

FORM OF CONTRACT

This Contract is made the 28th day of DECEMBER, 2021.

Between

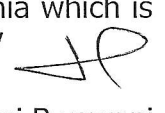
The Rural Water Supply and Sanitation Agency (RUWASA), having its physical address at NBC Bank, Mazengo Branch, Kuu Road, P.O. Box 412, 40473 **DODOMA**, Tanzania (hereinafter called "**the Employer**") of the one part;

And

M/s SKYWARDS CONSTRUCTION P.O. Box 3820 DAR ES SALAAM, Tanzania (hereinafter called "**the Contractor**") of the other part.

Both the Employer and the Supplier shall collectively and jointly be known as "**Part**

WHEREAS:

- (a) The Employer is a Government Agency established under the Water Supply and Sanitation Act No. 5 of 2019 which is responsible for development and sustainable management of rural water supply and sanitation projects and the provision of water supply and sanitation services in rural areas;
- (b) The Contractor is a Company registered under the Laws of Tanzania which is responsible for Construction of Civil works and register CRB Class V 
- (c) The Employer invited Tender for Extension of Meserani juu- Meserani Bwawani Monduli District Tender No:AE-102/2021-2022/ARS/C/W/02 under the terms and conditions set forth in this Contract;
- (d) The Contractor having represented to the Employer that it has the required professional skills, expertise and technical resources, the Employer through the Letter of Notification of Award of Tender with Ref. Ref. No. DA.130/258/01/216 Dated 19th December, 2021 awarded a Tender to the Contractor at the contract sum of **Three Hundred Million Only (300,000,000) VAT Exclusive** (hereinafter referred to as "**the Contract Price**").

NOW THEREFORE the Parties hereby agree as follows:

1. In this contract, 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 an integral part to this contract, and shall be taken as complementary and mutually explanatory of one another but in the event of ambiguities, inconsistency or discrepancies within the Contract, the documents shall take precedence/prevail in the order set out below:

- a) Form of Contract;
- b) Special Conditions of Contract;
- c) General Conditions of Contract
- d) Notification of Award of Tender;
- e) Letter of Acceptance;
- f) Priced Bill of Quantities
- g) Ant- bribery Memorandum
- h) Technical Specifications;
- i) Drawings
- j) APPENDICES
 - Forms of Securities;
 - Registered Power of Attorney;
 - Minutes of Negotiation Meeting

3. In consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Employer to provide the said contractor and to remedy defects therein 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 for for Extension of Meserani juu- Meserani Bwawani Monduli District Tender No :AE-102/2021-2022/ARS/C/W/02 the sum of **Three Hundred Million Only (300,000,000) VAT Exclusive**, at the times and in the manner prescribed in this Contract.

5. The Employer hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects wherein 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 as follow

- a) 15% Advance Payment shall be paid to the Supplier within twenty Eighty (28) days after the date of Signing of the Contract the Contract price shall be paid in **Tanzanian Shillings** as stipulated under Clause 18 of the SCC.

6. The contract shall be executed for the period of **three month (3)** which shall immediately commence from the date of signing this Contract.

[Handwritten signature]

[Handwritten signature]

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IN WITNESS whereof, the parties hereto have caused this Contract to be executed in accordance with their respective laws the day and year first above written.

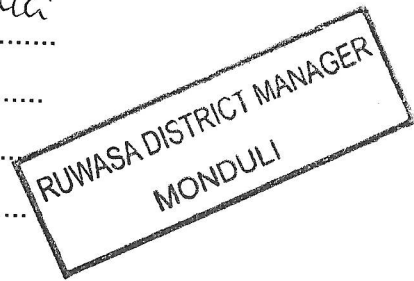
FOR AND ON BEHALF OF THE EMPLOYER:

Signature:
Name: Eng. JOSEPH E. MAKADI
Title: REGIONAL MANAGER
Date: 28/12/2021
Seal:



In the presence of:

Signature: Eng Neville D. Msala
Name:
Title: DM
Date: 28/12/2021



FOR AND ON BEHALF OF THE SUPPLIER:

Signature:
Name: Eng FAUZ ELIHAQ
Title: MANAGING DIRECTOR
Date: 28/12/2021
Seal:

SKYWARDS CONSTRUCTION
P.O. BOX 38230
DAR-ES-SALAAM
TANZANIA



In the presence of:

Signature:
Name: ENG. NEEMA KIJAZI
Title: CIVIL ENGINEER
Date: 28/12/2021
Seal: