

AMENDMENT TO THE CONTRACT

In Respect of

**TENDER NO. PA/009/2021-22/HQ/G/06 LOT 4 FOR THE SUPPLY,
INSTALL, TEST, TRAIN AND COMMISSION OF MEDICAL
EQUIPMENTS FOR MUHIMBILI NATIONAL HOSPITAL)**

BETWEEN

MUHIMBILI NATIONAL HOSPITAL

AND

PACIFIC DIAGNOSTICS LIMITED

FORM OF AGREEMENT

This Agreement is made the 25th day of March 2022

Between **MUHIMBILI NATIONA HOSPITAL**, a corporation incorporated under the Laws of Tanzania and having its principal place of business at Mindu Street, Plot No. 1048/2, Upanga; P.O. Box 65000, Dar es Salaam (herein after called "The Employer") and **PACIFIC DIAGNOSTICS LIMITED**, a corporation incorporated under the laws of Tanzania and having its principal place of business at Plot 46-48, Mikocheni Industrial Area, Opposite Coca-Cola Kwanza Factory Dar es Salaam, Tanzania, P. O. Box 34056 Dar es Salaam (hereinafter called "The Contractor") on the other part.

Whereas the Employer and the contractor have agreed to execute an Amendment to the Agreement for **SUPPLY, INSTALL, TEST, TRAIN AND COMMISSION OF MEDICAL EQUIPMENT** at Muhimbili National Hospital entered on 11th January 2022;

Whereas the Employer and the Contractor have agreed to reduce the contract price for the CT-Scan by **TZS 40,000,000/= (Forty Million Only)** from the original contract price of **TZS 1,850,000,000.00/= (One Billion Eight Hundred and Fifty Million Only)**; **The revised total contract sum is now TZS 6,883,790,976.00 ((Six Billion Eight Hundred Eighty-Three Million Seven Hundred Ninety Thousand Nine Hundred and Seventy-Six Only)** for the execution and completion of such works within the terms of the signed contract.

Now this agreement witnessed as follow

1. The following documents shall be deemed to form and be read and construed as part of this agreement viz;
 - (i) Correspondence from the Ministry of Health of the United Republic of Tanzania Ref. No. CA.124/145/01/71 dated 17th March, 2022.
 - (ii) Correspondence from Pacific Diagnostic Limited Ref. No. PDL/MOH/BAR/038/2022 dated 18th March, 2022.
 - (iii) The Terms and Conditions of the Contract entered on 11th January, 2022.
2. In this agreement, works and expressions shall have the same meanings as are respectively assigned to them in the conditions of contract herein after referred to and they shall be deemed to form and be read and construed as part of this agreement.
3. In consideration of the payments to be made by the employer to the contract as hereinafter mentioned, the contractor hereby covenants with the employer to execute and complete the works and remedy any defects herein in conformity in all respects with the provisions of the contract.



4. The employer hereby covenants to pay the contractor in consideration of the execution and completion of the works and the remedying of defects where in the contract price of **TZS 6,883,790,976.00 (Six Billion Eight Hundred Eighty-Three Million Seven Hundred Ninety Thousand Nine Hundred and Seventy-Six Only)** such other sum as may become payable under the provisions of the contract at the times and in the manner prescribed by the contract.

IN WITNESS WHEREOF the parties hereto have signed this Agreement on the date above mentioned.

For and on behalf of **MUHIMBILI NATIONAL HOSPITAL**

Name *Prof Laurence M. MUSERU*

Designation.....

Signature..... *Laurence*
[Authorized Representative]

**EXECUTIVE DIRECTOR
MUHIMBILI NATIONAL HOSPITAL
P. O. Box 65000
DAR-ES-SALAAM**

Witness: *Veronica C. Heller*

Qualification: *Head of Legal Affairs Unit*

Signature & Stamp..... *Heller*

**LEGAL UNIT
MUHIMBILI NATIONAL HOSPITAL
P. O. Box 65000
DAR-ES-SALAAM**

Date: *25/03/2022*

For and on behalf of **PACIFIC DIAGNOSTICS LIMITED**

Name..... *NEAFAL PHILLIP*

Designation..... *C.O.O*

Signature..... *Neafal*
[Authorized Representative]

Witness: *NEUCE BAGILI*

Qualification..... *TENDER OFFICER*

Signature & Stamp..... *Neuce*

**PACIFIC DIAGNOSTICS LIMITED
P. O. Box 34056
DAR-ES-SALAAM**

Date: *25/3/2022*