

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

CONTRACT
FOR THE DREDGING OF SAN PEDRO BAY,
TACLOBAN PORT, TACLOBAN CITY, LEYTE

This Contract made and entered into this MAR 16 2020 day of _____ 2020, 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 as contained in Secretary's Certificate dated 10 August 2015, a copy of which is attached as **Annex A**.

- and -

KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION (KKC for brevity), a corporation 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 President, **ARSENIO B. GROSPE**, duly authorized for this purpose as shown in Secretary's Certificate dated 27 November 2019, a copy of which is attached as **Annex B**.

ANTECEDENTS:


In accordance with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations (IRR), PPA advertised and posted on the PPA website and PhilGEPS, as well as on its bulletin board, an Invitation to Bid for the Dredging of San Pedro Bay, Tacloban Port, Tacloban City, Leyte, with an Approved Budget for the Contract (ABC) of Php **43,038,886.94**;

In response to the said advertisement, only one (1) bidder submitted its bid for the foregoing project;


After the opening of bids on 17 December 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by KKC at its unit and lump sum prices set forth in its proposal was found to be the Single Calculated Responsive Bid in the amount of **FORTY TWO MILLION ONE HUNDRED SIXTY ONE THOUSAND SEVEN HUNDRED SEVENTY AND 40/100 PESOS (Php 42,161,770.40)**, Philippine Currency;

Pursuant to Head Office BAC Resolution No. 008-2020 Series of 2020, award of contract was made to KKC in a Notice of Award dated 24 January 2020, in the amount of **FORTY TWO MILLION ONE HUNDRED SIXTY ONE THOUSAND SEVEN HUNDRED SEVENTY AND 40/100 PESOS (Php 42,161,770.40)**, after submission of the required documents within the prescribed period and compliance to the conditions stipulated in the IRR;

KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION

Witness
BY: 
MARIA TERESA L. CENO
Liaison Officer

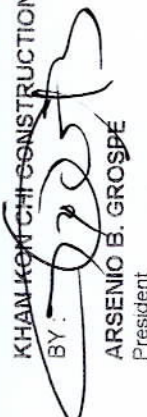
BY: 
ARSENIO B. GROSPE
President

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

PHILIPPINE PORTS AUTHORITY
BY: 

JAY DANIEL R. SANTIAGO
General Manager

KHANKON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION

BY: 
ARSENIO B. GROSPE
President

Witness:

MARIA TERESA L. CENO
Liaison Officer

KKC duly accepted the award by signing its Conforme on the said Notice of Award;

NOW, THEREFORE, for and in consideration of the foregoing premises and the mutual stipulations herein contained, PPA and KKC have agreed, as follows:

1. In this Contract, words and expressions shall have the same meanings as are respectively assigned to them in the attached Contract Documents.
2. The following documents shall form part of this Contract:

A. Bid Documents consisting of the following:

- A.1 Invitation to Bid (Annex C)
- A.2 Instructions to Bidders (Annex D)
- A.3 Bid Data Sheet (Annex E)
- A.4 General Conditions of Contract (Annex F)
- A.5 Special Conditions of Contract (Annex G)
- A.6 Specifications (Annex H)
- A.7 Drawings/Plans (Annex I)
- A.8 Addenda and/or Supplemental/Bid Bulletins, if any (Annex J)

B. Technical and Financial Proposals (Annex K)

C. Performance Security (Annex L)

D. Notice of Award of Contract with KKC's Conforme thereto (Annex M) and

E. Other contract documents that may be required by existing laws and PPA.

E.1 Construction Schedule and S-Curve (Annex N)

E.2 Manpower Schedule (Annex O)

E.3 Construction Methods (Annex P)

E.4 Equipment Utilization Schedule (Annex Q)

E.5 Construction Safety and Health Program approved by the DOLE (Annex R);

E.6 Pert/CPM (Annex S)

E.7 Duly Approved Program of Works and Cost Estimates (Annex T)

E.8 Certificate of Availability of Funds (Annex U)

E.9 Abstract of Bids (Annex V)

E.10 Resolution of Award (Annex W)

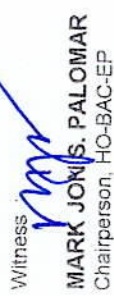
3. In consideration of the payments to be made by PPA, KKC commits to undertake and complete the Works in accordance with the required specifications and remedy any defects therein in conformity with the provisions of this Contract and Contract Documents.

4. In consideration of the execution and completion of the Works and remedying any defects therein, PPA commits to pay the Contract Price or such other sum as may become payable under the provisions of this Contract and Contract Documents.

5. This Contract shall become effective after the same shall have been signed by the Parties hereof.

PHILIPPINE PORTS AUTHORITY

BY: 
JAY DANIEL R. SANTIAGO
General Manager

Witness:

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

IN WITNESS WHEREOF, the Parties have hereunto signed this Contract on the date and place first hereinabove written.

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

JAY DANIEL R. SANTIAGO
General Manager

MARK JONS. PALOMAR
Chairperson, HO-BAC-EP

KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION (TIN No. 009-432-379-000)
By:

ARSENIO B. GROSPE
President

WITNESSES

MARIA TERESA L. CENO
Liaison Officer

ACKNOWLEDGMENT

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

MAR 16 2020

BEFORE ME, a Notary Public for and in the City of Manila, this ____ day of _____, 2020, personally appeared the following :

NAME	PROOF OF IDENTITY	DATE	PLACE
Jay Daniel R. Santiago	PPA ID No 00102016		
Arsenio B. Grospe	Social Security System No. 0506401530		

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	Phil. Ports Authority	00158522	1-15-19	Manila
President	Khan Kon Chi Construction and Development Corporation	24664302	1-14-20	Davao City

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 Dredging of San Pedro Bay, Tacloban Port, Tacloban City, Leyte, 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

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Series of 2020;

ATTY. ROGELIO BOLIVAR
NOTARY PUBLIC IN QUEZON CITY
AM Adm. Not. Com. No. NP-124 1-12-19 until 12-31-2020
IBP O.R. No. 055255 Jan. 2019 & IBP O.R. No. 055256 Jan. 2020
PTR O.R. No. 0032104 C 1-3-2020 / Roll No. 33832 / TIN# 129-871-009
MCLE No. VI-0029583 valid from 12/16/19 Valid until 04/14/22 Quezon City
Address: 31-F Harvard St. Cubao, Q.C.