

E-5
Sep -23

PROCUREMENT OF GOODS
UNDER
NATIONAL SHOPPING PROCEDURES

FOR
Supply and Installation Of Electrical Transformar 22KV 63KVA, 11/0.433
KV, 3Phase For Royalseed Farm Producer Company Ltd. DhaiWadi AtPost-
Dhaiwadi Tal- Man Dist – Satara Pin -415508

UNDER
Hon. Balasaheb Thackeray Agribusiness Rural Transformation (SMART)
Project

TENDER NOTICE

**Supply and Installation Of Electrical Transformer 22 KV 63 KVA, 11/0.433
KV, 3 Phase**

The Government of Maharashtra is implementing the World Bank-funded Hon. Balasaheb Thackeray Agribusiness and Rural Transformation (SMART) Project. **Royalseed Farm Producer Company Ltd. Dhaiwadi** is one of the beneficiaries of the project and is inviting offline bids for the above-mentioned machinery. The bid document is available on the project website, **www.smart-mh.org**, in the tender and procurement section. The last date for submission of offline bids is **25/11/2023 up to 12 PM**. Any updates or notices shall be published on the aforementioned website only.

**Royalseed Farm Producer Company Ltd.- Dhaiwadi Tal- Man Dist - Satara
Pin -415508**

TENDER SCHEDULE

Hon. Balasaheb Thackeray Agri-business & Rural Transformation Project (SMART)

Govt. of Maharashtra is implementing World Bank assisted Hon. Balasaheb Thackeray Agribusiness And Rural Transformation (SMART) Project for developing Agriculture Commodity value chains. **Royalseed Farm Producer Company Ltd. DhaiWadi AtPost- Dhaiwadi Tal- Man Dist – Satara Pin -415508** is one of the beneficiaries under the project and inviting **offline** bids for the following goods.

Name of Goods	Supply and Installation Of Electrical Transformer 22KV 63KVA, 11/0.433 KV, 3Phase
Tender Fee Amount in Rs.	Rs. 580/- (500+18%GST)
EMD	In the form of bid security declaration
Downloading / Sale of tender document start date	From 11/11/2023 To 25/11/2023 up to 11 AM
Pre. Bid meeting Date , Time	16/11/2023
Last Date & Time for submission of bid	25/11/2023 up to 12.00 PM
Date and Time of Opening of technical bid	25/11/2023 at 12.30PM

Tender document is available at project website <https://www.smart-mh.org> in *Procurement & tender section*. For further any updates / notices shall be published on project website only.

President

Shri Bhimarao Pandurang Deshmukh

**Royalseed Farm Producer Company Ltd. DhaiWadi At/Post- Dhaiwadi Tal- Man Dist –
Satara Pin -415508 Mob.No7276747225 Email id-royalseed2109@gmail.com**

Pre-bid Meeting, Tender Submission & Opening place

Head

**District Implementation Unit (DIU) SMART-Satara
Administrative Building, Third Floor, Hajeri Mal
Parange Chauk, Sadar Bajar-Satara 415001
Phone No-02162-226822 Email id-satara.diu.smart@gmail.com**

INVITATION FOR QUOTATIONS
FOR SUPPLY AND INSTALLATION OF ELECTRICAL TRANSFORMAR 22KV 63KVA, 11/0.433
KV, 3PHASE

Date: 11.11.2023

RFQ No.: SMART/Royalseed/Goods/ 20/2022-23

To

Dear Sirs,

Sub: Invitation For Quotations for Supply and Installation of **Electrical Transformar 22KV 63KVA, 11/0.433 KV, 3Phase**

