

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

CONTRACT
FOR THE MANOC MANOC CARGO PORT PROJECT,
PORT OF MANOC MANOC, MALAY, AKLAN

This Contract made and entered into this 19 AUG 2019 day of _____ 2019, in Manila, Philippines, by and between:

PHILIPPINE PORTS AUTHORITY, 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 duly authorized General Manager, **JAY DANIEL R. SANTIAGO**, and hereinafter referred to as "PPA";

- and -

KHAN KON CHI CONSTRUCTION AND DEVELOPMENT CORPORATION (TIN No. 009-432-379-000, duly organized and existing in accordance with Philippine laws, with office and business address at Km. 10.5, Purok 30, Brgy. Cabantian, Davao City, represented in this act by its President, **ARSENIO B. GROSPE**, as evidenced by Secretary's Certificate dated 09 May 2019, a copy of which is hereto attached and made an integral part hereof as Annex "1", and hereinafter referred to as "**CONTRACTOR**."


WITNESSETH:

WHEREAS, 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 Manoc Manoc Cargo Port Project, Port of Manoc Manoc, Malay, Aklan;


WHEREAS, in response to the said advertisement, three (3) bidders submitted their respective bids for the foregoing project;

WHEREAS, after the opening of bids on 23 May 2019 and the conduct of bid evaluation and post-qualification, the bid submitted by the CONTRACTOR at its unit and lump sum prices set forth in its proposal was found to be the Lowest Calculated Responsive Bid in the amount of **ONE HUNDRED THIRTY TWO MILLION EIGHT HUNDRED TWENTY EIGHT THOUSAND TWO HUNDRED FIVE AND 91/100 PESOS (Php 132,828,205.91)**, Philippine Currency;

WHEREAS, pursuant to Head Office BAC Resolution No. 035-2019 Series of 2019, award of contract was made to the CONTRACTOR in a Notice of Award dated 26 June 2019, in the amount of **ONE HUNDRED THIRTY TWO MILLION EIGHT HUNDRED TWENTY EIGHT THOUSAND TWO HUNDRED FIVE AND 91/100 PESOS (Php 132,828,205.91)**, after submission of the required IRR documents within the prescribed period and compliance to the conditions stipulated in the IRR;

Witness:
BY:  **ARSENIO B. GROSPE**
President
Khan Kon Chi Construction and Development Corporation

Witness:
BY:  **MARIA TERESA L. CENO**
Liaison Officer

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

Witness:
BY:  **JAY DANIEL R. SANTIAGO**
General Manager
Philippine Ports Authority

Witness:
MARIA TERESA L. CENO
Liaison Officer

BY: 
ARSENIO B. GROSPE
President

Witness:

MARK JONES, PALOMAR
Chairperson, HO-BAC-EP

BY: 
JAY DANIEL R. SANTIAGO
General Manager

WHEREAS, the CONTRACTOR 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 the CONTRACTOR 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;
 - A.2 Instructions to Bidders;
 - A.3 Bid Data Sheet;
 - A.4 General Conditions of Contract;
 - A.5 Special Conditions of Contract;
 - A.6 Specifications;
 - A.7 Drawings/Plans;
 - A.8 Addenda and/or Supplemental/Bid Bulletins, if any;
 - B. Technical and Financial Proposals;
 - C. Performance Security;
 - D. Notice of Award of Contract with the Contractor's Conforme thereto; and
 - E. Other contract documents that may be required by existing laws and PPA, such as:
 - E.1 Construction Schedule and S-Curve;
 - E.2 Manpower Schedule;
 - E.3 Construction Methods;
 - E.4 Equipment Utilization Schedule;
 - E.5 Construction Safety and Health Program approved by the DOLE;
 - E.6 Pert/CPM
 - E.7 Duly Approved Program of Works and Cost Estimates;
 - E.8 Certificate of Availability of Funds;
 - E.9 Abstract of Bids; and
 - E.10 Resolution of Award
3. In consideration of the payments to be made by PPA, the CONTRACTOR commits to complete the Works 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.

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 JON S. 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 **MANILA PHILIPPINES**

BEFORE ME, a Notary Public for and in the City of Manila, this 19 day of AUG, 2019, personally appeared the following :
MANILA PHILIPPINES

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	23569351	1-09-19	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 Manoc Manoc Cargo Port Project, Port of Manoc Manoc, Malay, Aklan, 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. 682 ;
Page No. 40 ;
Book No. 811 ;
Series of 2019;

ATTY. EDIE P. TALABOC
NOTARY PUBLIC UNTIL DEC. 31, 2019
PTR NO. 8081680 - JAN. 25, 2019
IBP NO. 855468 - ROLL NO. 43108
ISSUED AT CITY OF MANILA
COMMISSION NO. 2017-219
MCLE NO. V-100160