



**THE UNITED REPUBLIC OF TANZANIA**

**MINISTRY OF WATER**

**RURAL WATER SUPPLY AND SANITATION AGENCY**

Kawajense, P.O.BOX 28, KATAVI, Phone: +255

(0)744931761, P.O. Box 28, Katavi

Website: [www.ruwasa.go.tz](http://www.ruwasa.go.tz), Email

[katavirm@ruwasa.go.tz](mailto:katavirm@ruwasa.go.tz)



**CONTRACT NO. AE-102/2021-2022/HQ-C/W/14**

**FOR**

**EXTENTION OF KIBAONI WATER SUPPLY SCHEME TO SUB-VILLAGE, KAKUNI, USHIRIKA, NDEMANILWA & ISAMVU AND EEXTENTION OF INYONGA-KALOVYA WATER SUPPLY SCHEME TO SUB VILLAGES OF SHAMA, KAKUNKA, KALOVYA C, MJI MPYA AND CHAMANZI IN MLELE DC - KATAVI REGION**

**BETWEEN**

**RURAL WATER SUPPLY AND SANITATION AGENCY  
(The Employer)**

**AND**

**JEMASON INVESTMENT CO. LIMITED  
(The Contractor)**

**JANUARY, 2022**



**THE UNITED REPUBLIC OF TANZANIA**

**MINISTRY OF WATER**

**RURAL WATER SUPPLY AND SANITATION AGENCY**

Kawajense, P.O.BOX 28, KATAVI, Phone: +255

(0)744931761, P.O. Box 28, Katavi

Website: [www.ruwasa.go.tz](http://www.ruwasa.go.tz), Email

[katavirm@ruwasa.go.tz](mailto:katavirm@ruwasa.go.tz)



**CONTRACT NO. AE-102/2021-2022/HQ-C/W/14**

**FOR**

**EXTENTION OF KIBAONI WATER SUPPLY SCHEME TO SUB-VILLAGE, KAKUNI, USHIRIKA, NDEMANILWA & ISAMVU AND EEXTENTION OF INYONGA-KALOVYA WATER SUPPLY SCHEME TO SUB VILLAGES OF SHAMA, KAKUNKA, KALOVYA C, MJI MPYA AND CHAMANZI IN MLELE DC - KATAVI REGION**

**BETWEEN**  
**RURAL WATER SUPPLY AND SANITATION AGENCY**  
**(The Employer)**

**AND**  
**JEMASON INVESTMENT CO. LIMITED**  
**(The Contractor)**

**JANUARY, 2022**



## FORM OF CONTRACT

This Contract is made the 14 day of January 2022.

Between

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

And

**M/s. JEMASON INVESTMENT CO. LIMITED**, having its business address at P.O.Box 4277, **DAR ES SALAAM**, (hereinafter called "the Contractor") of the other part.

Both the Employer and the Contractor shall collectively and jointly be known as "Parties".

### 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 class five local Company registered under the Laws of Tanzania which is responsible for Civil works;

The Employer invited Tenders for Extension Of Kibaoni Water Supply Scheme to Sub-Village, Kakuni, Ushirika, Ndemanilwa & Isamvu and Extension Of Inyonga-Kalovya Water Supply Scheme to Sub Villages of Shama, Kakunka, **Kalovya C, Mji Mpya And Chamanzi In Mlele Dc - Katavi Region**. Contract No. AE-102/2021-2022/HQ-C/W/14

(c) under the terms and conditions set in this Contract; and

(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. **No.RUW/MLE/JB/257/21/01 dated 13/01/2022** awarded a Tender to the Contractor at the contract sum of **Tanzanian Shillings Seven Hundred Six Million Nine Hundred Fifty Five Thousand One Hundred Ninety Five Only (706,955,195) VAT Exclusive**, (Hereinafter referred to as "the Contract Price"). The work to be completed within One Hundred Eighty (120) days (hereinafter called "Contract Period").