Dear Sirs,

- 1) Government of Maharashtra is implementing World Bank assisted Hon. Balasaheb Thackeray Agribusiness And Rural Transformation (SMART) Project for development of Value Chain of Various Commodities in the State.
- 2) The SMART Project is being implemented by various Project Implementation Units. **PIU Agriculture** is one of the implementing unit of SMART Project. **Royalseed Farm Producer Company Ltd. DhaiWadi At/Post- Dhaiwadi Tal- Man Dist - Satara Pin -415508** is one of the beneficiaries of **PIU Agriculture** under the SMART project.
- 3) **Royalseed Farm Producer Company Ltd. DhaiWadi At/Post- Dhaiwadi Tal- Man Dist - Satara Pin -415508** (hereinafter referred to as Purchaser) is inviting quotation for the following supply and installation of goods under the SMART Project.
- 4) You are invited to submit your most competitive quotation for the following goods

Sr. No.	Brief Description Of the Goods	*Specifications	Quantity in Nos
1	Electrical Transformar 22KV 63KVA, 11/0.433 KV, 3Phase	Transformar 22KV 63KVA	1
2		Rsj Pole MTR	2
3		22KV AB Swich	1
4		22KV HG Fuse	1
5		22KV LA Set	1
6		HIB3+4+6	25 Kg.
7		Clamp	18 Kg.
8		HB3+4+6	3
9		Flap 3	6
10		Giwire	15 Kg.
11		Stay Set HT	3
12		Stay Wire 7.8 QRS MM	40 kg
13		Cut Point Set	1
14		Discinsulator	6
15		AAAC 34 MM Coundoctor	180 MTR

16		DP Set Channal	Set
17		Clamp	2
18		HB6"+4"	3
19		DB Box	1
20		Cable (p) 95*35 MM	10 kg
21		Earthing Pipe	5 No
22		Lugs 75 MM	20 No

** Where ISI certification marked goods are available in market, procurement should generally be limited to goods with those or equivalent marking only. If any specific brand/model number is mentioned in the specification in such case other equivalent brand/ model no is acceptable to the purchaser separate sheet need for specification*

- 5) You are requested to submit your bid latest by 12 PM on 25/11/2023 at following address. Opening of the technical bids will be done in the presence of bidders or their representatives at 12.30 PM on 25/11/2023. The bid submission and opening shall be done at following address.

Head
District Implementation Unit (DIU) SMART-Satara
Administrative Building, Third Floor, Hajeri Mal
Parange Chauk, Sadar Bajar-Satara 415001
Phone No-02162-226822 Email id-satara.diu.smart@gmail.com

We look forward to receiving your quotations and thank you for your interest in this project.
President

Shri Bhimarao Pandurang Deshmukh
Royalseed Farm Producer Company Ltd. DhaiWadi At/Post- Dhaiwadi Tal- Man Dist -
Satara Pin -415508 Mob.No7276747225 Emai id-royalseed2109@gmail.com

Instructions to Bidders

1. Scope of Supply of Goods:

Royalseed Farm Producer Company Ltd. DhaiWadi At/Post- Dhaiwadi Tal- Man Dist - Satara Pin -415508 invites quotations for supply of following goods

Sr. No.	Brief Description Of the Goods	Specifications	Quantity	Delivery Period	Place of Delivery	Installation Requirement if any
1	Electrical Transformer 22KV 63KVA, 11/0.433 KV, 3Phase	Transformer 22KV 63KVA	1	20 Days	At / Post - Kotabav Tal - Man Dist- Satara	Yes
2		Rsj Pole MTR	2			
3		22KV AB Swich	1			
4		22KV HG Fuse	1			
5		22KV LA Set	1			
6		HIB3+4+6	25 Kg.			
7		Clamp	18 Kg.			
8		HB3+4+6	3			
9		Flap 3	6			
10		Giwire	15 Kg.			
11		Stay Set HT	3			
12		Stay Wire 7.8 QRS MM	40 kg			
13		Cut Point Set	1			
14		Discinsulator	6			
15		AAAC 34 MM Counductor	180 MTR			
16		DP Set Channal	Set			
17		Clamp	2			
18		HB6"+4"	3			
19		DB Box	1			
20		Cable (p) 95*35 MM	10 kg			
21		Earthing Pipe	5 No			
22		Lugs 75 MM	20 No			

