

MAGISTRATES OF THE METROPOLITAN REGIONAL CHAMBER OF THE FEDERAL COURT OF ADMINISTRATIVE JUSTICE, IN TURN.

BISELL CONSTRUCCIONES E
INGENIERÍA, SOCIEDAD ANONIMA DE
CAPITAL VARIABLE Y MWS
MANAGEMENT, INC.

Ref: Federal contentious-administrative
administrative lawsuit

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[...]

2. - The MINUTES RELATING TO THE CONCILIATION HEARING DATED JANUARY 21, 2019, issued within the conciliatory procedure number UR-DPEP-R-CONC-23/2018, issued by the Head of the Responsibilities Area of the Delegation of the Responsibilities Unit in PEMEX Exploration and Production, through which it **was denied THE COMPLIANCE OF THE “CONTRACT FOR COMPREHENSIVE WORKS FOR INTERVENTIONS TO INLAND WELLS IN THE NORTHERN REGION (PACKAGE 1)” SIGNED BETWEEN PEMEX EXPLORATION AND PRODUCTION AND THE COMPANIES BISELL CONSTRUCCIONES E INGENIERÍA, S. A DE C.V. and MWS MANAGEMENT, INC, TO WHICH NUMBER 424043804 WAS ASSIGNED.**

III. INTERESTED THIRD PARTY.

There is no such interested third party in this case.

IV. RESPONDENT AUTHORITIES.

They have such character:

- The Ministry of Public Function.

- Responsibilities Unit of Petróleos Mexicanos.
- Delegation of the Responsibilities Unit in PEMEX Exploration and Production.
- Area of Responsibilities of the Delegation of the Responsibilities Unit in PEMEX Exploración y Producción.
- The General Director of PEMEX.
- The Director of PEMEX-EXPLORATION AND PRODUCTION.

V. JURISDICTION AND TERMS.

First. It is **MATERIALLY COMPETENT** that H. Metropolitan Regional Chamber of the Federal Court of Administrative Justice to hear the present federal contentious administrative lawsuit, because the legality of an administrative resolution that interpreted and resolved on the performance of contracts for public works, acquisitions, leases and services entered into by the agencies and entities of the Federal Public Administration, which in the present case is PEMEX - EXPLORACIÓN Y PRODUCCIÓN, as provided in Article 3, Section VIII of the Organic Law of the Federal Court of Administrative Justice, which is cited below:

“**Article 3.** The Tribunal shall hear the lawsuits filed against the final resolutions, administrative acts and procedures indicated below:

...

VIII. Those arising from rulings in public bids and the interpretation and fulfillment of public contracts, public works, acquisitions, leases and services entered into by the agencies and entities of the centralized and parastatal Federal Public Administration, and the productive enterprises of the State; as well as, those that are under the responsibility of the federal public entities when the laws expressly state the competence of the court;

[...]

[...]

Statements of the parties.

Raul Lopez Gallegos on behalf of and presenting BISELL CONSTRUCCIONES E INGENIERÍA, S.A DE C.V. and Alan Riete Claiborne on behalf of and representing MWS MANAGEMENT, INC. (Joint Proposal) declare that:

The Contractor represents that it reserves its rights for the recognition, authorization and payment of the minimum amount of 40% of the total amount of the contract established in the fifth clause of the contract and of the non-recoverable expenses due to various suspensions, waiting times, as well as the revision of the percentage of indirect and financing costs, as well as the revision of the percentage of indirect and financing costs.”

7.- For the foregoing reasons, **ON THE PAST DECEMBER 4, 2018. MY CLIENT SUBMITTED BEFORE THE ADJUNCT GENERAL DIRECTION OF CONCILIATIONS OF THE SECRETARY OF PUBLIC SERVICE, WRIT OF OUKJA OF CONCILIATION**, with the purpose of obtaining a favorable result regarding the payment for the services already rendered by my principal to PEMEX Exploration and Production, derived from the aforementioned bidding and contract.

8.- Consequently, **ON THE PAST JANUARY 21, 2019, THE CONCILIATION HEARING WAS HELD. THROUGH WHICH THE MINUTES OF THE CONCILIATORY WAS MADE WITHIN THE PROCEEDING NUMBER UR-DPEP-R-CONC-23/2018**, issued by the Head of the Responsibilities Area of the Delegation of the Responsibilities Unit in PEMEX Exploration and Production, through which it **was denied THE COMPLIANCE OF THE “CONTRACT FOR COMPREHENSIVE WORKS FOR INTERVENTIONS TO INLAND WELLS IN THE NORTHERN REGION**

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(PACKAGE I)” SIGNED BETWEEN PEMEX-EXPLORACIÓN Y PRODUCCIÓN AND THE COMPANIES BISELL CONSTRUCCIONES E INGENIERÍA, S. A DE C.V. and MWS MANAGEMENT, INC, TO WHICH NUMBER 424043804 WAS ASSIGNED.

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