

From:

To

Head of Chancery
High Commission of India
Baitussyifaa
Simpang 40-22
Jalan Sungai Akar
Bandar Seri Begawan BC3915
Negara Brunei Darussalam

Dear Sir,

**PROPOSED CHANCERY, HIGH COMMISSIONER'S RESIDENCE, STAFF RESIDENCES
AND AUXILIARY FACILITIES BUILDING FOR THE HIGH COMMISSION OF INDIA,
BRUNEI DARUSSALAM**

Having examined the details given in the press notice and document for the above work / we hereby submit the eligibility application and relevant documents and information.

I / We hereby certify that all the statements made and information supplied in the enclosed forms 1 to 12 and accompanying statements are true and correct.

I / We have furnished all information and details necessary for eligibility and have no further pertinent information to supply.

I / We submit the requisite certified solvency certificate and authorize Head of Chancery, High Commission of India to approach the bank issuing the solvency certificate to confirm the correctness thereof. We also authorize The Head of Chancery to approach my / our bankers, individuals, employers, firms and corporations to verify my / our statements, competency and general reputation.

Date of submission:

Signature (s) of Bidders(s)

Enclosures:

Date of Submission:

Signature of Applicant(s)



*High Commissioner of India
Brunei Darussalam*

**PROPOSED CHANCERY, HIGH COMMISSIONER'S
RESIDENCE, STAFF RESIDENCES AND AUXILIARY
FACILITIES BUILDING FOR THE HIGH COMMISSION OF
INDIA, BRUNEI DARUSSALAM**

TECHNICAL BID DOCUMENT

ARKITEK REKAJAYA
Architects & Interior Designers

OTHMAN & ASSOCIATES
Civil & Structural Engineers

LKA KONSULT SDN BHD
Mechanical & Electrical Engineers

MRBC PARTNERSHIP
Quantity Surveyors

PTE159

JANUARY 2020

PART A

INSTRUCTIONS TO APPLICANTS

CONTENT

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1.0 Introduction

1.1 Tenderers will provide one loose bound set of technical bid document

1.2 The project comprises of Chancery building and Ambassador's residence etc., associated external works and M&E services. The anticipated construction period is approximately 18 months for Chancery, High Commissioner's Residence Staff Residences and Auxiliary Facilities Building

1.0A System of tendering:

1.01A The Bid shall be submitted in sealed envelopes as described below:-

- Envelope "A" Tender Security (Earnest Money Deposit)
- Envelope "B" Technical Bid Documents
- Envelope "C" Financial Bid Documents

And addenda or other enclosures as required in the tender.

1.02A The envelopes containing "A", "B" & "C" of offers shall be duly super scribed with Name of Work and above titles. Envelopes A, B and C to be put in another sealed envelope with the name of work written on top. The envelope "A" containing Tender Security (Earnest Money Deposit) shall be opened first. Bidders who have not submitted valid Tender Security (Earnest Money Deposit) as mentioned above shall be summarily rejected. Technical bids (Envelope B) of only those bidders who have submitted Tender Security (Earnest Money Deposit) shall be opened immediately thereafter. Both Bid Security and Technical bids envelopes shall be opened in presence of bidders or their representatives. After evaluation of Technical Bids, a list of qualified bidders will be prepared by the Employer. Qualified bidders will be informed and Financial bid (Envelope C) of qualified bidders shall then be opened at notified time, date and place in presence of bidders or their representatives.

