Republic of the Philippines
PHILIPPINE PORTS AUTHORITY
PPA Building, Bonifacio Drive, South Harbor,
Port Area, Manila, Philippines

CONTRACT AGREEMENT
FOR THE CONSTRUCTION OF BREAKWATER, PORT OF CURRIMAO
CURRIMAO, ILOCOS NORTE

This Contract made and entered into this 24 FEB 2021 day of _____ 2021, in Manila, Philippines, by and between:

PHILIPPINE PORTS AUTHORITY (PPA), a government instrumentality created under Presidential Decree No. 857, as amended, with principal office at PPA Building, Bonifacio Drive, South Harbor, Port Area Manila, represented herein by its General Manager, **JAY DANIEL R. SANTIAGO**, duly authorized for this purpose under Board Resolution No. 2445, Series of 2015, attached herein as **Annex A.**

- and -

KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION/HI-TONE CONSTRUCTION AND DEVELOPMENT CORPORATION/JOINT VENTURE, duly organized and existing in accordance with Philippine laws, with principal office address at Km 10.5, Purok 30, Brgy., Cabantian, Davao City, represented herein by its Authorized Managing Officer, **ARSENIO B. GROSPE**, duly authorized for this purpose as shown in Joint Venture Agreement dated 17 November 2020, attached herein as **Annex B.**

WHEREAS, the Entity is desirous that the Contractor execute the Construction of Breakwater, Port of Currimao, Currimao, Ilocos Norte, with an approved Budget for the Contract (ABC) of Php **394,620,254.73** and the Entity has accepted the Bid for **THREE HUNDRED NINETY FOUR MILLION SIXTY SIX THOUSAND THREE HUNDRED EIGHTY THREE AND 93/100 PESOS (Php 394,066,383.93)** by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

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 hereinafter 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 part of this Agreement, Viz:

   a. Philippine Bidding Documents (PBDs);
      i. Drawings/Plans;
      ii. Specifications;
      iii. Bill of Quantities
      iv. General and Special Conditions of Contract;
      v. Supplemental or Bid Bulletins, if any

KHAN KON CHI CONSTRUCTION & DEVELOPMENT CORPORATION/
HI-TONE CONSTRUCTION & DEVELOPMENT CORPORATION/JV
BY :
Witness
EDGAR S. ACOSTA
President (*Hi-Tone Const. & Devt. Corp.*)

ARSENIO B. GROSPE
Authorized Managing Officer

Witness :
MARK JON S. PALOMAR
Chairperson, HO-BAC-EP

PHILIPPINE PORTS AUTHORITY
BY :
JAY DANIEL R. SANTIAGO
General Manager

b. 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;

c. Performance Security;

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

e. 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 **THREE HUNDRED NINETY FOUR MILLION SIXTY SIX THOUSAND THREE HUNDRED EIGHTY THREE AND 93/100 PESOS (Php 394,066,383.93)** or such other sums as may be ascertained, **KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION/HI-TONE CONSTRUCTION AND DEVELOPMENT CORPORATION/** Joint Venture agrees to the Construction of Breakwater, Port of Currimao, Currimao, Ilocos Norte in accordance with its Bid.

4. The Philippine Ports Authority agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the Parties have 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.

PHILIPPINE PORTS AUTHORITY
TIN No. 000-352-232-000
By:

JAY DANIEL R. SANTIAGO
General Manager

KHAN KON CHI CONSTRUCTION & DEVELOPMENT CORPORATION
(TIN No. 009-432-379-000)
HI-TONE CONSTRUCTION & DEVELOPMENT CORPORATION
(TIN No. 005-485-816-000)/**JV**
By:

ARSENIO B. GROSPE
Authorized Managing Officer

WITNESSES:

MARK JON S. PALOMAR
Chairperson, HO-BAC-EP

EDGAR S. ACOSTA
President *(Hi-Tone Const. & Dev't. Corp.)*

KHAN KONCHI CONSTRUCTION & DEVELOPMENT CORPORATION/
HI-TONE CONSTRUCTION & DEVELOPMENT CORPORATION/JV
BY :
Witness :
EDGAR S. ACOSTA
President *(Hi-Tone Const. & Dev't. Corp.)*
ARSENIO B. GROSPE
Authorized Managing Officer

PHILIPPINE PORTS AUTHORITY
BY :
Witness :
MARK JON S. PALOMAR
Chairperson, HO-BAC-EP
JAY DANIEL R. SANTIAGO
General Manager

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
City of Manila) S.S.

BEFORE ME, a Notary Public for and in the City of Manila, this ____ day of FEB 24 2021, 2021, personally appeared the following :

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE OF ISSUE OR EXPIRY DATE	PLACE OFLACE ISSUE
Jay Daniel R. Santiago	PPA ID No. 00102016		
Arsenio B. Grospe	TIN No. 261-927-313-000		

known to me and to me known to be the same persons who executed the foregoing instrument as :

POSITION	COMPANY	CTC No.	DATE	PLACE
General Manager Authorized Managing Officer	Phil. Ports Authority	00367765	2-02-21	Manila

and they acknowledged to me that the same is their own free act and deed as well as the free and voluntary act of the corporation they represent.

The foregoing instrument is a Contract for the Construction of Breakwater, Port of Currimao, Currimao, Ilocos Norte, consisting of three (3) pages, including this page on which this Acknowledgment is written, signed by the parties and their instrumental witnesses on each and every page thereof.

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

Doc. No. 201;
Page No. 101;
Book No. III;
Series of 2021;

ATTY. ROGELIO J. BOLIVAR
NOTARY PUBLIC IN QUEZON CITY
AM Adm. Not. Com. No. NP-124 1-12-19 until 12-31-2020
Commission Extended until June 30, 2021
as per SC EnBanc B.M No. 3795 12/1/2020
IBP O.R. No. 132134 MD 2021 & IBP O.R. No. 133076 MD 2022
PTR O.R. No. 0695112 D 1/4/21 / Roll No. 33832 / TIN# 129-871-009
MCLE No. VI 0029663 valid from 12/13/19 valid until 04/14/22 Quezon City
Address: 31-F Harvard St. Cubao, Q.C.