

23 · 00100

**Contract for the Procurement of Consulting Services of an Agency
for Philippine Tourism Branding**

This *Contract for the Procurement of Consulting Services of an Agency for Philippine Tourism Branding* ("Agreement") is made and entered into this _____ day of APR 11 2023 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 **Undersecretary, VERNA ESMERALDA C. BUENSUCESO** ("Procuring 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 COO and CFO, MR. 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, pursuant to Republic Act No. 9593 otherwise known as the Tourism Act of 2009, the Procuring Entity shall undertake the development and implementation of a branding campaign that shall highlight the competitive advantage of the Philippines as an international and domestic tourist destination;

WHEREAS, the Procuring Entity needs to engage the services of an agency that will help design, execute, and implement the DOT's Philippine Tourism branding campaign. This campaign will include a creative communications plan that will reflect the updated Philippine Tourism brand;

WHEREAS, the Bids and Awards Committee (BAC) of the Procuring Entity, through **BAC Resolution No. 2023-117** has declared the Consultant to be the **Highest Rated and Responsive Bidder (HRRB)** following a competitive bidding procedure for the Procurement of Consulting Services of an Agency for Philippine Tourism Branding;

WHEREAS, pursuant to the abovementioned BAC Resolution, the Procuring Entity has awarded the contract to the Consultant in the amount of **Forty Nine Million Nine Hundred Twenty-Five Thousand One Hundred Twenty Pesos only (PhP49,925,120.00)**, 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.:

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- (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:

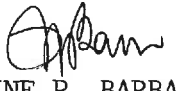

VERNA ESMERALDA C. BUENSUCESO
Undersecretary

By:



JUDD B. BALAYAN
Group COO and CFO


ATTY. MAE ELAINE T. BATIAN
UNDERSECRETARY

SIGNED IN THE PRESENCE OF:


JOSEPHINE P. BARBA
FINANCE MANAGER

Certified Funds Available:


ROMAN G. BERSAMIRA
Chief, Accounting Division

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ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
MAKATI)S.S.

BEFORE ME, a Notary Public, in and for Makati, this 19th day of April 2023, personally appeared:

Name	Government ID	Date/Place Issued
Verna Esmeralda C. Buensuceso	DOT ID# 840924	
Judd B. Balayan	P8773994B	JANUARY 26, 2022 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 19th day of April 2023.

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ATTY. AUDELIA 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

