

# **VOLUME 1**

## **SECTION 3 TENDER GUARANTEE FORM**

# TENDER GUARANTEE FORM

## Works contract

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

For the attention of

**Ministry of Industry and Technology - DG for EU and Foreign Affairs – Directorate of EU Financial Programmes, (MoIT/ DoEUPF)**

Mustafa Kemal Mahallesi, Dumlupınar Bulvarı, (Eskişehir Yolu 7.Km), 2151.Cadde, No:154/A, Kat:7, 06530 Çankaya/Ankara, Turkey

referred to below as the ‘contracting authority’

Title of contract: Construction for the “Establishment of Common Use Ateliers in TRB2 Region” Project  
Identification number: NEAR/ANK/2020/EA-LOP/0053

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 EUR 30.000, 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 not under any circumstances benefit from the defences of the security. 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 [and in any case at the latest on (one year after the deadline for submitting tenders)].<sup>1</sup>

The law applicable to this guarantee shall be that of < 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 <the country in which the financial institution issuing the guarantee is established>.

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]*

<sup>1</sup> This mention has to be inserted only where required, for example where the law applicable to the guarantee stipulates a precise expiry date or where the guarantor can justify that he is unable to provide such a guarantee without expiry date.