

SUPPLEMENTAL CONSTRUCTION AGREEMENT

This Agreement is made and executed this ____ day of _____ 2017 in Mariveles, Bataan, by and between:

The **AUTHORITY OF THE FREEPORT AREA OF BATAAN**, a body corporate created under Republic Act No. 9728, with office address at the 2nd Floor, AFAB Administration Building, Freeport Area of Bataan, represented herein its Chairman and Administrator, **EMMANUEL D. PINEDA**, who is duly authorized, hereinafter referred to as the "**AFAB**",

-and-

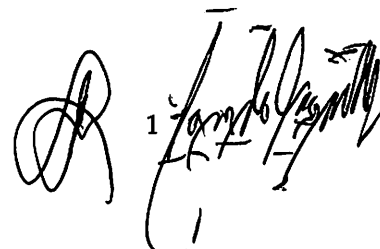
MN ELECTRO INDUSTRIAL SUPPLY AND SERVICES, a corporation, duly organized and existing under Philippine laws, with office address at 73 MN Building, Gov. FF Halili Avenue Bagbaguin Sta Maria, Bulacan, represented herein by President/Chief Executive Officer, **MARIO L. NICOLAS**, who is likewise duly authorized hereinafter referred to as the "**CONTRACTOR**";

WITNESSETH:

WHEREAS, the AFAB requires the **UPGRADING OF FAB POWER SUPPLY SYSTEM (CONSTRUCTION OF NEW 25/30 MVA POWER SUBSTATION)**;

WHEREAS, a competitive bidding process was conducted by the AFAB in accordance with Republic Act No. 9184 and its Implementing Rules and Regulations, and the **CONTRACTOR** was selected as the most qualified and competent to undertake the **PROJECT**;

WHEREAS, the **CONTRACTOR** has expressed willingness to undertake and successfully complete the works to the satisfaction of the AFAB;

Handwritten signatures of the parties and witnesses. On the left, a signature for EMMANUEL D. PINEDA. In the center, a signature for MARIO L. NICOLAS. On the right, a signature for a witness, with a small '1' written next to it.

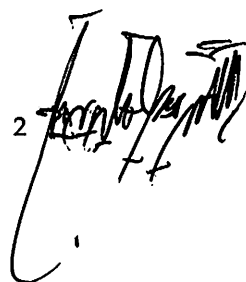



WHEREAS, on 14 June 2017, the AFAB and the CONTRACTOR executed a Construction Agreement, hereinafter referred to as the "Original Contract", which contract was acknowledged before Atty. Lorenzo B. Castillo, a Notary Public for and in the Municipality of Mariveles, Province of Bataan, and entered in his Notarial Register as Document No. 524, Page No. 106, Book No. XLI, Series of 2017;

WHEREAS, under the Original Contract, the Contract Price shall be Forty Nine Million Four Hundred Fifty Nine Thousand Forty-Nine Pesos and 52/100 (Php 49,459,049.52);

WHEREAS, upon verification of the Abstract of Bids as Read and Calculated and in accordance with the Financial Documents submitted by the CONTRACTOR, it has been found that the correct contract price should be **FORTY NINE MILLION FOUR HUNDRED FIFTY EIGHT THOUSAND FIFTY PESOS AND 09/100 (PHP 49,458,050.09);**

NOW, THEREFORE, in view of the foregoing premises and the mutual covenant and undertakings hereinafter provided, the parties hereto have agreed as follows:


1. The CONTRACTOR's Contract Price of herein project is **FORTY NINE MILLION FOUR HUNDRED FIFTY EIGHT THOUSAND FIFTY PESOS AND 09/100 (PHP 49,458,050.09);**
2. All the terms and conditions in the CONTRACTOR's Original Contract shall remain valid and be applicable to this Supplemental Contract of Lease Construction Agreement
3. Nothing herein contained shall be construed as amending or modifying any of the terms and conditions of the above-stated Original Contract, except as herein expressly provided;
4. This Supplemental Contract of Lease shall form an integral part of the Original Contract



IN WITNESS WHEREOF, the Parties have set their hands on the date and at the place first written above.

**AUTHORITY OF THE FREEPORT
AREA OF BATAAN**

BY:



EMMANUEL D. PINEDA
Chairman and Administrator


**MN ELECTRO INDUSTRIAL SUPPLY
AND SERVICES**

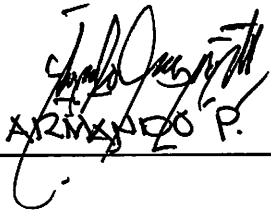
BY:



MARIO L. NICOLAS
President/Chief Executive Officer

SIGNED IN THE PRESENCE OF:





ARMANDO P. LAGMAN III

ACKNOWLEDGMENT

Republic of the Philippines)
Mariveles, Bataan) S.S.

BEFORE ME, this JAN 09 2018 of 2017 in Mariveles, Bataan, personally appeared:

NAME	COMPETENT EVIDENCE OF IDENTITY	DATE & PLACE OF ISSUE/EXPIRY
EMMANUEL D. PINEDA	Passport No. EC4011784	21 April 2020/DFA Manila
MARIO L. NICOLAS		

both known to me to be the same persons who executed the foregoing instrument and who acknowledged to me that the same is their free and voluntary act and deed, as well as the entities represented herein.

This instrument refers to a "Supplemental Construction Agreement" consisting of four (4) pages, including the page whereon this acknowledgement is written, and signed by the Parties and their instrumental witnesses on each and every page thereof and sealed with my notarial seal.

IN WITNESS WHEREOF, I have hereunto set my hand on the date and at the place first written above.

Robert S. Garcia
ATTY. ROBERT S. GARCIA
NOTARY PUBLIC UNTIL DEC. 31, 2019
IGP LIFETIME No. 00048; ROLL No. 47411
PTR No. 3549722-BALANGA CITY 12-09-16
NO. 40 SARREAL ST. MARIVELES, BATAAN
MCLE COMPLIANCE No. V-0018023

Doc. No. 133;
Page No. 24;
Book No. 1;
Series of 2018.