2. Qualification Criteria of bidder:

The bidder should fulfill following all qualification criteria;

- a) Should have GST registration
- b) Should have achieved in at least one year an annual financial turnover not less than **Rs. 4.15 lakhs** in the last three years i.e. (FY 2019-20 to 2020-21, 2021-22) or (FY 2020-21 to 2021-22, 2022-23)
- c) Should have satisfactorily supplied & installed **at least one unit** of similar goods/Machinery/ equipment of same of higher capacity for which this bid is invited in any one year during current and previous three financial years.
- d) Should be authorized dealer or distributor of the Manufacturer
- e) Should not have been black listed, debarred or suspended on the date of bid opening by any of the Government organization, the World Bank Group.

3. Bid Price

- a) The contract shall be for the full quantity/delivery as described above. Corrections, if any, shall be made by crossing out, initialing, dating and re writing.
- b) All duties, taxes and other levies payable on the raw materials and components shall be included in the total price.
- c) The price should inclusive of transportation, loading, unloading, installation etc.
- d) GST in connection with the sale shall be shown separately.
- e) The rates quoted by the bidder shall be fixed for the duration of the contract and shall not be subject to adjustment on any account.

4. Validity of Quotation

Quotation shall remain valid for a period not less than 90 days after the deadline date specified for submission.

5. Tender Fee & Bid Security:

a) Tender Fee:

Bidders need to download the tender document from the project website, <https://www.smart-mh.org> and should submit a non-refundable tender fee in any one of the following ways

- a) a demand draft in favour of CBO Account Name OR
- b) cash paid at CBO office and get cash receipt OR
- c) online or offline payment deposited into the following CBO bank account
 1. CBO Account Name: **Royal Seed Farmer Producer Company Ltd .**
Dhainwadi Tal- Man Dist satara
 2. Bank Account No: **60436025784**
 3. Bank Account Type: **current account**
 4. Bank Name: **Bank Of Maharashtra**
 5. Bank Branch: **Dhainwadi Tal- Man**
 6. IFSC Code: **MAHB0001835**

The bidder needs to submit a demand draft, bank receipt, or receipt of payment made at the CBO office in the technical document envelope. If the bidder fails to submit the tender fee , such bids shall be rejected.

b) Bid Security :

- 1) Bidder should submit bid security declaration in the attached format. If bidder not submitted bid security declaration, the bid submitted by such bidder shall be rejected.
- 2) The Bid Security declaration shall be executed
 - a) if a bidder withdraws its bid prior to the expiry date of bid validity specified by the bidder on the letter of bid or any extended date provided by the bidder; or
 - b) During the bid process, if any information submitted found manipulated / hidden /false / mala fide in the bid
 - c) if the successful Bidder fails to
 - (i) sign the Contract or
 - (ii) furnish a Performance Security

6. Submission of bid:

- a) The bidder is advised to visit the site at his own expense and obtain all information that may be necessary for preparing the bid.
- b) Each bidder shall submit only one bid.
- c) Modification and Withdrawal of Bids – Resubmission of bid by the bidders for any number of times before the final date and time of submission is allowed.
- d) Bid shall comprise of the following 2 envelopes:
 - 1) **Envelope 1:** Technical bid
 - 2) **Envelope 2:** Financial /price bid

Note: The above both the envelopes are to be submitted in a separate sealed envelopes mentioning the Technical bid and financial bid on top of the each envelop and bidders name at bottom of the envelope. Both these two envelopes shall be packed in a one outer envelope & seal it.