1.0B Criteria for Eligibility: The following is the criteria for eligibility

- 1.01B** The applicant should have valid certificate of registration from the council of Registration of Contractor (Negara Brunei Darussalam) of Class Category 4, 5 or 6 for building projects. (refer also to Clause 8.1 (b)). (refer to Form 3 & 4)
- 1.02B** The applicant should have satisfactorily completed three similar works each costing not less than (B\$6.0M) or completed two similar works each costing not less than (B\$7.5M) or one similar work costing not less than (B\$12.0M) during the last 5 years ending last day of the month previous to the one in which bids were invited. The above costing is excluding VAT.
Similar work means - Building (constructed under single contract) of Reinforced Cement Concrete framed structures including all utility services such as Modern office buildings, Hotels, Shopping Malls, Embassies, apartments complex etc. Certificate for completed similar work in proforma D shall be referred. The work in which compensation has been levied for delayed completion shall not be considered for eligibility. Under the para (12) of performance report in proforma D, if any of the parameter has been graded fair or below for a work, that work shall not be considered for eligibility. (refer to Form 5)
- 1.03B** The applicant should have had average annual financial turn-over of (B\$5.0M) (excluding VAT) on Construction works during the immediate last three consecutive financial years. This should be duly audited by a Chartered Accountant. Year in which no turnover is shown would also be considered for working out the average. (refer to Form 2)
- 1.04B** Profit-Loss: The tenderer should not have suffered loss in more than two years in the previous five financial years and must not have suffered loss in the immediate preceding financial year. (refer to Form 2)
- 1.05B** The applicant should have Bank solvency of (B\$6.0M) excluding VAT certified by their banker. (refer to Form 1 & 2)
- 1.06B** The applicant should own construction equipment required for the proper and timely execution of work. Else, he should certify that he would be able to manage the equipment by hiring etc. and submit the list of firms from whom he proposes to hire. (refer to Form 8)
- 1.07B** The applicant should have sufficient number of Technical and Administrative employees for the proper execution of the contract. The applicant should submit a list of these employees who would be involved in this work. (refer to Form 7)
- 1.08B** The applicant should submit list of all completed works in the last 5 years and list of all works in hand. (refer to Form 5 & 6)
- 1.09B** Joint Venture (JV) firms formed specifically for this tender shall not be permitted. JV qualifying as a single entity i.e. JV meeting all eligibility criteria as above **1.01B** to **1.08B** like a single entity shall be permitted. JV partners meeting eligibility criteria on individual basis separately shall not be permitted.

1.0C Contract terms and conditions:

1.01C Condition of contract should be as per FIDIC Conditions of Contract 1999 first edition.

1.02C Earnest Money Deposit (EMD) – Earnest Money Deposit The applicant needs to submit Earnest Money Deposit (EMD) B\$150,000.00. This should be in the form of Bank draft or Bank Guarantee. Earnest money deposit of unsuccessful bidders would be returned on acceptance of lowest bid. The Earnest Money Deposit of successful bidder would be return on submission of performance security. Beneficiary shall be High Commission of India.

1.03C Retention Money (Refer Clause 14.3 & 14.9 of FIDIC): - This should be limited to 5% of the accepted tender amount. 5% of each Running bill will be deduct towards retention money. On completion, Retention money shall be released against Bank Guarantee of equal amount submitted by the contractor for the period of defect liability period i.e. one year.

1.04C Performance Security (Refer Clause 4.2 of FIDIC):- This will be equal to 5% of Accepted tender amount. This should be in the form of BG and should be valid up to stipulated date of completion. In case of time extension, the validity of Performance security BG should be extended up to extended date of completion.

1.05C VAT clause: The Lump sum quote from bidder to be exclusive of VAT.

1.06C Liquidated Damage (Refer Clause 8.7 & 8.4 of FIDIC):- It should be 0.5% per week limited to 10% of Accepted tender cost. This should be calculated on per day basis.

1.07C Payment against material (Secured Advance) (Refer Clause 14.5 plant and materials intended for the works) – Payment against nonperishable material brought at site but yet to be used in works should be allowed as advance payment and this should be adjusted only in Running bill of work done involving material (full or part) as consumed in works. This advance payment on material should be given without bank guarantee. In FIDIC this is 80% of the landed price of material. The FIDIC condition of payment against material up to 80% should be applicable. Also the work & payment schedule should be prepared keeping this provision in view.

