tourism

SUBSCRIBED AND SWORN to before me this 3rd day of October 2020 at Makati affiant exhibiting to me his/her DOT ID # 180010.

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ATTY: AUDELLE H. 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. 44115-MCLE VI-0024349