The sealed outer envelope will also bear the following identification: -

- Bid for – Installation and Supply of Electrical Transformer 22KV 63KVA,
11/0.433 KV, 3Phase
- Bidder's name.....
- Bidder's address
- Bidder's contact number

1) Technical bid: (Envelop 1)

The bidder should submit following documents in **3 sets**;

- a) Demand draft OR Bank receipt OR payment receipt issued by CBO towards tender fee.
- b) Details of technical documents submitted (in the attached form no 1)
- c) Bid security declaration (in the attached form no 2)
- d) The declaration that the bidder is not black listed/banned by any Government department/ Public Sector Undertaking/ Private Sector/ or any other agency (in the attached form no 3)
- e) Turn over certificate issued by the chartered Accountant or copy of ITRs or balance sheet (in the attached form no 4)
- f) Experience of the bidder in supplying similar item (in the attached form no 5)
- g) Authorized dealer or distributor of the Manufacturer certificate or letter from manufacturer
- h) GST registration certificate

Note: Bidders need to submit three sets of above documents (one original and two copies) in the technical envelop.

2) Financial Bid: (Envelop 2)

The bidder shall quote for *all items in the attached quotation format only (Form no 6).

7. Bid opening and Evaluation process:

a) Opening of Envelop – 1 (Technical Bid)

The 'Technical Envelop' of bids will be publicly opened first in the presence procurement committee and bidders' designated representatives and anyone who chooses to attend at the address on the date and time specified in the tender notice. In the event of the date

specified for bid opening being declared as a holiday, the due date for opening of bids will be the following working day at the same time and venue.

b) Evaluation of Technical Bid

The evaluation of the technical bids will be carried out as per the eligibility criteria mentioned in the clause 2. The bidders fulfilling minimum eligibility criteria are declared technically qualified and eligible opening of the financial bid.

c) Opening of Envelop - 2 (Financial Bid)

Financial envelope of technically qualified bidders shall be opened in the presence of procurement committee and bidders' designated representatives on the date and time informed by the purchaser.

8. Evaluation of Financial bids/ Quotations

The Purchaser will evaluate and compare the quotations determined to be substantially responsive i.e. which

a) are properly signed ;

b) conform to the terms and conditions, and specifications.

c) *The Quotations would be evaluated for the entire item together

9. Information relating to evaluation of bids and recommendations for the award of contract shall not be disclosed to bidders or any other persons not officially concerned with the process until the award to the successful bidder is announced.

10. Normal commercial warranty/ guarantee **12 Months** shall be applicable to the supplied goods.

11. Award of contract:

a) The Purchaser will award the contract to the bidder whose quotation has been determined to be substantially responsive and who has offered the lowest evaluated quotation price and who meets the specified qualification criteria.

b) Notwithstanding the above, the Purchaser reserves the right to accept or reject any quotations and to cancel the bidding process and reject all quotations at any time prior to the award of contract.

c) The bidder whose bid is accepted will be notified of the award of contract by the Purchaser prior to expiration of the quotation validity period.

Note: In case of a tie of evaluated cost between two or more bidders, discount Shall be taken from all the L1 bidders. In case there is still a tie, bidder with the maximum turnover shall be awarded contract

12. Purchaser's Right to Vary Quantities at Time of Award

At the time the Contract is awarded, the Purchaser reserves the right to increase or decrease the quantity of Goods and Related Services up to 10 % originally specified without any change in the unit prices or other terms and conditions of the Bid and the bidding document.

13. Performance Security:

Within 15 days of receiving letter of acceptance, the successful bidder shall deliver to the Purchaser the performance security in the form of Demand draft or unconditional bank

guarantee in favor of the Purchaser for an amount equivalent of {5% } of the contract price.

The Performance Security will be discharged by the Purchaser and returned to the Supplier not later than twenty-eight (28) days following the date of Completion of the Supplier's performance obligations under the Contract including any warranty obligations.

14. Payment:

Payment will be made as under

- a) On Delivery & installation: 75 % of the Contract Price will be made within 15 days after delivery and installation of the goods & duly certified by the authority appointed by the purchaser and upon receipt of tax invoice.
- b) Advance payment @25% of the supply order value will be paid against submission of unconditional bank guarantee for the same amount by the successful bidder {@ mention % up to maximum 25% based on item to be procured} and should be valid up to the first installment of payment. The amount of advance shall be settled against the first installment of payment.

15. If bidder not delivered & installed goods within the time, liquidated damage @ 0.5% per week shall be deducted from final payment.