1.08C Mobilisation advance / Advance payment (Refer Clause 14.2 of FIDIC):

- (i) The Mobilization advance limited to 10% of tendered amount.
- (ii) The mobilization advance shall be released only after obtaining a Bank Guarantee bond from a schedule bank for the amount of advance to be released and valid for the contract period. This shall be kept renewed time to time to cover the balance amount and likely period to complete recovery. The advance should be released in not less than two installments.
- (iii) It shall be ensured that at any point of time, valid Bank Guarantee is available for the amount of outstanding advance.
- (iv) The recovery of mobilization advance should be commenced after 10% of work is completed and the entire amount together with interest (if applicable) shall be recovered by the time 80% of the work is completed.
- (v) As per FIDIC condition the advance payment is interest free.

1.09C Arbitration / litigation (Refer Clause 20 of FIDIC): This should be as per FIDIC Condition. Jurisdiction would be of the local courts.

1.10C Delay in payment of Running Bill (Refer Clause 14.8 of FIDIC):- Employer would make payment of Running Bill (Payment of work done of all undisputed items) within the stipulated time but in case of delay no interest shall be paid by employer. Mission has been authorized to make payment of Running Bills of Contractor to avoid delay.

1.11C Escalation (Refer Clause 13.8 of FIDIC): No escalation on accepted tender cost should be permitted.

2.0 Technical Bid

2.1 The Technical Bid comprises of the following:-

PART A : INSTRUCTIONS TO APPLICANTS

PART B : REQUEST FOR APPLICANTS' INFORMATION

LETTER FROM BANK

FORM 1: Support Letter from Bank

FINANCIAL DATA

FORM 2: Financial Information

FORM 3: Particulars of Applicant's Background

FORM 4: Registration Data

TECHNICAL DATA

FORM 5: List of Similar Contracts Nature & Value B\$5 Million and above completed within the last five (5) years

FORM 6: List of Current Projects

FORM 7: Key Personnel under Present Employment

FORM 8: List of Plant/Equipments proposed for the Project

FORM 9: List of Works proposed to be sublet

FORM 10: Project Implementation Proposal

FORM 11: Dispute History

FORM 12: Quality Assurance and Health & Safety Competence

3.0 Submission of Technical Bid

3.1. Failure on the part of the Applicant to submit the original and all copies of the Technical Bid may result in his submission not to be evaluated.

3.2. In the case of the Technical Bid not being delivered by hand, the Applicant must arrange for his submission to be posted in time to reach the stipulated place not later than the closing date and time for the submission.

3.3. If the Technical Bid is received after the closing date and time for the submission as stated in Clause 3.4, it shall not be evaluated.

- 3.4 Applicants are to submit ONE (1) ORIGINAL and TWO (2) COPIES (stamped “Original” and “Copies”) of the Technical Bid duly completed including appendices and requested information. Additionally the Applicant shall provide ONE (1) ELECTRONIC COPY of the Appendices saved as Microsoft Word or Excel Formats and single PDF file in the form of a CD-ROM, and clearly marked “ELECTRONIC COPY”. In the event of discrepancy between them, the original hard copy shall prevail. Applicants are to deliver in a sealed envelope marked:-

“PRIVATE AND CONFIDENTIAL”

PROPOSED CHANCERY, HIGH COMMISSIONER’S RESIDENCE, STAFF RESIDENCES AND AUXILIARY FACILITIES BUILDING FOR THE HIGH COMMISSION OF INDIA, BRUNEI DARUSSALAM

To: Amir Chand
Head of Chancery
High Commission of India
Baitussayifaa, Simpang 40-22, Jalan Sungai Akar, Bandar Seri Begawan BC 3915

Not later than: **2.00 P.M on 21st February 2020**

4.0 Addendum

- 4.1. Prior to the date of submission, the Client may issue Addendum to clarify or modify the Technical Bid in part or in whole.
- 4.2. Every Addendum issued will be distributed to the Applicant. Receipt of each Addendum must be acknowledged on the form issued with the Addendum.

5.0 Expenses Incurred in Submission

- 5.1. The Client will not reimburse any expenses incurred by the Applicant in the preparation and submission of the Technical Bid and any subsequent interviews that may be required by the Client.

6.0 Secrecy of Information

- 6.1. All information, documents and transmittals issued or generated by the Client and / or its representative during the course shall be treated as confidential and shall not be transmitted to any third party without prior written approval of the Client and / or its representative.

