**VOLUME 1**

# **SECTION 3** **TENDER GUARANTEE FORM**

Works contract

(To be completed on paper bearing the letterhead of the financial institution)

For the attention of

Directorate of Public Works

Novaka Miloševa 18,

81000 Podgorica, Montenegro

referred to below as the ‘Contracting Authority’

Title of contract: Construction of the Sewage Network and Waste Water Treatment Plant (WWTP) in the Municipality of Berane

Lot 2 - Rehabilitation and Construction of the Sewerage Network in Berane

Identification number: EuropeAid/136869/IH/WKS/ME

We, the undersigned, [name and address of financial institution], hereby irrevocably declare that we will guarantee, as primary obligor, and not merely as a surety on behalf of [Tenderer’s name and address], payment to the Contracting Authority of 90,000 EUR, this amount representing the guarantee referred to in Article 11 of the Procurement Notice.

Payment shall be made without objection or legal proceedings of any kind, upon receipt of your first written claim (sent by registered letter with confirmation of receipt) if the Tenderer does not fulfil all obligations stated in its tender. We shall not delay the payment, nor shall we oppose it for any reason whatsoever. We shall inform you in writing as soon as payment has been made.

We note that the guarantee will be released at the latest within 45 days of expiry of the tender validity period, including any extensions, in accordance with Article 15 of the Instructions to Tenderers.

The law applicable to this guarantee shall be that of the country of the Contracting Authority or the country in which the financial institution issuing the guarantee is established. Any dispute arising out of or in connection with this guarantee shall be referred to the courts of Montenegro

The guarantee will enter into force and take effect from the submission deadline of the tender.

Done at ………….., ../../..

Name and first name: …………………………… On behalf of: …………………

Signature: ……………..

[*stamp of the body providing the guarantee*]