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All Communications should be addressed to:  
The District Commissioner

In reply please quote Ref. No.

District Commissioner  
P.O. Box 1,  
CHITIPA.

## CONTRACT ADDENDUM NO.:1

THIS AMENDMENT TO THE AGREEMENT dated 15<sup>th</sup> September, 2022

BETWEEN

District Commissioner, Chitipa Council, P.O. Box 1, Chitipa

AND

Kabros Building Contractors, P.O. Box 366, Karonga.

### Background

A. Chitipa District Council and Kabros Building Contractors (the "Parties") entered into the contract dated 20<sup>th</sup> December, 2021, for the purpose of Construction of Misuku Girls Hostel at a cost of MK44,891,151.00 (Forty-four million, eight hundred ninety-one thousand one hundred fifty one kwacha only).

B. The Parties wish to amend the Contract Price set forth in this Amendment Agreement (the "Agreement") due to changes to commodity prices on the market due to 25% Malawi Kwacha devaluation in April, 2022.

C. This Agreement is the First amendment to the Contract

References in this Agreement are to the Initial Contract as previously agreed

IN CONSIDERATION OF the Parties agreeing to amend their obligations in the existing Contract, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to keep, perform, and fulfil the obligations, terms and conditions and agreements below

Amendments

Contract Sum of MK51,624,823.65 (Fifty-one million, six hundred twenty-four thousand eight hundred and twenty-three kwacha sixty five tambala only). This represents 15% increase.

## No Other Change

2 Except as otherwise expressly provided in this Agreement, all of the terms and conditions of the Contract remain unchanged and in full force and effect.

## Miscellaneous Terms

3 Capitalised terms not otherwise defined in this Agreement will have the meanings ascribed to them in the Contract. Headings are inserted for the convenience of the parties only and are not to be considered when interpreting this Agreement. Words in the singular mean and include the plural and vice versa. Words in the masculine include the feminine and vice versa. No regard for gender is intended by the language in this Agreement.

## Governing Law

4 Subject to the terms of the Contract, it is the intention of the Parties that this Agreement, and all suit and special proceedings under this Agreement, be construed in accordance with and governed to the exclusion of the law of any other forum, by the laws of the Republic of Malawi, without regard to the jurisdiction in which any action or special proceeding may be instituted

IN WITNESS WHEREOF the Parties have duly affixed their signatures on 15<sup>th</sup> September, 2022

Prepared by:  Francis Mthikira (Procurement Officer)

Signed: ..... (for the Employer)

Name: Macmillan Magomero  
Position: District Commissioner, Chitipa District Council

Date: 15<sup>th</sup> September, 2022

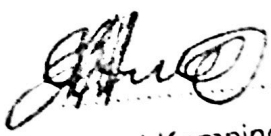
Seal/Stamp:

Witnessed by: ..... (for the Employer)

Name: Gift Msowoya

Position: DOF

Date: 15<sup>th</sup> September, 2022

Signed:  (for the Contractor)

Name: Eminentiel Kampingo  
Position: Managing Director (for Kabros Building Contractors)

Date: 15<sup>th</sup> September, 2022

Seal/Stamp:

Witnessed by: ..... Elijah Zimba (DPW) Date: 15<sup>th</sup> September, 2022