

## CONTRACT AGREEMENT

THIS AGREEMENT made the \_\_\_\_ day of \_\_\_\_\_ 2023 between **DEPARTMENT OF ENERGY (DOE)** of the Philippines (hereinafter called "the Entity") of the one part and **PETRON CORPORATION** of 40 San Miguel Avenue, Mandaluyong City (hereinafter called "the Service Provider") of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly **Procurement of DOE Fuel Fleet Card** and has accepted a Bid by the Service Provider for those services in the sum of **Seven Million Nine Hundred Sixteen Thousand Six Hundred Forty-Six Pesos and Sixty Nine Centavos Only (Php7,916,646.69)** for ten (10) months from March to December 2023 (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.:
  - 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. 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;
  - 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. 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 **Seven Million Nine Hundred Sixteen Thousand Six Hundred Forty-Six Pesos and Sixty Nine Centavos Only (Php7,916,646.69)** or such other sums as may be ascertained, **Petron Corporation** agrees to the **Procurement of DOE Fuel Fleet Card** in accordance with its Bid.
4. The **Department of Energy** 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 Entity acknowledges that the Contractor 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 Entity has read, understood and hereby agrees to the



Data Privacy Statement of the Contractor and its subsidiaries and affiliates ("Privacy Statement"), a copy of which had been provided to the 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 Contract. 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 Contract, 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 Contract, in compliance with applicable laws and regulations, and in accordance with the Privacy Statement for the Contractor.
- b. The parties agree that in relation to the products and services subject of this Contract, 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 Contract. 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.

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. FUENTEBELLA  
Undersecretary

for:  
**Department of Energy**


  
MAGNOLIA CECILIA D. UY  
Vice President, Retail Sales

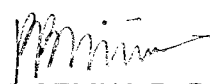
  
ALVIN CHRISTOPHER J.  
BECINA  
Manager, Cards Business Group

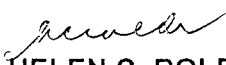
for:

**Petron Corporation**

SIGNED IN THE PRESENCE OF:

  
ELISA B. MORALES  
Director, Administrative Service  
Witness

  
PATRICIA SELINA R. PANLILIO  
Area Sales Manager, Cards Business Group  
Witness

  
HELEN C. ROLDAN  
OIC-Chief Accountant  
Witness

CAF No. 01-23-06-108  
CAF date. June 2, 2023  
Regular Agency Fund  
P 7 AIB. 646.69



REPUBLIC OF THE PHILIPPINES

) S. S.

City of Manila

**ACKNOWLEDGEMENT**


Before me, a Notary Public for and in the City of Manila, Metro Manila, on this 05 day of JUN 2023, personal appeared:

NAME	PROOF OF IDENTIFICATION	ID NUMBER
FELIX WILLIAM B. FUENTEBELLA	TIN No. 202-832-149	
MAGNOLIA CECILIA D. UY	passport	P0178740 C
ALVIN CHRISTOPHER J. BECINA	passport	P8330141 B

Both known to me and to me known to be the same persons who executed the foregoing Contract for the **Procurement of DOE Fuel Fleet Card**, 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 three (3) pages, including the page upon which this Acknowledgement is written, has been signed by the Parties and their instrumental witnesses.

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

Doc No. 241  
Page No. 60  
Book No. 34  
Series of 2023

  
**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