7.0 Documents Submission

- 7.1 The Applicant shall fully complete and submit the Technical Bid identified in the “Request For Applicant’s Information” which shall contain the following:-

a) **Letter from Bank**

Form 1: Support Letter from Bank(s)

The Applicant shall submit a letter from their bank(s) indicating the credit facilities that would be made available to the Applicant should the Applicant be awarded the contract.

b) **Financial Data**

Form 2: Financial Information

The Applicant shall submit proof of financial capabilities to undertake the Works in the format given in Form 1, Part B, which shall include but not limited to the following:-

- i.) copies of the Applicant’s audited financial statement for the past five (5) years.
- ii.) copies of the Applicant’s bank statements for the past six (6) months.

Form 3: Particulars of Applicant’s Background

The Applicant shall give particulars of his background in the format given in Form 2 Part B.

Form 4: Registration Data

The Applicant shall attach proof of registration under the Companies Act.

c) **Technical Data**

Form 5: List of Similar Contracts Completed

The Applicant shall list similar contracts nature and value above B\$5 million completed within the last five (5) years. The Applicant shall provide documents inclusive of Letter of Award / Acceptance, Certificate of Practical Completion, testimonial letters from previous client / employer to show proof on successful completion of the said projects.

Form 6: List of Current Projects

The Applicants shall provide the list of projects currently undertaken with the following information:-

- Project name
- Location
- Client / employer
- Type of Interior
- Designer
- Contract value
- Start and Anticipated completion date
- Current progress

Form 7: Key Personnel under Present Employment

The Applicant shall provide curriculum vitae (CV) of key personnel under present employment.

Form 8: List of Plant / Equipments proposed for the Project

The Applicant shall provide a list of their plant / equipment proposed to be used for this Project and shall include the following:-

- capacity
- no of units
- owned or leased

Form 9: List of Works proposed to be sublet

The Applicant shall provide a list of works proposed to be sublet.

Form 10: Project Implementation Proposal

The Applicant shall provide proposals for the following:-

- Project organization chart for this Project including **curriculum vitae (CV)** of key personnel and **labour quota** available.
- Any other proposal relevant to this submission.

Form 11: Dispute History

The Applicant shall provide information on the history of litigation or arbitration resulting from services or projects executed in the last ten (10) years or currently in progress if any

Form 12: Quality Assurance and Health & Safety Competence

The Applicant shall attach proof of Quality Assurance and Health & Safety Competence

8.0 Minimum Requirements

8.1. Only Applicants who comply with the following requirements will be considered for further evaluation

- a) Submission of Letter of Support from the Applicant's Bank(s).
- b) Local Participation: local Bruneian construction companies registered with the Ministry of Development Brunei with Class 4, 5 and 6 registration. All copies of registration certificates shall be submitted.
- c) Submission of Financial Statement by the Applicant for proof of financial capability to support the contract.
- d) Applicant must possess the relevant experience and has successfully completed the similar works of not less than B\$12 million per single contract in the last five (5) years.

9.0 Technical and Financial Capability

9.1. Assessment of Technical Capability shall be based on the following criteria:-

- a) Organisational Set-up including **curriculum vitae (CV)** of key personnel
- b) List of Similar Contracts and nature value above B\$5 million completed
- c) List of Current Projects
- d) List of Plant / Equipments
- e) Project Implementation Proposal

9.2. Assessment of Financial Capability shall be based on the following criteria:-

- a) Net Worth / Contract Sum
- b) Current Ratio (Current Asset / Current Liabilities)
- c) Applicants Available Funds / Facilities
- d) Turnover / Contract Sum

10.0 Client's Right to Change

10.1 The Client in its absolute discretion reserves the right to:

- a) Amend the scope of the Works for which Tenders are to be invited, in which event the scope of the Works will only be tendered among those Applicants that meet the requirements of the scope as amended;
- b) Amend any timeline stated within this Technical Bid;
- c) Reject or accept any responses; and
- d) Cancel the Technical Process and reject all responses.

The Client will not be liable for any actions nor be under any obligation to inform the Applicant of the reasons for such actions.

