

PROCUREMENT CONTRACT

Between

**Moshi Urban Water Supply and Sanitation Authority
P.o Box 1001,
Moshi**

And

**Pipes Industries Co.Limited
P.o Box 16541,
Dar-es-Salaam.**

**For Supply of HDPE Pipes & Fittings for Mabogini & Kimochi Water
Supply Project,
For the Financial Year 2021/2022,
Quotation Identification No. AE/039/2021-22/G/39
as Given in the Special Condition of Contract**

Form of Agreement

THIS AGREEMENT made this 20th day of November 2021 between **Moshi Urban Water Supply and Sanitation Authority of P.O Box 1001, Moshi Tanzania** (hereinafter called "the PE") of the one part and **Pipes Industries Co. Ltd of P.O Box 16541, Dar es salaam Tanzania** (hereinafter called "the Supplier") of the other part:

WHEREAS the PE invited Tenders for **Supply of HDPE Pipes & Fittings for Mabogini & Kimochi Water Supply Project** and has accepted a Tender by the Supplier for the supply of those goods and services including transportation to Moshi Urban Water Supply and Sanitation Headquarter, Junction of Kibo/Bath Road, Moshi Municipality;


NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement and the order of precedence shall be the order in which the Contract Documents are listed below:-
 - (a) Form of Agreement;
 - (b) The Form of Tender and the Price Schedule submitted by the Tenderer;
 - (c) Schedule of Requirement;
 - (d) Technical Specifications & Compliance;
 - (e) Special Conditions of Contract;
 - (f) General Condition of Contract;
 - (g) The Purchaser's Letter of Acceptance; and
 - (h) Warranty Facility;
 - (i) Manufacturers Authorization Letter;
 - (j) Performance Bond;
 - (k) Power of Attorney;
 - (l) Negotiation.
3. In consideration of the payments to be made by the PE to the Supplier in the sum of **Tsh.562,905,584.10** in words **Five hundred sixty two million nine hundred five thousand five hundred eighty four and ten cents only VAT Exclusive**. The Supplier hereby covenants with the PE to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract.
4. The PE 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 Tanzania laws the day and year first above written.

SIGNED FOR AND SEALED WITH THE COMMON SEAL OF MOSHI URBAN WATER SUPPLY AND SANITATION AUTHORITY


.....
Signature
Name Kija Limbe
Occupation Managing Director

MANAGING DIRECTOR
URBAN WATER SUPPLY &
SANITATION AUTHORITY
MOSHI


In the Presence of:

.....
Signature
Name Laurian Kessy
Occupation Corporate Counsel

SIGNED FOR AND SEALED WITH THE COMMON SEAL OF PIPES INDUSTRIES Co. LTD


.....
Signature
Name IGNAS MAFITIA
Occupation SALES EXECUTIVE

PIPES INDUSTRIES CO. LTD
P.O. Box 16541
DAR ES SALAAM

In the Presence of:

.....
Signature
Name Tawalibu Athuman
Occupation SALES EXECUTIVE

Date: 20th November, 2021