16. Normal commercial warranty/ guarantee shall be applicable to the supplied goods.

We look forward to receiving your quotations and thank you for your interest in this project.

(Signature of President)

**Royalseed Farm Producer Company Ltd. DhaiWadi At/Post- Dhaiwadi Tal- Man Dist -
Satara Pin -415508 Mob.No7276747225 Emai id-royalseed2109@gmail.com**

Annexure-A

1) Technical Specifications of each item

“Summary of Technical Specifications. The Goods and Related Services shall comply with following Technical Specifications and Standards:

Sr. No.	Brief Description Of the Goods	*Technical Specifications and Standards	Quantity in Nos
1	Electrical Transformer 22KV 63KVA, 11/0.433 KV, 3Phase	Transformar 22KV 63KVA	1
2		Rsj Pole MTR	2
3		22KV AB Swich	1
4		22KV HG Fuse	1
5		22KV LA Set	1
6		HIB3+4+6	25 Kg.
7		Clamp	18 Kg.
8		HB3+4+6	3
9		Flap 3	6
10		Giwire	15 Kg.
11		Stay Set HT	3
12		Stay Wire 7.8 QRS MM	40 kg
13		Cut Point Set	1
14		Discinsulator	6
15		AAAC 34 MM Counductor	180 MTR
16		DP Set Channal	Set
17		Clamp	2
18		HB6”+4”	3
19		DB Box	1
20		Cable (p) 95*35 MM	10 kg
21		Earthing Pipe	5 No
22		Lugs 75 MM	20 No

** Where ISI certification marked goods are available in market, procurement should generally be limited to goods with those or equivalent marking only.*

Note: if any specific brand/model number is mentioned in the specification in such case other equivalent brand/ model no is acceptable to the purchaser

2. Inspections and Tests- N/A

Form No 1

Details of technical documents submitted

(On bidder's letter head)

Sr. No.	List of documents to be submitted(3 sets)	Document page No
1	Demand draft OR Bank receipt OR payment receipt issued by CBO towards tender fee	
2	Bid security declaration (Form no 2)	
3	The declaration that the bidder is not black listed/banned by any Government department/ Public Sector Undertaking/ Private Sector/ or any other agency (form no 3)	
4	Turn over certificate issued by the chartered Accountant for financial years (FY 2019-20 to 2020-21, 2021-22) or (FY 2020-21 to 2021-22, 2022-23)(Form No 4) or copy of ITRs or balance sheet	
5	Details of experience in supply of similar goods (Form No 5) along with the relevant documents	
6	GST registration certificate	
7	Authorized dealer or distributor of the Manufacturer certificate or letter from manufacturer	

Signature

Name of Authorized Signatory.....

Bidder's Office Seal

Note: Bidders should submit this form along with all above mentioned required documents in 3 sets(one original and two copies) in the technical envelop. Each document should be numbered & should be stamped and signed by the bidders authorized signatory. Failing which CBO reserves the right to reject the bid.

FORMAT OF DECLARATION IN LIEU OF EMD/BID SECURITY
(To be submitted on the Bidder's Letter Head)

Date: *[insert date]*

Tender Ref No.: SMART/Royalseed/Goods/ 20/2022-23

To: Royalseed Farm Producer Company Ltd. DhaiWadi

We, the undersigned, declare that:

We understand that, according to your conditions, quotation must be supported by a Bid-Securing Declaration.

We accept that we will automatically be suspended from being eligible for bidding in any contract with any CBO or project implementing unit under SMART or various offices under various Government organization / World Bank funded Projects for the period of time of 3 years starting from opening of the financial bids, if we are in breach of our obligation(s) under the bid conditions, because we:

- (a) have not accepted the correction of the Bid Price pursuant to ITB ; or
- (b) during the bid process, if any information submitted by us found manipulated / hidden /false / mala fide in the bid ; or
- (c) have withdrawn our Bid during the period of Bid validity specified in the Letter of Bid or any extended date provided by us; or
- (d) having been notified of the acceptance of our Bid by the CBO/Employer during the period of bid validity,
 - (i) fail or refuse to execute the Contract, if required, or
 - (ii) fail or refuse to furnish the Performance Security.