11. Notification of Selection

11.1 Applicants will be advised by email of the results of the Technical Bid without assigning any reason for the Client's decision.

12. Disclaimer

12.1 The Client will not be held responsible for any loss, injury or damages suffered by the Applicant or their employees or their agents in preparing the Technical Bid or for any action whatsoever taken by a third party for any costs, loss, injury or damages suffered as a result of, or consequential to, the preparation of the Technical Bid.

12.2 This Technical Bid does not constitute an offer from the Client. Further, the Client is under no obligation to respond to any enquiries it receives and reserves the right not to follow up on any Technical Bid at its sole discretion and without explanation.

13. Joint Venture (JV)

13.1 Joint Venture (JV) firms formed specifically for this tender shall not be permitted. JV qualifying as a single entry i.e JV meeting all eligibility criteria as above 3.1 to 3.8 like a single entity shall be permitted. JV partners meeting eligibility criteria on individual basis separately shall not be permitted.

PART B

REQUEST FOR APPLICANTS' INFORMATION

CONTENT

ITEM	DESCRIPTION
FORM 1	Support Letter from Bank
FORM 2	Financial Information
FORM 3	Particulars of Applicant's Background
FORM 4	Registration Data
FORM 5	List of Similar Contracts and Nature Value B\$5 Million and above completed within the last five (5) years
FORM 6	List of Current Projects
FORM 7	Key Personnel under Present Employment
FORM 8	List of Plant/Equipments proposed for the Project
FORM 9	List of Works to be sublet
FORM 10	Project Implementation Proposal
FORM 11	Dispute History
FORM 12	Quality Assurance and Health & Safety Competence

FORM 1 – LETTER OF SUPPORT FROM BANK

(This format is to be typed on the Bank's official letter head)

To:

High Commission of India
Baitussyifaa
Simpang 40-22
Jalan Sungai Akar
Bandar Seri Begawan BC3915
Negara Brunei Darussalam

Dear Sir,

PROPOSED CHANCERY, HIGH COMMISSIONER'S RESIDENCE, STAFF RESIDENCES AND AUXILIARY FACILITIES BUILDING FOR THE HIGH COMMISSION OF INDIA, BRUNEI DARUSSALAM

We, [Name of Bank] are pleased to advise that [Name of Applicant] has been a customer of our bank since _____. [Name of Applicant] is currently enjoying a total credit facilities of Brunei Dollars _____ (B\$ _____). We have found [Name of Applicant] to be credit worthy and are pleased to support them in their business.

We also confirm that we will be prepared to consider any application made by [Name of Applicant] for additional credit facilities should [Name of Applicant] be awarded the contract.

Yours faithfully,

For and on behalf of

[Name of Bank]

[Name]

[Designation]

FORM 2 – FINANCIAL INFORMATION*

ITEM	DESCRIPTION	B\$ (BRUNEI DOLLARS)		
		201...	201...	201...
1.	Current Assets			
2.	Fixed and Other Assets			
3.	Current Liabilities			
4.	Other Liabilities			
5.	Authorised Capital			
6.	Paid Up Capital			
7.	Net Worth (1 + 2) – (3 + 4)			
8.	Working Capital (1-3)			
9.	Current Asset Ratio			
10.	Profit / (Loss) After Tax			
11.	Contingent Liability			
12.	Overdraft / Credit Facilities			
13.	Suppliers Credit			
14.	Facility / Fund Available (8+12+13)-11			
15.	Turnover			

NOTE*

The Applicant must submit with his Tender certified audited copies of the Applicant's financial account statements for the past three (3) years, and copies of the Applicant's bank statements for the past six (6) months.

