

AMENDMENT TO ORDER

This **AMENDMENT TO ORDER** is entered into on this **DEC 19 2024** by and between:

The **CIVIL AVIATION AUTHORITY OF THE PHILIPPINES (CAAP)**, a government agency created under Republic Act No. 9497, with office address at Old MIA Road corner Ninoy Aquino Avenue, Pasay City 1300 and represented herein by **CAPTAIN MANUEL ANTONIO L. TAMAYO** in his capacity as Director General, hereinafter referred to as the "Procuring Entity" or "CAAP"; and

MACTAN SHANGRI-LA HOTEL & RESORTS, INC., a corporation duly organized and existing under Philippine law, with office address at Punta Engano Road, P.P Box 86 Mactan, 6015 Lapu-Lapu City, Cebu, Philippines, represented by **KATE GABRINEZ**, in her capacity as Sales Manager, hereinafter referred to as the "Supplier".

WHEREAS, on October 3, 2024, CAAP and the Supplier entered into a Contract Agreement for the **Lease of Venue for the 59th Directors General of Civil Aviation (DGCA) Conference Cultural Events**, scheduled on October 17, 2024, with the agreed contract price of **Php 2,740,000.00**;

WHEREAS, following the event, the Supplier submitted an Addendum, serving as a supplement to the Agreement, amending the principal Agreement to reflect the additional Banquet Functions/Food and Beverages arrangements incurred during the event, amounting to **Php 183,532.20**;

WHEREAS, the additional charges, which represent **6.69%** of the original contract price, have been reviewed and deemed necessary and appropriate for the successful execution of the event;

NOW, THEREFORE, for and in consideration of the above premises, the parties agree to amend the Contract Agreement as follows:

1. Amendment to Contract Price:

The original contract price of Php 2,740,000.00 is hereby amended to **Php 2,923,532.21**, reflecting the additional charges for beverages incurred by the Supplier during the DGCA Cultural Dinner.

2. Justification for the Amendment:

The additional charges of Php 183,532.20 are considered necessary for the event's requirements and fall within the 10% allowable adjustment under the provisions of RA 9184 and its Implementing Rules and Regulations (IRR). These charges are in direct relation to the Banquet Functions/Food and Beverages arrangements served during the event and were incurred as a result of the Supplier's provision of the necessary services to fulfill the agreed scope of work.

3. No Loss, No Gain Principle:

The principle of "no loss, no gain" is observed, ensuring that the additional amount does not result in undue profit for the Supplier, nor does it lead to any overpayment by CAAP. The charges represent only the actual costs incurred by the Supplier for additional Banquet Functions/Food and Beverages arrangements required for the event.

4. **Compliance with RA 9184:**

This Amendment to Order is made in full compliance with the provisions of Republic Act No. 9184 (Government Procurement Reform Act) and its IRR, specifically the guidelines on amendments to contracts and adjustments in price.

5. **Effectivity of Amendment:**

This Amendment to Order shall take effect immediately upon signing by both parties and the approval of the Director General of CAAP.

6. **All Other Terms and Conditions:**

All other terms and conditions of the original Contract Agreement, not amended by this Amendment, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands this _____ at _____.

SIGNED:

CIVIL AVIATION AUTHORITY OF THE
PHILIPPINES

By:



CAPTAIN MANUEL ANTONIO L. TAMAYO
Director General

MACTAN SHANGRI-LA HOTEL &
RESORTS, INC.

By:



KATE GABRINEZ
Sales Manager

WITNESSES:



FE T. BERGANCIA-BERONCAL
Head, Hospitality & Socials Sub-Committee



OSCAR B. DEMETILLO
Chief, Procurement Division

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF CEBU CITY) S.S.
_____)

BEFORE ME, a Notary Public for and in, CEBU CITY this DEC 27 2024 day of _____ appeared the following person presenting to me their respective identifications, to wit:

Name	Competent Evidence of Identity	Date and Place of Issue
CAPTAIN MANUEL ANTONIO L. TAMAYO <i>Civil Aviation Authority of the Philippines</i>	CAAP ID No. 0001	Pasay City
KATE GABRINEZ <i>Mactan Shangri-La Hotel & Resorts, Inc.</i>	Passport ID No. P6954850B	09 June 2021 DFA Cebu


Known to me known to be the same persons who executed and voluntarily signed the foregoing Contract which they acknowledge before me as their own free and voluntary act and deed and with full authority to sign in that capacity.

This instrument refers to the Amendment to Contract entitled **Lease of Venue for the 59th Directors General of Civil Aviation (DGCA) Conference Cultural Events on October 17, 2024** with Reference No. C.A. No. G-2024-099 and consisting of two (3) pages including this page where the acknowledgement is written, duly signed by the parties and their instrumental witnesses thereof.

WITNESS MY HAND AND SEAL, on the date and place above written.

NOTARY PUBLIC

Doc. No.: 486
Page No.: 99
Book No.: 4
Series of: 2024


ATTY. RENANTE A. TING
NOTARY PUBLIC
UNTIL DECEMBER 31, 2024
SP CEBU CHAPTER #27906 / June 17, 2024
PTR #968727 / June 22, 2022
ROLL OF ATTORNEYS #82943
MCLE COMPLIANCE EXEMPT
(ADMITTED: MAY 31, 2022)
90 JAKO SALEM ST., CEBU CITY