

Form of Contract

THIS AGREEMENT made this 24<sup>th</sup> day of November 2021.

BETWEEN

KIGOMA WATER SUPPLY AND SANITATION AUTHORITY of P.O BOX 812 KIGOMA, Tanzania (hereinafter called "*the Procuring Entity or PE*") of the one part

AND

M/S KAHAMA OIL MILLS LTD of P.O. Box 253 KAHAMA (hereinafter called "*the Supplier*") of the other part:

WHEREAS the PE invited Tenders for certain goods and ancillary services, viz., Supply of HDPE PIPES and has accepted a Tender by the Supplier for the supply of those goods for the sum of Tanzania Shillings Two Hundred Millions Sixty Five Thousands Zero cent Only (200,065,000.00) VAT Exclusive for Tender No. AE/036/2021-2022/G/19/01 FOR SUPPLY OF PIPES FOR EXTENSION OF KIGOMA MUNICIPALITY WATER SUPPLY NETWORK PROJECT FOR COMBATING COVID-19 (hereinafter called "*the Contract Price*").

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

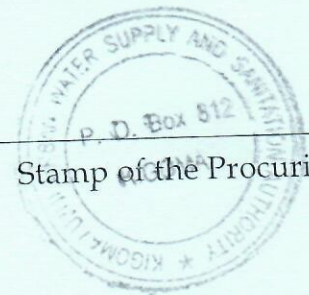
1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement. In the event of any ambiguity or conflict between the Contract Documents listed below, the order of precedence shall be the order in which the Contract Documents are listed below:-
  - (a) Form of agreement;
  - (b) the Special Conditions of Contract;
  - (c) the General Condition of Contract;
  - (d) the Form of Tender;
  - (e) the Price Schedule submitted by the Tenderer;
  - (f) the Schedule of Requirements;
  - (g) the Technical Specifications;
  - (h) the Letter of Acceptance
  - (i) Minutes of Negotiation Committee;
  - (j) Power of Attorney



3. In consideration of the payments to be made by the PE to the Supplier as hereinafter mentioned, 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 their respective laws the day and year first above written.

SIGNED AND DELIVERED at  
 KIGOMA by the Common  
 Stamp of the said  
 KIGOMA URBAN WATER SUPPLY  
 AND SANITATION AUTHORITY in OUR  
 Presence this 24<sup>th</sup> day of November 2021.



Stamp of the Procuring Entity

FOR AND ON BEHALF OF THE PROCURING ENTITY:

Signature..... *[Signature]*  
 Name..... Mike Jones Lyons  
 Postal Address..... P.O. Box 812 Kigoma  
 Qualification:..... Managing Director

IN THE PRESENCE OF:

Signature..... *[Signature]*  
 Name..... Joah B. Ombi  
 Postal Address..... P.O. Box 812  
 Qualification:..... Ag. Finance Manager

*[Handwritten mark]*

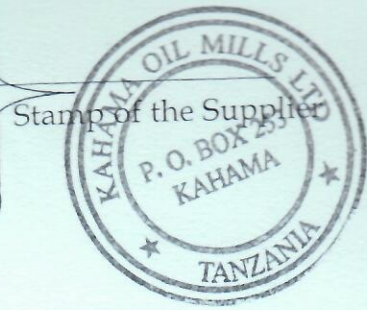
SIGNED AND DELIVERED at

KIGOMA by the Common

Stamp of the said

M/S KAHAMA OIL MILLS LTD

in OUR Presence this <sup>24<sup>th</sup></sup> day of November 2021.

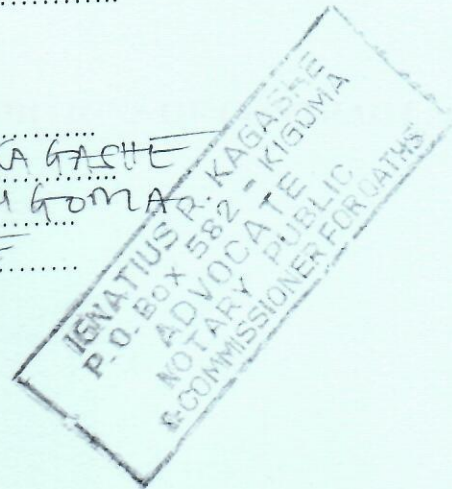


FOR AND ON BEHALF OF THE SUPPLIER:

Signature.....  
Name..... SHINA AICHA BALATHIQA  
Postal Address..... Box 213 - KAHAMA  
Qualification:..... PRODUCTION & SALES ENGINEER

IN THE PRESENCE OF

Signature.....  
Name..... IGNATIUS R. KAGACHE  
Postal Address..... Box 582 Kigoma  
Qualification:..... ADVOCATE



*[Handwritten mark]*