

21-00155

**Contract for the Procurement of Consulting Services for the
Department of Tourism's Sustainable Tourism Campaign**

This *Contract for the Procurement of Consulting Services for the Department of Tourism's Sustainable Tourism Campaign* ("Agreement") is made and entered into this ____ day of OCT 11 2021 2021 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 **Assistant Secretary, HOWARD LANCE A. UYKING** ("Procuring Entity");

and

COMS 360, INC., a private entity with business address at 4th Floor, Unit B, LTA Building, 118 Perea Street, Legaspi Village, Makati City, represented by its **Strategic Communications Manager and Development Cluster Head, MS. RACHEL ANGELA A. GUTIERREZ** ("Consultant");

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

WITNESSETH:

WHEREAS, under Republic Act No. 9593, the State recognizes sustainable tourism development as integral to the national socio- economic development efforts to improve the quality of life of the Filipino people, providing the appropriate attention and support for the growth of the tourism industry;

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, both domestic and international;

WHEREAS, pursuant to this mandate, the Procuring Entity seeks to communicate the sustainable tourism efforts of the Philippines as a model of sustainability, create awareness for the protected areas in the country, and educate the public on sustainable tourism principles and on how to become responsible tourists through a Sustainable Tourism Campaign;

WHEREAS, the Procuring Entity needs to engage the services of a consultant that will strategize, conceptualize, and execute the Sustainable Tourism Campaign;

WHEREAS, the Bids and Awards Committee (BAC) of the Entity, through **BAC Resolution No. 2021-150**, has declared the Consultant to be the **Highest Rated and Responsive Bidder (HRRB)** following a competitive bidding procedure for the procurement of consulting services for the Procuring Entity's Sustainable Tourism Campaign;

WHEREAS, pursuant to the abovementioned BAC Resolution, the Procuring Entity has accepted the bid of the Consultant in the amount of **Nineteen Million Nine Hundred Fifty-Nine Thousand Eight Hundred Eighty-Four Pesos (PhP19,959,884.00)**, inclusive of all applicable taxes, with a contract duration of five (5) 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)

COMS 360, INC.
(Consultant)

By:

By:




HOWARD LANCE A. UYKING
Assistant Secretary



RACHEL ANGELA A. GUTIERREZ
Strategic Communications Manager and
Development Cluster Head

SIGNED IN THE PRESENCE OF:



Certified Funds Available:



ROMAN G. BERSAMIRA
Chief, Accounting Division

21-00155

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
MAKATI)S.S.

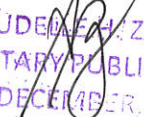
BEFORE ME, a Notary Public, in and for Makati, this 13th day of October 2021, personally appeared:

Name	Government ID	Date/Place Issued
Howard Lance A. Uyking	DOT ID# 180055	
Rachel Angela A. Gutierrez	PN# ECF496461	

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 13th day of October 2021.

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Series of 2021


 ATTY. AUDENCIA ZAMORA
 NOTARY PUBLIC
 UNTIL 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