

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

**CONTRACT AGREEMENT**  
**FOR THE DREDGING OF THE ENTRANCE CHANNEL AND TURNING BASIN OF**  
**CURRIMAO PORT, CURRIMAO, ILOCOS NORTE**

This Agreement made and entered into this \_\_\_\_\_ day of JUN 29 2023, 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 -

**HI-TONE CONSTRUCTION AND DEVELOPMENT CORPORATION/  
KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION/  
CORPORATION/JOINT VENTURE**, duly organized and existing in accordance with Philippine laws, with principal office address at Km, 105, Purok 30, Brgy. Cabantian, Davao City represented herein by its Authorized Managing Officer (AMO), **ARSENIO B. GROSPE**, duly authorized for this purpose as shown in Joint Venture Agreement dated 14 April 2023, attached herein as **Annex B**.

WHEREAS, the Entity is desirous that the Contractor execute the Dredging of the Entrance Channel and Turning Basin of Currimao Port, Currimao, Ilocos Norte, with an approved Budget for the Contract (ABC) of Php **382,836,347.02** and the Entity has accepted the Bid for **THREE HUNDRED EIGHTY ONE MILLION EIGHT HUNDRED THIRTY SEVEN THOUSAND SIX HUNDRED FIFTY NINE AND 46/100 PESOS (Php 381,837,659.46)** 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 meaning 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

HI-TONE CONSTRUCTION AND DEVELOPMENT CORPORATION/  
KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION/  
CORPORATION/JV  
Witness:  
**DENMARK HOFLEÑA**  
Liaison Officer

BY:

Witness:  
**ARSENIO B. GROSPE**  
Authorized Managing Officer (AMO)

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 of the sum of **THREE HUNDRED EIGHTY ONE MILLION EIGHT HUNDRED THIRTY SEVEN THOUSAND SIX HUNDRED FIFTY NINE AND 46/100 PESOS (Php 381,837,659.46)** or such other sums as may be ascertained, **HI-TONE CONSTRUCTION AND DEVELOPMENT CORPORATION/KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION/JOINT VENTURE** agrees to execute the Dredging of the Entrance Channel and Turning Basin of Currimao Port, 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.

5. In execution of its Works, **HI-TONE CONSTRUCTION AND DEVELOPMENT CORPORATION/KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION/JOINT VENTURE** shall likewise hold PPA free and harmless from any liability due to actions, damages, or accident it may cause in the course thereof.

6. The failure of PPA to insist upon a strict performance of any of the terms, conditions and covenants hereof shall not be deemed a relinquishment or waiver of any of the rights or remedies that it may have, nor shall it be construed as a waiver of any subsequent breach or default of its terms, conditions and covenants which shall continue to be in full force and effect. Silence on the part of PPA shall not be considered as condonation or waiver of any breach or default by **HI-TONE CONSTRUCTION AND DEVELOPMENT CORPORATION/KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION/JOINT VENTURE** of any covenant or condition herein provided. No waiver by PPA of its rights under this Contract shall be deemed to have been made unless expressly made in writing and signed by its duly authorized representative.

IN WITNESS whereof, the Parties have hereto 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.

HI-TONE CONSTRUCTION AND DEVELOPMENT CORPORATION/  
KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION/JOINT VENTURE  
Witness :  
ARSENIO B. GROSPE  
Authorized Managing Officer (AMO)

DENMARK HOFILEÑA  
Liaison Officer

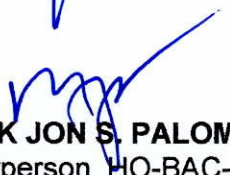
BY :

Witness :  
MARK JON S. PALOMAR  
Chairperson, HOJABAC-EP

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

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

  
**JAY DANIEL R. SANTIAGO**  
General Manager

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

HI-TONE CONSTRUCTION AND  
DEVELOPMENT CORPORATION (TIN No.  
005-769-891-000 )/KHAN KON CHI  
CONSTRUCTION AND DEVELOPMENT  
CORPORATION  
(TIN No. 009-432-379-000)/JOINT  
VENTURE

By:   
**ARSENIO B. GROSPE**  
Authorized Managing Officer

WITNESSES   
**DENMARK HOFILEÑA**  
Liaison Officer

**ACKNOWLEDGMENT**

REPUBLIC OF THE PHILIPPINES)  
City of **QUEZON CITY** ) S.S.

**JUN 29 2023**

BEFORE ME, a Notary Public for and in the City of **QUEZON CITY** this \_\_\_\_ day of \_\_\_\_\_, 2023, personally appeared the following :

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE OF ISSUE OR EXPIRY DATE	PLACE OF 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 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 entities they represent.

POSITION	COMPANY	CTC No.	DATE	PLACE
General Manager	Phil. Ports Authority	00453661	1-12-23	Manila
Authorized Managing Officer	Hi-Tone Construction and Development Corporation/ Khan Kon Chi Construction and Dev't., Corp./Joint Venture			

The foregoing instrument is a Contract for the Dredging of the Entrance Channel and Turning Basin of Currimao Port, 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 hereof.

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

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Book No. 9  
Series of 2023

  
**ATTY. ROGELIO J. BOLIVAR**  
NOTARY PUBLIC IN QUEZON CITY  
Commission No. Adm. Matter No. NP 158 (2023-2024)  
IBP O.R. No. 180815 2023 & IBP O.R. No. 180816 2024  
PTR O.R. No. 3916669 D 01/03/2023 / Roll No. 33832 / TIN # 129-871-009-000  
MCLE No. 788 FROM APRIL 15, 2023 UNTIL APRIL 14, 2025  
Address: 31-F Harvard St. Cubao, Q.C.