

23-00314

Contract for the Procurement of a Service Provider for the DOT Internet Direct Services and Data Center Services

This Contract for the Procurement of a Service Provider for the DOT Internet Direct Services and Data Center Services (Agreement) is made this NOV 08 2023 2023, in the City of Makatip, by and between:

The DEPARTMENT OF TOURISM (DOT), a government agency with principal office address at the DOT Building, No. 351 Sen. Gil Puyat Avenue, Makati City, represented by its Undersecretary, **VERNA COVAR-BUENSUCESO**, and hereinafter referred to as the "PROCURING ENTITY";

-and-

EASTERN TELECOMMUNICATIONS PHILIPPINES INC., a private entity with business address at Telecom Plaza, 316 Gil J. Puyat Avenue, Salcedo Village, Makati City, Philippines, duly authorized and represented by its Sales Head, **MICHAEL S. CASTANEDA** and herein referred to as the "SUPPLIER";

WITNESSETH:

WHEREAS, the Procuring Entity invited Bids for certain goods and ancillary services, particularly the provision of internet direct services and data center services with a contract duration of one year, and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Ten Million Two Hundred Thirteen Thousand Seven Hundred Twenty-Eight Pesos (PhP10,213,728.00)**, inclusive of applicable taxes (hereinafter called "the Contract Price").

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 referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, viz.:
 - a. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications or Terms of Reference;
 - iii. General and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any
 - b. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;
 - c. Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents 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;
 - d. Performance Security;
 - e. Notice of Award of Contract; and the Bidder's conforme thereto; and
 - f. Other contract documents that may be required by existing laws and/or the PROCURING ENTITY concerned in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.

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- 3. In consideration for the sum of **Ten Million Two Hundred Thirteen Thousand Seven Hundred Twenty-Eight Pesos (PhP10,213,728.00)**, inclusive of applicable taxes; or such other sums as may be ascertained, SUPPLIER agrees to provide services for the DOT Internet Direct Services and Data Center Services in accordance with its Bid.
- 4. The PROCURING ENTITY agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.


DEPARTMENT OF TOURISM
(Procuring Entity)

EASTERN TELECOMMUNICATIONS
PHILIPPINES, INC.
(Supplier)

By: 
VERNA COVAR-BUENSUCESO
Undersecretary

By: 
MICHAEL S. CASTAÑEDA
Sales Head

Signed in the presence of:


EDWIN C. SILVA


CARLO ALZUL

Funds Available:


ROMAN G. BERSAMIRA
Chief, Accounting Division



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ACKNOWLEDGEMENT

Republic of the Philippines) S.S
Makati


BEFORE ME, a Notary Public, in and for Makati, this 16th day of November 2023, personally appeared:

Name	Government ID	Date Issued	Place Issued
Verna Covar-Buensuceso	Passport No. 6631870A	13 Oct 2023	DFA Manila
Michael S. Castañeda	P5861107B	25 Nov 2020	24 Nov 2030

all known to me to be the same persons who executed the foregoing instrument, 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 16th day of November 2023.

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ATTY. AUDELLE JAMORA
 Notary Public
 Until December 31, 2023
 Penthouse Legal Affairs Service, DOT Bldg.
 PTR No. 9569469/ 01-09-2023/ Makati City
 IBP Lifetime Member # 04646/ Makati City
 Roll # 44115/ MCLE # VIII-0002095