

CONTRACT AGREEMENT

THIS AGREEMENT made on the _____ day of _____ 2024 between **DEPARTMENT OF ENERGY (DOE)** of the Philippines (hereinafter called "Procuring Entity") of the one part and **PETRON CORPORATION** of 40 San Miguel Ave., Mandaluyong City (hereinafter called "Supplier") of the other part;

WHEREAS, the Procuring Entity invited Bids for the supply of certain goods and ancillary services, particularly for the **Procurement of CY2024 Fuel Fill-Up Thru Fleet Card Scheme ("Project")** and has accepted a Bid from the Supplier for the Project in the amount of **Nine Million Two Hundred Sixty-Five Thousand Seventy-Three Pesos and Sixty-Five Centavos Only (PhP9,265,073.65)** (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 shall be deemed to form and be read and construed as integral part of this Agreement, viz.:
 - i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract;
 - iv. Application Forms and Terms and Conditions; and
 - v. Supplemental or Bid Bulletins, if any
 - ii. Supplier'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 Entity's bid evaluation;
 - iii. Performance Security;
 - iv. Notice of Award of Contract; and the Bidder's conforme thereto; and
 - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. Supplier 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 Agreement.
3. In consideration for the sum of Six Million Four Hundred Two Thousand Five Hundred Forty-Four Pesos and Seventy-Two Centavos Only (PhP6,402,544.72), or such other sums as may be ascertained, the Supplier agrees to the **Procurement of CY2024 Fuel Fill-Up Thru Fleet Card Scheme for the Period of Period May to December 2024** in accordance with its Bid.

Alvin J. B...

Imelda Cecilia R...



4. The Procuring Entity agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.
5. Data Privacy Consent and Data Privacy Statement

Data Privacy Clause, which states:

"The Procuring Entity acknowledges that the Supplier and its subsidiaries and affiliates have a Data Privacy Statement, pursuant to Republic Act No. 10173 or the Data Privacy Act of 2012 and its implementing rules and regulations and the issuances of the National Privacy Commission ("Privacy Laws"). The Procuring Entity has read, understood and hereby agree to the Data Privacy Statement of the Supplier and its subsidiaries and affiliates ("Privacy Statement"), a copy of which had been provided to the Procuring Entity.

The parties recognize that they may have provided Personal Information and Sensitive Personal Information (collectively "Personal Data"), as defined under the Privacy Laws, or may have obtained Personal Data in relation to the products and services under this Agreement. Each party further acknowledges that the other party shall be collecting, using, sharing, disclosing, transferring, retaining and disposing of such Personal Data (collectively "Processing") in relation to the products and services in connection with this Agreement, and as such, may incur additional risks in relation to the same. In view of the foregoing, each party acknowledges and confirms, as follows:

- a. *In the event that any Personal Data shall be disclosed in relation to this Contract, the party disclosing the same warrants and shall ensure that the required consents under the Privacy Laws have been obtained from the relevant Data Subjects (as defined under the Privacy Laws). Each disclosing party (or the Data Subject, as relevant) consents to the Processing of such Personal Data by in relation to the products and services subject of this Agreement, in compliance with applicable laws and regulations, and in accordance with the Privacy Statement for the Supplier;*
- b. *The parties agree that in relation to the products and services subject of this Agreement, they shall only be responsible for relaying to each other any notices or disclosures required by the law and such will constitute sufficient compliance. Each party acknowledges and confirms that withdrawal or withholding of its consent may restrict the effective execution by in relation to the products and services subject of this Agreement. Each party also undertakes to immediately inform the other party of any changes in the Personal Data that have been provided to the other party;*

The parties shall comply with the applicable provisions of the Privacy Laws and shall be responsible for such compliance.



Abel J. Ben...

Cynthia Cecilia R.D.G.

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.


FELIX WILLIAM B. BUENTEBELLA
Undersecretary


MAGNOLIA CECILIA D. UY
Vice President – Retail Sales

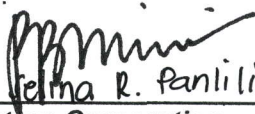

ALVIN CHRISTOPHER J. BECINA
Manager – Cards Business Group

for:
Department of Energy

for:
Petron Corporation

SIGNED IN THE PRESENCE OF:


JERICO O. BRAGADO
Chief, GSD
Witness


patricia felma R. Panlilio
Petron Corporation
Witness


HELEN C. ROLDAN
OIC-Chief Accounting Division
Witness

CAF No. 01-24-05-134
CAF Date: May 24, 2024
Regular Agency Fund
P 6, 402, 544.72



REPUBLIC OF THE PHILIPPINES)
CITY OF MANILA) S. S.

ACKNOWLEDGEMENT


Before me, a Notary Public for and in the City of MANILA, Metro Manila, on this
day of APR 30 2024, personally appeared:

NAME	PROOF OF IDENTIFICATION	ID NUMBER
FELIX WILLIAM B. FUENTEBELLA	TIN: 202-832-149	
MAGNOLIA CECILIA D. UY	PASSPORT	P0178740C
ALVIN CHRISTOPHER J. BECINA	PASSPORT	P8330141b

Known to me and to me known to be the same persons who executed the foregoing Agreement for the **Procurement of CY2024 Fuel Fill-Up Thru Fleet Card Scheme**, and they acknowledged to me the same is their free act and deed and that of the agency and the corporation which they respectively represent. This Agreement consisting of four (4) pages, including the page upon which this Acknowledgment is written, has been signed by the Parties and their instrumental witnesses.

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

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Book No. 80
Series of 2024


ATTY. ISIDRO V. ALMENTEROS
NOTARY PUBLIC
Until December 31, 2024
1626 Estrada Street, San Andres, Manila
IBP OR No. 248072(2023) 9-23-2022/MLA
PTR No. 0862227/1-03-2023/MLA
MCLE Compliance No. VII-0007108/4-14-2025
Attorney's Roll No. 34272


Alvin Christopher J. Becina


Magnolia Cecilia D. Uy

