

FORM OF AGREEMENT

This Agreement, made the 4th day of April, 2022 between **Kwimba District Council of P.O. Box 88 Kwimba-Ngudu** (hereinafter called "the Employer") on the one part and **AL-BALWANI INVESTMENT COMPANY LIMITED of P.O. Box 396 Sengerema** (hereinafter called "the contractor") on the other part.

Whereas the Employer is desirous that certain works should be carried out, viz:

Proposed Construction of Three in One Semi Detached Staff House Rural Type at Shushi Dispensary in Mwandu Ward; Contract No. LGA/096/2021/2022/W/79 by the Employer's letter of award of a contract RE: MZA/KDC/F.20/S/103 dated 09/03/2022 and letter with RE: KDC/LGA/096/2021-2022/W/79/01 accepted a Bid by the Contractor for execution, and completion of such works.

NOW THIS AGREEMENT WITNESSES AS FOLLOWS:

1. The following documents shall be deemed to form and be read and construed as part of this Agreement, viz: -



List other documents that form part of the contract if any:

- a. Form of Agreement,
 - b. Form of Tender
 - c. Letter of Award of Contract
 - d. Letter of Acceptance from the Contractor,
 - e. General Conditions of Contract,
 - f. Special Conditions of Contract,
 - g. Specifications,
 - h. Drawings,
 - i. Priced Bill of Quantities,
 - j. Any other document that shall be raised by the Project Manager (Minutes of negotiation, Instructions etc)
2. All the aforesaid documents are hereinafter referred to as 'the Contract' and shall be taken as complementary and mutually explanatory of one

another but in case of ambiguities or discrepancies shall take precedence in the order set out above.

3. In consideration of the payments to be made by the Employer to the Service Provider as hereinafter mentioned, the Contractor hereby covenants with the Employer to execute and complete the works 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 of the works, the sum of Tanzanian Shillings **Eighty-Nine Million Eight Hundred Thousand Four Hundred Nineteen Tanzania Shillings Only** (89,800,419.00) hereinafter referred to as the "Contract Price", at the times and in the manner prescribed by the Contract.
5. The works shall commence on **4th April, 2022** shall be completed on or before the **3rd August 2022** (Hereinafter referred to as the date of Completion) or such other date as may be extended under the provisions of the contract
6. Except as may otherwise be provided in the Contract, the Employer may deduct liquidated damages if the Contractor delays the completion of the works of any part thereof at rate of 0.1 percent per day
7. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to, and they shall be deemed to form and be read and construed as part of this Agreement.
8. The designated whereof the parties have caused this Agreement to be executed the day and year first before written.

SIGNED FOR AND ON BEHALF OF THE EMPLOYER

	
Signature	Signature
Name: Thereza J. Lusangija	Name: Happy J. Msangi
Occupation: District Chairperson	Occupation: District Executive Director

In the presence of

Paulo J. Dotto

Signature

Name: Paulo J. Dotto

Occupation: **State Attorney**

ON BEHALF OF THE CONTRACTOR:

In the presence of

Kuzaima Nuru

AL-BALWANI
INVESTMENT CO. LTD.
P.O. Box 296
SENGEREMA

Signature

(Name) *KUZAIMA NURU*

(Occupation) *DIRECTOR*

(Address) *Box 396 Sengerema*

Shukran Ernest

Signature

(Name) *SHUKRAN ERNEST*

(Occupation) *TECH*

(Address) *Box 396 Sengerema*

Copy to:

Chief Executive Officer
Public Procurement Regulatory Authority (PPRA)
P.O. Box 2865,
41104 DODOMA

Controller and Auditor General
P.O. Box 50
41104 DODOMA.

The Attorney General
P.O. Box 630
DODOMA



UNITED REPUBLIC OF TANZANIA
PRESIDENT'S OFFICE
REGIONAL ADMINISTRATION AND LOCAL GOVERNMENT
KWIMBA DISTRICT COUNCIL



RE: MZA/KDC/F.20/S/103

09/03/2022

To: M/S AL-BALWANI INVESTMENT COMPANY LIMITED
P.O.BOX
SENGERAMA.

RE: LETTER OF AWARD OF A CONTRACT

This is to notify you that your Bid opened on 18th January, 2022 for Proposed Construction of Three in One Semi Detached Staff House Rural Type at Shushi Dispensary in Mwandu Ward; Contract No. LGA/096/2021/2022/W/79 for a contract price of Tshs 89,800,419 (Eighty-Nine Million Eight Hundred Thousand Four Hundred Nineteen Tanzania Shillings Only) for a period of one hundred twenty (120) days is hereby accepted by Kwimba District Council.

Subject to submission of performance security within seven days (07). You are hereby instructed to proceed with the execution of the said works in accordance with the contract documents.

H.J Msanga
District Executive Director
Kwimba District Council

Copy to:

MKURUGENZI MTENDAJI
HALMASHAURI YA WILAYA YAKWIMBA

Chief Executive Officer,
Public Procurement Regulatory Authority (PPRA),
P.O.Box 2865,
41104 DODOMA.

“ Controller and Auditor General
P.O.Box 9080

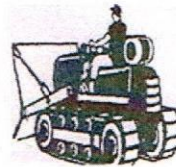


AL-BALWAN INVESTMENT CO. LTD

P.O. BOX 396

SENGEREMA

E-MAIL: alwaliwani68@gmail.com



Dealers in: Building and Civil Engineering Works

RE:KDC/LGA/096/2021-2022/W/79/01

14/03/2022

DISTRICT EXECUTIVE DIRECTOR
KWIMBA DISTRICT COUNCIL
P.O.BOX 88
KWIMBA

RE: LETTER OF ACCEPTANCE

Reference is made to your letter of award of a contract RE: MZA/KDC/F.20/S/103 dated 09/03/2022. This is to notify you that our company has accepted your offer for Proposed Construction of Three in One Semi Detached Staff House Rural Type at Shushi Dispensary in Mwandu Ward; Contract No. LGA/096/2021/2022/W/79 for a contract price of Tshs 89,800,419 (Eighty-Nine Million Eight Hundred Thousand Four Hundred Nineteen Tanzania Shillings Only) to be performed for a period of one hundred twenty (120) days.

We have applied for performance bond from Milemba Insurance firm which we will submit immediately after the process is completed. We will proceed with the execution of the said works in accordance with the contract documents.

Kuzaima Nuru

Director

Al- Balwan Investment Co. Ltd

AL-BALWANI
INVESTMENT CO. LTD.
P.O. Box 396
SENGEREMA