We understand this Bid-Securing Declaration shall expire if we are not the successful Bidder, upon the earlier of (i) our receipt of your notification to us of the name of the successful Bidder; or (ii) twenty-eight days after the expiration of our Bid.

Signed: *[insert signature of person whose name and capacity are shown]* In the capacity of *[insert legal capacity of person signing the Bid-Securing Declaration]*

Name: *[insert complete name of person signing the Bid-Securing Declaration]*

Duly authorized to sign the bid for and on behalf of: *[insert complete name of Bidder]*

Dated on day of , *[insert date of signing]*

Corporate Seal (where appropriate)

FORMAT OF SELF DECLARATION WITH REGARD TO BLACKLISTING/ NON- DEBARMENT,
BY ORGANISATION
(To be submitted on the Bidder's Letter Head)

Date: *[insert date]*

Tender Ref No.: SMART/Royalseed/Goods/ 20/2022-23

To: *Royalseed Farm Producer Company Ltd. DhaiWadi*

We hereby confirm and declare that we, M/s -----,
is not blacklisted/ De-registered/ debarred by any Government department /Public Sector
Undertaking/ Private Sector/ or any other agency for which we have Executed/ Undertaken the
supply goods/ works/ Services during the last 3 years.

Signature
Name of Authorized Signatory.....
Office Seal

Date:

**TURNOVER CERTIFICATE ISSUED BY CHARTERED ACCOUNTANT FIRM
(on CA's letter head)**

TO WHOMSOEVER IT MAY CONCERN

This is to certify that M/s. (name of bidder) is having registered office at (detailed office address). The turnover of the (name of firm) for the following financial years based on the audited financial Statement is as under.

Sr. No.	Financial Year	Turnover in lakhs
1		
2		
3		

The above information/figures are true and authentic to the best of my knowledge and belief. I/we am/ are well aware of the fact that furnishing of any false information/fabricated document would lead to rejection of bid or at any stage, besides liabilities towards prosecution under appropriate law.

Signature of the Chartered Accountant

Name of the Firm

Registration No.

Date:

Place:

(Seal of the Chartered Accountant)

Email id:

UDIN:

Note:

- 1. Turnover certificate without UDIN shall be rejected.*
- 2. Turnover from unaudited financial statement shall not be considered*
- 3. Turnover mentioned in UDIN document available on The Institute of Chartered Accountants of India website and this certificate should be same. If there is any difference in such case CBO reserves the right to reject the bid.*

Experience of the bidder in supplying similar item

Sr. No	Name and Address of Client	Name of Item supplied	Quantity of item supplied	Supply/ Work Order Date	Supply/ Work order Value in Rs.	Supply/ Delivery Completion date
1						
2						
3						

Signature

Name of Authorized Signatory.....

Office Seal

Note: It is necessary to submit Completion certificate issued by the client / delivery challan duly acknowledged by the client / tax invoice copy.

(Quotation Format)
Price Schedule
(On bidder's letterhead)

Sr. No.	Items	Model No & Brand name	Unit	Qty	Unit Rate without GST in Rs.	Total Amount without GST in Rs.
1	Transformar 22KV 63KVA			1		
2	Rsj Pole MTR			2		
3	22KV AB Swich			1		
4	22KV HG Fuse			1		
5	22KV LA Set			1		
6	HIB3+4+6			25 Kg.		
7	Clamp			18 Kg.		
8	HB3+4+6			3		
9	Flap 3			6		
10	Giwire			15 Kg.		
11	Stay Set HT			3		
12	Stay Wire 7.8 QRS MM			40 kg		
13	Cut Point Set			1		
14	Discinsulator			6		
15	AAAC 34 MM Counductor			180 MTR		
16	DP Set Channal			Set		
17	Clamp			2		
18	HB6"+4"			3		
19	DB Box			1		
20	Cable (p) 95*35 MM			10 kg		
21	Earthing Pipe			5 No		
22	Lugs 75 MM			20 No		

We agree to supply and installation of above goods in accordance with the technical specifications and other terms and conditions mentioned in the tender document for a total contract price of Rs.(amount in figures) (Rs. amount in words) .

