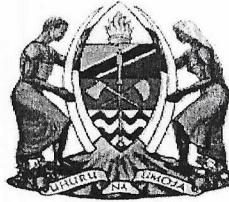


**THE UNITED REPUBLIC OF TANZANIA  
MINISTRY OF WATER**



**WATER SECTOR DEVELOPMENT PROGRAMME**

**CONTRACT**

**BETWEEN**

**MINISTRY OF WATER  
[The PE]**

**AND**

**M/s MANTRACK TANZANIA LIMITED  
[The Supplier]**

**FOR**

**SUPPLY OF DAM CONSTRUCTION EQUIPMENT- FIVE (5)  
HYDRAULIC EXCAVATOR & FIVE (5) PAD FOOT ROLLER**

**CONTRACT NO.ME-011/2021-2022/CONTRA/G/13 LOT 1B**

**FEBRUARY, 2022**

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FORM OF CONTRACT

## Form of Contract

THIS AGREEMENT made the 28<sup>TH</sup> day of FEBRUARY 2022 between Ministry of Water P.O. BOX 456 DODOMA- Tanzania (hereinafter called "the PE") of the one part and **M/S MANTRACK TANZANIA LIMITED** of P.O.BOX 9262 *Dar es Salaam Tanzania* (hereinafter called "the Supplier") of the other part:

WHEREAS the PE invited Tenders for certain goods and ancillary services, viz., Supply of Five (5) Hydraulic Excavator & Five (5) Pad Foot Roller and has accepted a Tender by the Supplier for the supply of those goods and services in the sum of TZS Three Billion Two Hundred and Ten Million Only (TZS **3,210,000,000.00**) VAT Exclusive (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) This form of Contract;
  - (b) Special Conditions of Contract
  - (c) General Condition of Contract
  - (d) The Purchaser's Letter of Acceptance
  - (e) Acceptance Letter from the Supplier
  - (f) The Form of Tender and the Price Schedule submitted by the Tenderer;
  - (g) The Schedule of Requirements;
  - (h) The Technical Specifications; and
- (i) **APPENDICES**
  - (i.) Registered Power of Attorney;
  - (ii.) Performance Security,
  - (iii.) Minutes of Negotiation Meeting;
  - (iv.) Manufacturers Authorization Form
  - (v.) Undertaking by Tenderer on Anti – Bribery Policy / Code of Conduct And Compliance Programme
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 the total sum TZS Three Billion Two Hundred and Ten Million (TZS **3,210,000,000.00**) Only VAT Exclusive 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.



FOR THE MINISTRY OF WATER:

Signature: *[Signature]*

Name: *Anthony Janga*

Title: *Permanent Secretary*

Date: *28/02/2022*

Seal: .....

PERMANENT SECRETARY  
MINISTRY OF WATER

In the presence of:

Signature: *[Signature]*

Name: *Aloice B. Umo*

Title: *STATE ATTORNEY*

Date: *28/02/2022*

Seal: .....

FOR AND ON BEHALF OF THE SUPPLIER: M/s MANTRACK TANZANIA LTD

Signature: *[Signature]*

Name: *Aloice B. Umo*

Title: *STATE ATTORNEY*

Date: .....

Seal: .....

*[Signature]*  
Bwana Godluck Banta  
GM Machine Sales  
28<sup>th</sup> Feb 2022

MANTRAC (T) LTD.  
P. O. Box 9262  
DAR ES SALAAM

In the presence of:

Signature: *[Signature]*

Name: *Desdenus Mtama*

Title: *Sales representative power system*

Date: *28<sup>th</sup> Feb 2022*

Seal: .....

*[Handwritten mark]*