**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) Price Schedule (BOQ);
  - (g) Anti – bribery Memorandum;
  - (h) Technical Specifications;
  - (i) Drawings; and,
  - (j) APPENDICES

- (i.) Forms of Securities;
- (ii.) Registered Power of Attorney; And
- (iii.) Minutes of Negotiation Meeting.

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 execute the proposed Extension Of Kibaoni Water Supply Scheme to Sub-Village, Kakuni, Ushirika, Ndemanilwa & Isamvu and Eextension Of Inyonga-Kalovya Water Supply Scheme to Sub Villages of Shame, Kakunka, Kalovya C, Mji Mpya And Chamanzi in Mlele Dc - Katavi Region

**NOW THEREFORE** the Parties hereby agree as follows:

3. In this contract, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
4. 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:



- (k) Form of Contract;
- (l) Special Conditions of Contract;
- (m) General Conditions of Contract;
- (n) Notification of Award of Tender;
- (o) Letter of Acceptance;
- (p) Price Schedule (BOQ);
- (q) Anti – bribery Memorandum;
- (r) Technical Specifications;
- (s) Drawings; and
- (t) APPENDICES

- (iv.) Forms of Securities;
- (v.) Registered Power of Attorney; and
- (vi.) Minutes of Negotiation Meeting.

5. 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 Extension Of Kibaoni Water Supply Scheme to Sub-Village, Kakuni, Ushirika, Ndemanilwa & Isamvu and Eextension Of Inyonga-Kalovya Water Supply Scheme to Sub Villages of Shame, Kakunka, Kalovya C, Mji Mpya And Chamanzi in Mlele Dc - Katavi Region (**hereinafter called "the Works"**) and to remedy defects therein in conformity in all respects with the provisions of the Contract.
6. The Employer hereby covenants to pay the Contractor in consideration of the execution and completion of the works, the sum of Negotiable price of **Tanzanian Shillings Seven Hundred Six Million Nine Hundred Fifty Five Thousand One Hundred Ninety Five Only (706,955,195) VAT Exclusive**, at the times and in the manner prescribed in this Contract. The Procuring Entity is processing VAT exemption for this Contract therefore after completion of the process you will be notified either VAT Exemption is accepted or not, once not accepted the contract amount will with VAT.
7. 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 as follows:
  - a) 20% Advance Payment; and shall be paid to the contractor not later than **30 Days after submission of a claim supported by an acceptable Bank Guarantee of the same amount;**

b) The rest of the payments shall be made upon submission and Acceptance of Certificate and it shall be paid to the Contractor within twenty-eight (28) days after the date of the acceptance certificate by The Employer

8. The Contract price shall be paid in **Tanzanian Shillings** as stipulated under Clause 20 of the SCC.

9. The contract shall be executed for the period of **One Hundred and Twenty (120) days** which shall commence from 28/05/2022 to 28/01/2022

**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 BEHALE OF THE EMPLOYER:**

Signature: .....

Name: Eng. Peter R. Nounula

Title: Regional Manager

Date: 14th January 2022

Seal: .....

In the presence of:

Signature: .....

Name: Eng. Gilbert Isaac

Title: DISTRICT MANAGER

Date: 14th Jan. 2022

**FOR AND ON BEHALF OF THE CONTRACTOR:**

Signature: .....

Name: MARTIN M.

Title: DIRECTOR

Date: 14 JAN. 2022

Seal: .....

In the presence of:

Signature: .....

Name: GABRIEL D. KASONSO

Title: TECHNICIAN

Date: 14/01/2022

Seal: .....

Extention of kibaoni Water Supply scheme to Sub-village, Kakuni, Ushirika, Ndemanilwa & Isamvu and Extention of Inyonga-Kalovya water supply Scheme to sub villages of Shame, Kamkunka, kalovya C, Mji Mpya and Chamnanzi in Mlele Dc - Katavi Region