We also confirm that the normal commercial warrantee/guarantee of months shall apply to the offered goods.

We hereby certify that we have taken steps to ensure that no person acting for us or on our behalf will engage in bribery or collusive agreements with competitors.

Name of Bidder:

Signature of Bidder:

Date:

Bidder's office stamp

Letter of Acceptance

[letterhead paper of the Purchaser]

[date]

To: *[name and address of the Supplier]*

Subject: **Notification of award Contract No.**

This is to notify you that your Bid dated ***[insert date]*** for execution of the ***[insert name of the contract and identification number, as given in the SCC]*** for the Accepted Contract Amount of ***[insert amount in numbers and words and name of currency]***, as corrected and modified in accordance with the Instructions to Bidders is hereby accepted by our Agency.

You are requested to furnish (i) the Performance Security within 15 days in accordance with the Conditions of Contract, using for that purpose one of the Performance Security Forms

Authorized Signature: _____

Name and Title of Signatory: _____

Name of Agency: _____

Attachment: Contract Agreement

Contract Agreement

[The successful Bidder shall fill in this form in accordance with the instructions indicated]

THIS AGREEMENT made

the *[insert: **number**]* day of *[insert: **month**]*, *[insert: **year**]*.

BETWEEN

- (1) *[insert complete name of Purchaser]*, a *[insert description of type of legal entity, for example, an agency of the Ministry of ... of the Government of {insert name of Country of Purchaser}, or corporation incorporated under the laws of {insert name of Country of Purchaser}]* and having its principal place of business at *[insert address of Purchaser]* (hereinafter called "the Purchaser"), of the one part, and
- (2) *[insert name of Supplier]*, a corporation incorporated under the laws of *[insert: country of Supplier]* and having its principal place of business at *[insert: address of Supplier]* (hereinafter called "the Supplier"), of the other part:

WHEREAS the Purchaser invited quotation for certain Goods and ancillary services, viz., *[insert brief description of Goods and Services]* and has accepted quotation /bid by the Supplier for the supply of those Goods and Services

The Purchaser and the Supplier agree as follows:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Contract documents referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement. This Agreement shall prevail over all other contract documents.
 - (a) the Letter of Acceptance
 - (b) the RFQ document
 - (c) the Addenda Nos.____ (if any)
 - (d) the Specification (including Schedule of Requirements and Technical Specifications)
 - (e) the completed Schedules (including Price Schedules)
3. In consideration of the payments to be made by the Purchaser to the Supplier as specified in this request for bid document, the Supplier hereby covenants with the Purchaser to provide the Goods and Services and to remedy defects therein in conformity in all respects with the provisions of the Contract.
4. The Purchaser hereby covenants to pay the Supplier in consideration of the provision of the Goods and Services and the remedying of defects therein, the Contract Price or 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 caused this Agreement to be executed in accordance with the laws of *[insert the name of the Contract governing law country]* on the day, month and year indicated above.

For and on behalf of the Purchaser

Signed: *[insert signature]*

in the capacity of *[insert title or other appropriate designation]*

In the presence of *[insert identification of official witness]*

For and on behalf of the Supplier

Signed: *[insert signature of authorized representative(s) of the Supplier]*

in the capacity of *[insert title or other appropriate designation]*

in the presence of *[insert identification of official witness]*

Performance Security (Bank Guarantee)

[The bank, as requested by the successful Bidder, shall fill in this form in accordance with the instructions indicated]

[Guarantor letterhead or SWIFT identifier code]

Beneficiary: *[insert name and Address of Purchaser]*

Date: *_ [Insert date of issue]*

PERFORMANCE GUARANTEE No.: *[Insert guarantee reference number]*

Guarantor: *[Insert name and address of place of issue, unless indicated in the letterhead]*

We have been informed that *_ [insert name of Supplier, which in the case of a joint venture shall be the name of the joint venture]* (hereinafter called "the Applicant") has entered into Contract No. *[insert reference number of the contract]* dated *[insert date]* with the Beneficiary, for the supply of *_ [insert name of contract and brief description of Goods and related Services]* (hereinafter called "the Contract").

