

**CONTRACT FOR THE PROCUREMENT OF VARIOUS FOOD ITEMS FOR THE  
DEPARTMENT OF FINANCE**

THIS AGREEMENT made the 16th day of NOVEMBER 2021 between **DEPARTMENT OF FINANCE** of the Philippines (hereinafter called "the Entity") of the one part and **METRO RETAIL STORES GROUP, INC.** of Metro Market Market!, Mabini Street, between Mackinley Parkway & C5 Road, Fort Bonifacio Global City, Taguig (hereinafter called "the Supplier") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **Procurement of Various Food Items for the Department of Finance** and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of **Thirteen Million Six Hundred Eighty-Five Thousand One Hundred Pesos (P13,685,100.00)** (hereinafter called "the Contract Price").

NOW THIS AGREEMENT WITNESSETH 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.:

Philippine Bidding Documents (PBDs);

- a. Schedule of Requirements;
- b. Technical Specifications;
- c. General and Special Conditions of Contract; and
- d. Supplemental or Bid Bulletins, if any

Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

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;

Performance Security;

Notice of Award of Contract; and the Bidder's conforme thereto; and

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.

3. In consideration for the sum of **Thirteen Million Six Hundred Eighty-Five Thousand One Hundred Pesos (P13,685,100.00)** or such other sums as may be ascertained, **METRO RETAIL STORES GROUP, INC.** agrees for the **Procurement of Various Food Items for the Department of Finance** in accordance with its Bid.
4. The **DEPARTMENT OF FINANCE** agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

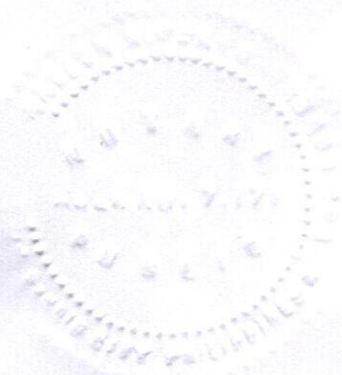
**5. Data Privacy Compliance**

The PARTIES shall comply with the provisions of Republic Act (RA) No. 10173, otherwise known as the "Data Privacy Act of 2012", its Implementing Rules and Regulations (IRR), issuances of the National Privacy Commission (NPC), and other applicable laws on processing of personal information. These shall include compliance with all relevant data protection policies of the Entity and other measures reasonably necessary to prevent any use or disclosure of personal data other than as allowed under this contract.

The PARTIES shall implement security measures aimed at maintaining the availability, integrity, and confidentiality of personal data including the protection of personal data against any accidental or unlawful destruction, alteration, and disclosure, as well as against any other unlawful processing.

**6. Consent to the Processing of Personal Information**

As part of the data privacy compliance, the Supplier hereby grants its consent to the Entity's processing of its personal information collected under this contract, which may include the disclosure of such information to third parties, to comply with requirements of law in relation to the implementation of this contract.



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 FINANCE

METRO RETAIL STORES GROUP, INC.

BY:

BY:

*Bayani H. Agabin*  
**BAYANI H. AGABIN**  
Undersecretary

*Julie E. Montano*  
**JULIE E. MONTAÑO**  
Authorized Representative

*Mark Dennis Y.C. Joven*  
**MARK DENNIS Y.C. JOVEN**  
Undersecretary

**SIGNED IN THE PRESENCE OF**

*Marineth Payton*  
MARINETH PAYTON

**ACKNOWLEDGMENT**

Republic of the Philippines }  
City of Manila } S.S

BEFORE ME, this NOV 16 2021 day of NOV 16 2021 2021 at TAGUIG CITY, personally appeared Undersecretary Bayani H. Agabin with TIN 172-571-956 issued at \_\_\_\_\_ on \_\_\_\_\_ and Undersecretary Mark Dennis Y.C. Joven with TIN 167-305-432 issued at \_\_\_\_\_ on \_\_\_\_\_ in their capacity as the authorized signatories of the DEPARTMENT OF FINANCE, and Ms. Julie E. Montano with ID No. \_\_\_\_\_ issued at \_\_\_\_\_ on \_\_\_\_\_ in her capacity as the authorized signatory of Metro Retail Stores Group, Inc., known to me and to me known to be the same persons who executed the foregoing Contract (with attachments and appendices), consisting of three (3) pages, including the page on which this acknowledgment is written, and who acknowledge to me that the same is their free and voluntary act and deed, and the free and voluntary act and deed of the government entity and company which they represent, respectively.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at the place and on the day first above written.

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Book No. 97  
Series of 2021

*Jennylyn R. Ojano-Sabado*  
**NOTARY PUBLIC**  
**ATTY. JENNYLYN R. OJANO-SABADO**  
Notary Public City of Taguig  
Until 31 December 2022  
IBP O.R No. 121478 issued on Jan. 2, 2021  
PTR No. 8533036 / 4 January 2021 / Makati  
Appointment No. M-4-(2021-2022)  
MCLE Compliance No. VI-0011424  
Unit 25, G/F Fiesta Market Market Ext.  
BGC, Taguig City  
Roll No. 71171