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

CONTRACT

FOR THE JUBANG (CRUISE SHIP) PORT IMPROVEMENT PROJECT, PORT OF JUBANG (CRUISE SHIP PORT), DAPA, SURIGAO DEL NORTE

This CONTRACT executed on the _____ day of _____ 2026 by and between:

PHILIPPINE PORTS AUTHORITY (PPA), a government instrumentality created under Presidential Decree No. 857, as amended, with principal office address at PPA Bldg., Bonifacio Drive, South Harbor, Port Area, Manila, represented by **JAY DANIEL R. SANTIAGO,** duly authorized for this purpose under Board Resolution No. 3317, as contained in Secretary's Certificate dated 11 September 2024, copy of which is hereto attached as **Annex "A"**, hereinafter called "the Entity";

-and-

KHAN KON CHI CONSTRUCTION & DEVELOPMENT CORPORATION/KUDC INDUSTRIES INC./JV, a company duly organized and existing under the laws of the Republic of the Philippines, with principal office at Km. 10.5, Purok 30, Brgy. Cabantian, Davao City, hereinafter called the "Contractor".

WHEREAS, the Entity invited Bids for certain works, particularly the Jubang (Cruise Ship) Port Improvement Project, Port of Jubang (Cruise Ship Port), Dapa, Surigao del Norte;

WHEREAS, the Contractor submitted a responsive bid and was awarded the contract for the procurement in the total amount of **TWO HUNDRED FIFTEEN MILLION EIGHT HUNDRED EIGHTY TWO THOUSAND FIVE HUNDRED THIRTY FIVE PESOS AND 52/100 (Php 215,882,535.52)**, hereinafter referred to as the "Contract Price."

NOW, THEREFORE, for and in consideration of the foregoing premises, the parties hereby agree as follows:

1. Unless otherwise stated, terms and expressions used in this Contract shall have the same meanings as those assigned to them in the Conditions of Contract, which form an integral part of this Contract.

2. The following documents as required by the Implementing Rules and Regulations of Republic Act No. 12009 shall form part and be read and construed as integral parts of this Contract, *viz.*:

   a. Philippine Bidding Documents (PBD);

   - *For Procurement of Infrastructure Projects*

     i. Drawings/Plans;
     ii. Scope of Work;
     iii. Invitation to Bid;
     iv. Instructions to Bidders;
     v. Bid Data Sheet;
     vi. 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;
     vii. Bill of Quantities;

KHAN KON CHI CONSTRUCTION & DEVELOPMENT CORPORATION/
KUDC INDUSTRIES INC./JV
BY :
ARSENIO B. GROSPE
Authorized Representative

Witness :
DENMARK HOFILEÑA
Liaison Officer

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

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

viii. General and Special Conditions of Contract;
ix. Supplemental Bid Bulletins, if any; and
x. Other contract documents that may be required by existing laws and/or the Entity.

b. Winning bidder's bid, including the Eligibility Requirements, Technical and Financial Proposals, and all other documents or statements submitted;

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 PBD, such as but not limited to the Notice to Proceed and Warranty Security.

3. In consideration of the Contract Price of **TWO HUNDRED FIFTEEN MILLION EIGHT HUNDRED EIGHTY TWO THOUSAND FIVE HUNDRED THIRTY FIVE PESOS AND 52/100 (Php 215,882,535.52)**, or such other sums as may be determined in accordance with the terms of the Contract, the Contractor agrees to deliver and perform the items and related services for the Jubang (Cruise Ship) Port Improvement Project, Port of Jubang (Cruise Ship Port), Dapa, Surigao del Norte described herein in accordance with the terms and conditions specified in the Contract and its annexed documents.

4. The **Philippine Ports Authority** agrees to pay the above-mentioned sum to the Contractor in accordance with the schedule and manner provided in the Bidding Documents and its annexes.

5. Any dispute, difference, or claim arising out of or relating to this Contract, including its existence, validity, interpretation, breach, or termination thereof, may be submitted to arbitration or other form of alternative dispute resolution in accordance with the applicable law, such as Republic Act No. 9285 (Alternative Dispute Resolution Act of 2004) or Executive Order No 1008, series 1985 (Construction Industry Arbitration Law).

IN WITNESS WHEREOF, the parties hereto have caused this Contract 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

JAY DANIEL R. SANTIAGO
General Manager
Date
PPA ID No. 00792022

KHAN KON CHI CONSTRUCTION & DEVELOPMENT CORPORATION TIN No.009-432-379-000 **/KUDC INDUSTRIES INC.** TIN No. 412-573-520-000 **/JV**

ARSENIO B. GROSPE
Authorized Representative
Date
PRC License No. 0082573

Signed in the presence of:

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

DENMARK HOFILEÑA
Liaison Officer

KHAN KON CHI CONSTRUCTION & DEVELOPMENT CORPORATION/
KUDC INDUSTRIES INC.JV
BY :

Witness
DENMARK HOFILEÑA
Liaison Officer

ARSENIO B. GROSPE
Authorized Representative

ACKNOWLEDGMENT

BEFORE ME, A Notary Public for and in the QUEZON CITY, City/Province of _____, this _____ day of NOV 09 2026, 2026, personally appeared the above-named persons who have satisfactorily proven to me their identity, through their identifying documents written below their names and signatures, that they are the same persons who executed and voluntarily signed the foregoing instrument consisting of three (3) pages, including this page where this Acknowledgement is written, which they acknowledged before me as their free and voluntary act and deed.

WITNESS MY HAND AND SEAL this NOV 09 2026 day of _____ *2026.*

ATTY. VICENTE ROMULO B. PAGAOA
NOTARY PUBLIC VALID UNTIL DEC 31,2026
ROLL NO. 23524
IBP No. 502417-01-05-2026/QC
PTR NO. 7078130-01-05-2026/Q.C/TIN 103-607-486
Admin. Matter No. NP-241 until _____
MCLE Compliance No. VII-0007709/APRIL 15,2026 up to APRIL 14, 2028

NAME OF NOTARY PUBLIC
Notarial Commission No. _____
Notary Public for _____ until _____
Roll of Attorneys No. ____
PTR No. __,
IBP No. __,

Doc. No. 97
Page No. 19
Book No. II
Series of 2026

Witness
MARK JON S. PALOMAR
Chairperson, HOBAC-EP

PHILIPPINE PORTS AUTHORITY
BY :

JAY DANIEL R. SANTIAGO
General Manager