

23-00042

**Contract for the Procurement of Consulting Services for the Promotions of Philippine Islands, Award-Winning Philippine Destinations and Tourism Products**

This *Contract for the Procurement of Consulting Services for the Promotions of Philippine Islands, Award-Winning Philippine Destinations, and Tourism Products* ("Agreement") is made and entered into this 15 day of ~~FEBRUARY~~ 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 its **Secretary, MA. ESPERANZA CHRISTINA GARCIA FRASCO** ("Procuring Entity");

and

**DDB PHILIPPINES, INC.**, a private entity with business address at 22 Upper McKinley Road, McKinley Hill, Fort Bonifacio, Taguig City represented by its **Group COO and CFO, JUDD B. BALAYAN** ("Consultant");

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

WITNESSETH:

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

**WHEREAS**, in jumpstarting the promotion and development of tourism destinations this 2023, strategies and initiatives to promote the Philippine islands, award-winning Philippine destinations, and tourism products will be conceptualized and implemented;

**WHEREAS**, the Procuring Entity needs to engage the services of a creative agency to develop communication campaigns, and marketing strategies through production of AVPs, promotional materials and multimedia content, to generate more awareness of the Philippine islands, award-winning Philippine destinations, and tourism products;

**WHEREAS**, the Bids and Awards Committee (BAC) of the Procuring Entity, through **BAC Resolution No. 2023-035**, has declared the Consultant to be the **Single Rated and Responsive Bidder (SRRB)** following a competitive bidding procedure for the Procurement of Consulting Services for the Promotions of Philippine Islands, Award-Winning Philippine Destinations, and Tourism Products;

**WHEREAS**, pursuant to the abovementioned BAC Resolution, the Procuring Entity has awarded the contract to the Consultant in the amount of **One Hundred Twenty-Four Million Four Hundred Forty-Nine Thousand and Twenty-Four Pesos only (PhP124,449,024.00)**, inclusive of all applicable taxes, with a contract duration of six (6) months effective from the receipt by the Consultant of the Notice to Proceed;

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)

DDB PHILIPPINES, INC.  
(Consultant)

By:

By:



*[Handwritten Signature]*  
 MA. ESPERANZA CHRISTINA GARCIA FRASCO  
 Secretary

*[Handwritten Signature]*  
 JUDD B. BALAYAN  
 Group COO and CFO

SIGNED IN THE PRESENCE OF:

*[Handwritten Signature]*  
 MARISTELA [Name]  
 [Title]

*[Handwritten Signature]*  
 JOSEPHINE P. BARBA  
 Finance Manager

23-00042

Certified Funds Available:



**ROMAN G. BERSAMIRA**  
Chief, Accounting Division

**ACKNOWLEDGMENT**

REPUBLIC OF THE PHILIPPINES)  
MAKATI )S.S.

BEFORE ME, a Notary Public, in and for MAKATI, this 28<sup>th</sup> day of FEBRUARY 2023, personally appeared:

| Name                                  | Government ID           | Date/Place Issued              |
|---------------------------------------|-------------------------|--------------------------------|
| Ma. Esperanza Christina Garcia Frasco | <del>PT</del> P8716798A |                                |
| Judd B. Balayan                       | <del>PT</del> P8773994B | January 26, 2022<br>DFA Manila |

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 28<sup>th</sup> day of FEBRUARY 2023.

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Series of 2023

**ATTY. AUDELIN H. ZAMORA**  
Notary Public  
Until December 31, 2023  
Penthouse, Legal Affairs Service, BOT Bldg.  
PTR No. 9569460/ 01-09-2023/ Makati City  
IBP Lifetime Member # 04646/ Makati City  
Roll # 44115/ MCLE VII-0003119

