



CONTRACT No. No. AE-102/2021-2022/GET/G/54

FOR

**SUPPLY OF PUMPS FOR IMPROVEMENT OF WATER SERVICE AT USHIROMBO TOWN AT
BUKOMBE DISTRICT IN GEITA REGION.**

BETWEEN

**USHIROMBO WATER SUPPLY AND SANITATION AUTHORITY.
(The Purchaser)**

AND

**M/S. TRANSAFRICA WATER SYSTEMS LTD.
(The Supplier)**

DECEMBER, 2021

FORM OF CONTRACT

This Contract is made the.....20.....day of12....., 2021.

Between

Ushiroambo Water Supply and Sanitation Authority (UWSSA), having its physical address P.O.BOX 2, BUKOMBE, Tanzania (hereinafter called "**The Purchaser**") of the one part;

And

M/s. TRANSAFRICA WATER SYSTEMS LTD, having its physical address, P.O. Box 75309, DAR ES SALAAM, Tanzania (hereinafter called "**the Supplier**") of the other part.

Both The Purchaser and the Supplier shall collectively and jointly be known as "**Parties**".

WHEREAS:

- (a) The Purchaser 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 Supplier is a Company registered under the Laws of Tanzania which is responsible for manufacturing and selling of pumps;
- (c) The Purchaser invited Tenders for **Supply of pumps for Improvement of water service at Ushiroambo Town at Bukombe District**, Tender No. **AE-102/2021-2022/GET/G/54** under the terms and conditions set forth in this Contract; and The Supplier having represented to the Purchaser that it has the required professional skills, expertise and technical resources, The Purchaser awarded a Tender to the Supplier at the contract sum of **Tanzanian Shillings 84,912,003.00 [Eighty Four Million, Nine Hundred Twelve Thousand and Three Only] VAT Inclusive** (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) Letter of Acceptance;
 - e) Certificate of Contract Commencement;
 - f) Technical Specifications;

- g) Contractor's Tender; and
- h) Any other document listed in the Special Conditions of Contract as forming part of the Contract.

APPENDICES

- (i.) Registered Power of Attorney; and
 - (ii.) Manufacturers Authorization Form.
3. In consideration of the payments to be made by The Purchaser to the Supplier as hereinafter mentioned, the Supplier hereby covenants with The Purchaser to provide 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 execution and completion of provision of goods and services, the sum of **Tanzanian Shillings 84,912,003.00 [Eighty-Four Million, Nine Hundred Twelve Thousand and Three Only] VAT Inclusive**, at the times and in the manner prescribed in this Contract.
 5. The Purchaser hereby covenants to pay the Supplier in consideration of the provision of goods and services and the remedying of defects therein in the manner prescribed under Clause 18 of the SCC both for goods supplied from abroad and goods and services supplied from within the United Republic of Tanzania as follows:
 - (a) **Advance Payment:**
30% percent of the Contract Price covered by valid unconditional bank guarantee from a reputable institution on confirmation shall be paid within thirty (30) days of signing of the Contract against a simple receipt and a bank guarantee issued by a reputable insurance firm located in the United Republic of Tanzania, acceptable to the PE for the equivalent amount and in the form provided in the Tendering Documents or another form acceptable to the PE.
 - (b) **On delivery and acceptance of consignment:**
20% percent of the Contract Price of Goods received and accepted shall be paid within thirty (30) days after supply of 70% of consignment upon submission of claim supported by the acceptance certificate issued by the PE.
 - (c) **On delivery of the final consignment and acceptance:**
50% percent of the remaining Contract Price of Goods received and accepted shall be paid within thirty (30) days after supply of 100% of consignment upon submission of claim supported by the acceptance certificate issued by the PE.
 6. The Contract price shall be paid in **Tanzanian Shillings** as stipulated under Clause 18 of the SCC.
 7. The contract shall be executed for the period of **60 calendar days**, which shall immediately commence from the date of signing this Contract.

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 PURCHASER:

Signature: [Signature]

Name: Gebuda Degretini

Title: MD USHIROMBO

Date: 20/12/2021

Seal:

MANAGING DIRECTOR
USHIROMBO URBAN WATER SUPPLY
AND SANITATION AUTHORITY
P.O. Box 02
BUKOMBE

In the presence of:

Signature: [Signature]

Name: James Benny

Title: Ag. Dm. Bukombe Bukombe

Date: 20/12/2021

FOR AND ON BEHALF OF THE SUPPLIER:

Signature: [Signature]

Name: MATWDO SANG'UDI

Title: SENIOR SALES ENGINEER

Date: 20th December, 2021

Seal:

In the presence of:

Signature: [Signature]

Name: MOSES SENYAGWA

Title: PROJECTS ENGINEER

Date: 20th December, 2021

Seal:

TransAfrica Water
QUALITY PRODUCTS

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