Furthermore, we understand that, according to the conditions of the Contract, a performance guarantee is required.

At the request of the Applicant, we as Guarantor, hereby irrevocably undertake to pay the Beneficiary any sum or sums not exceeding in total an amount of *[insert amount in figures] (____) [insert amount in words]* such sum being payable in the types and proportions of currencies in which the Contract Price is payable, upon receipt by us of the Beneficiary's complying demand supported by the Beneficiary's statement, whether in the demand itself or in a separate signed document accompanying or identifying the demand, stating that the Applicant is in breach of its obligation(s) under the Contract, without the Beneficiary needing to prove or to show grounds for your demand or the sum specified therein.

This guarantee shall expire, no later than the Day of Monthyear and any demand for payment under it must be received by us at this office indicated above on or before that date.

(Signature of the authorized officer of the Bank)

Name and designation of the officer

Seal, name & address of the Bank and address of Branch

Note: All italicized text (including footnotes) is for use in preparing this form and shall be deleted from the final product.

Advance Payment Security

Bank Guarantee

[Guarantor letterhead or SWIFT identifier code]

Beneficiary: *[Insert name and Address of Purchaser]*

Date: *[Insert date of issue]*

ADVANCE PAYMENT GUARANTEE No.: *[Insert guarantee reference number]*

Guarantor: *[Insert name and address of place of issue, unless indicated in the letterhead]*

We have been informed that *[insert name of Supplier, which in the case of a joint venture shall be the name of the joint venture]* (hereinafter called "the Applicant") has entered into Contract No. *[insert reference number of the contract]* dated *[insert date]* with the Beneficiary, for the execution of *[insert name of contract and brief description of Goods and related Services]* (hereinafter called "the Contract").

Furthermore, we understand that, according to the conditions of the Contract, an advance payment in the sum *[insert amount in figures]* () *[insert amount in words]* is to be made against an advance payment guarantee.

At the request of the Applicant, we as Guarantor, hereby irrevocably undertake to pay the Beneficiary any sum or sums not exceeding in total an amount of *[insert amount in figures]* (_____) *[insert amount in words]* upon receipt by us of the Beneficiary's complying demand supported by the Beneficiary's statement, whether in the demand itself or in a separate signed document accompanying or identifying the demand, stating either that the Applicant:

- (a) has used the advance payment for purposes other than toward delivery of Goods; or
- (b) has failed to repay the advance payment in accordance with the Contract conditions, specifying the amount which the Applicant has failed to repay.

A demand under this guarantee may be presented as from the presentation to the Guarantor of a certificate from the Beneficiary's bank stating that the advance payment referred to above has been credited to the Applicant on its account number *[insert number]* at *[insert name and address of Applicant's bank]*.

The maximum amount of this guarantee shall be progressively reduced by the amount of the advance payment repaid by the Applicant as specified in copies of interim statements or payment certificates which shall be presented to us. This guarantee shall expire, at the latest, upon our receipt of a copy of the interim payment certificate indicating that ninety (90) percent of the Accepted Contract Amount, has been certified for payment, or on the *[insert day]* day of *[insert month]*, 2 *[insert year]*, whichever is earlier. Consequently, any demand for payment under this guarantee must be received by us at this office on or before that date.

(Signature of the authorized officer of the Bank)

Name and designation of the officer

Seal, name & address of the Bank and address of Branch

Note: *All italicized text (including footnotes) is for use in preparing this form and shall be deleted from the final product.*