

**THE CONTRACT NO. AE-102/2021-2022/KGR/W/09 FOR  
CONSTRUCTION OF NYAKAIGA-KAKURAIJO WATER SUPPLY PROJECT IN  
KARAGWE DISTRICT -KAGERA REGION**

BETWEEN

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

AND

**M/S. MBESSO CONSTRUCTION CO. LTD, P. O. Box 79660, DAR ES SALAAM,  
(The Contractor)**

JANUARY, 2022

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A handwritten signature, appearing to be a stylized, cursive letter 'S' or similar character.

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## FORM OF CONTRACT

This Contract is made the 27 day of 01, 2022

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;

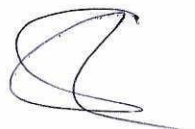
And

**M/S. MBESSO CONSTRUCTION CO. LTD, P. O. Box 79660, DAR ES SALAAM**, having its business address at P. O. Box 79660, **DAR-ES-SLAAM**, (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;
- (c) The Employer invited Tenders for Construction of **NYAKAIGA -KAKURAIJO water Supply Project in Karagwe District-Kagera Region**, Tender No. **AE – 102/2021-2022/KGR/W/09** under the terms and conditions set forth in this Contract; and
- (d) The Contractor having represented to the Employer that it has the required professional skills, expertise and technical resources, the Procuring awarded a Tender for **Tanzania Shillings 381,770,344.20 (Three Hundred Eighty One Million Seven Hundred Seventy Thousand Three Hundred Forty Four and**



**Twenty Cents Only) VAT and Contingency Allowance Inclusive..**  
(Hereinafter referred to as "**the Contract Price**").

(e) The execution of works shall be performed and completed for the period within One Hundred and Eighty (180) days (hereinafter called "**Contract Period**").

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

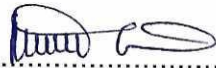
1. In this contract, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents shall be deemed to form and be read and construed as an integral part to this contract, and shall be taken as complementary 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.
    - (iv.) Key Personnel
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 execute the proposed Construction of **Nyakaiga-Kakuraijo water Supply Project in Karagwe District-Kagera Region** (hereinafter called "**the Works**") and to remedy defects therein in conformity in all respects with the provisions of the Contract.







**In the presence of:**


Signature:  .....

Name: Eyr Mngani TIGHEWA .....

Title: DM .....

Date: 27/1/2022 .....

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

Signature:  .....

Name: ARNOLD MWASU MB .....

Title: DIRECTOR .....

Date: 27.01.2022 .....

Seal:



**In the presence of:**

Signature:  .....

Name: Fidelis Bachwa .....

Title: Engineer .....

Date: 27/01/2022 .....

Seal:

