

TEMPLATE AMENDMENT FOR CHANGE OF INSTALLED CAPACITY

**Republic of the Philippines
Department of Energy
Energy Center, Fort Bonifacio, Taguig City
Metro Manila, Philippines**

AMENDMENT TO TYPE OF RE CONTRACT No. _____

This Amendment to Type of RE Contract No. _____ (hereinafter referred to as the "Amendment"), made and entered into this ____ day of _____, _____ in the City of Taguig, Metro Manila by and between:

The **REPUBLIC OF THE PHILIPPINES**, hereinafter referred to as "**GOVERNMENT**", through the "**Department of Energy**", hereinafter referred to as the "**DEPARTMENT**", a government agency established pursuant to Republic Act No. 7638, as amended, with principal office address at the Energy Center, Rizal Drive, Bonifacio Global City, Fort Bonifacio, Taguig City, Metro Manila, represented herein by its Secretary, **Name**;

-and-

_____, hereinafter referred to as the "RE DEVELOPER" a corporation duly organized and existing under the laws of the Republic of the Philippines, with principal office address at _____, Philippines, represented herein by its President, _____;

In this Amendment, the Government shall act through and be represented by the DEPARTMENT. The DEPARTMENT and the RE DEVELOPER are hereinafter referred to individually as "Party", and collectively as "Parties".

WITNESSETH; That

WHEREAS, the Parties entered into a Type of RE Contract No. _____ (the "Contract") dated _____;

WHEREAS, the RE DEVELOPER requested an amendment to increase the capacity of its type of Project.

WHEREAS, under Section 16.6 of the Contract, it shall not be amended or modified in any respect except by the mutual consent in writing of the Parties;

WHEREAS, the Parties agreed to increase the capacity are executing this Amendment to comply with the provisions of the Contract.

NOW, THEREFORE, in view of the foregoing premises, the Parties hereby stipulate and agree, as follows:

SECTION I. AMENDMENT

1.1 The capacity shall be amended from _____MW to _____ MW.

SECTION II. OTHER PROVISIONS

2.1 **Amendment to Section 16.1 of the Contract.** Section 16.1 of the Contract is hereby amended as follows:

“Any notices required or given by either Party to the other Party shall be in writing and shall be effective when a copy thereof is handed to or served upon the Party's duly designated representative or the person in charge of the office or place of business, or when sent by registered mail, notice shall be effective upon actual receipt by the addressee, but if it fails to claim its mail from the post office within five (5) days from the date of the first notice of the postmaster, service shall take effect at the expiration of such time. All such notices shall be addressed:

To the DEPARTMENT:

The Secretary
Department of Energy
Energy Center, Rizal Drive, Bonifacio Global City
Fort Bonifacio, Taguig City, Metro Manila

To the RE DEVELOPER:

President

2.2 All other provisions in the Contract not affected by this Amendment shall remain in force and binding between the Parties.

This Amendment shall come into effect upon the signing thereof by the Parties.

IN WITNESS WHEREOF, the Parties hereto have executed this Contract as of the day and year first above written.

DEPARTMENT OF ENERGY

NAME OF RE DEVELOPER

By:

By:

Name
Secretary

Name
Position

Witnesses

Name
Position

Name
Position

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES }
CITY OF TAGUIG } S. S.

Before me, a Notary Public duly authorized in the City of Taguig, this _____, personally appeared:

Name	Competent Evidence of Identity	Date and Place of Issuance
DOE Secretary		

known to be the same person described in the foregoing instrument, who acknowledged before me that her signature on the instrument was voluntarily affixed by her for the purposes stated therein, and who declared to me that she executed the instrument as her free and voluntary act and deed as well as the free and voluntary act and deed of the government agency herein represented.

This RE Contract consisting of five (5) pages, including the page on which this acknowledgment is written, is signed on each and every page thereof by the Party and his instrumental witness and sealed with my notarial seal.

WITNESS MY HAND AND SEAL on _____ at _____.

NOTARY PUBLIC

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of _____.

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES }
CITY OF TAGUIG } S. S.

Before me, a Notary Public duly authorized in the City of Taguig, this _____, personally appeared:

Name	Competent Evidence of Identity	Date and Place of Issuance

known to be the same person described in the foregoing instrument, who acknowledged before me that his signature on the instrument was voluntarily affixed by him for the purposes stated therein, and who declared to me that he executed the instrument as his free and voluntary act and deed as well as the free and voluntary act and deed of the corporation herein represented.

This RE Contract consisting of five (5) pages, including the page on which this acknowledgment is written, is signed on each and every page thereof by the Party and her instrumental witness and sealed with my notarial seal.

WITNESS MY HAND AND SEAL on _____ at _____.

NOTARY PUBLIC

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of _____.