FORM 2 – FINANCIAL INFORMATION* (Cont'd)

NAME OF INSTITUTION	CREDIT FACILITIES

Value of Contract for which the company could tender:

Maximum (B\$)

Minimum (B\$)

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FORM 3 – PARTICULARS OF APPLICANT’S BACKGROUND

A. IDENTIFICATION

1. Company’s Name :

2. Year Organised :

3. Type of Organisation :

4. Office Address :

5. Capital :

 1. Authorised :

 2. Paid-up :

6. Telex / Telephone No. :

7. Status
(Local / International) :

8. Date of First Registration :

FORM 3 – PARTICULARS OF APPLICANT’S BACKGROUND (Cont’d)

A. IDENTIFICATION (Cont’d)

9. Details or Upgrading :
- 1. Date Class Category Specialization
 - 2. Date Class Category Specialization
 - 3. Date Class Category Specialization
 - 4. Date Class Category Specialization

10.** Names of Directors / Shareholders / Partners (state whether Chairman, Managing Director, Director, Shareholder or Partner giving address):

Name	Address	Designation	Shares %
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NOTE**

Attach Memorandum and Articles Of Association, Deeds of Partnership or other relevant document or if appropriate, excerpts from such documents.

FORM 3 – PARTICULARS OF APPLICANT’S BACKGROUND (Cont’d)

B. PERSONNEL

Number of Engineers, Quantity Surveyors, Architects and Work Supervisors employed at present. The Applicant shall provide the **curriculum vitae (CV)** of personnels

	Local	International
1. Number of:		
a) Architects :
b) Engineers :
c) Quantity Surveyors :
2. Number of Supervisory Personnel (excluding those Stated in 1 above) :
3. State or enclose any other details or information which you consider to be useful.		
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FORM 4 – REGISTRATION DATA

The Applicant shall attach proof of registration under the Companies Act.

FORM 5 – LIST OF SIMILAR CONTRACTS NATURE & VALUE B\$5 MILLION AND ABOVE COMPLETED WITHIN THE LAST FIVE (5) YEARS

Applicant shall provide below the particulars of all similar contracts completed within the last ten years.

DESCRIPTION AND LOCATION OF PROJECT	CLIENT	CONTRACT VALUE (B\$)	CONTRACT COMMENCEMENT DATE	CONTRACT COMPLETION DATE	ACTUAL COMPLETION DATE

The Applicant shall provide documents inclusive of Letter of Award / Acceptance, Certificate of Practical Completion, testimonial letters from previous client / employer to show proof on successful completion of the said projects. Please attach additional sheet if space provided is insufficient.

FORM 7 – KEY PERSONNEL UNDER PRESENT EMPLOYMENT

The Applicant shall provide the **curriculum vitae (CV)** of personnels

NAME	QUALIFICATION	PRESENT POSITION	EXPERIENCE	
			NO. OF YEARS	CAPACITY

FORM 8 – LIST OF PLANT / EQUIPMENTS PROPOSED FOR THE PROJECT

DESCRIPTION	CAPACITY	NOS	OWNED	HIRED / LEASED

FORM 9 – LIST OF WORKS PROPOSED TO BE SUBLET

DESCRIPTION OF WORKS	PROPOSED SUB-APPLICANT

FORM 10 – PROJECT IMPLEMENTATION PROPOSAL (Cont'd)

PROPOSED LOGISTICS AND METHOD STATEMENT

ITEM	DESCRIPTION

PART B
REQUEST FOR APPLICANTS' INFORMATION

FORM 11 : DISPUTE HISTORY

YEAR	AWARD FOR OR AGAINST APPLICANT	NAME OF OWNER/ EMPLOYER, CAUSE OF LITIGATION / MATTER IN DISPUTE	DISPUTED AMOUNT B\$

PART B
REQUEST FOR APPLICANTS' INFORMATION

FORM 12 – QUALITY ASSURANCE AND HEALTH & SAFETY COMPETENCE

The Applicant shall attach proof of Quality Assurance and Health & Safety Competence.

FORM 6 - LIST OF CURRENT PROJECTS

Applicant shall provide below the particulars of all current projects being undertaken					
DESCRIPTION AND LOCATION OF PROJECT	CLIENT	CONTRACT VALUE (B\$)	CONTRACT COMMENCEMENT DATE	CONTRACT COMPLETION DATE	CURRENT PROGRESS

The Applicant shall provide documents inclusive of Letter of Award / Acceptance of the said projects. Please attach additional sheet if space provided is insufficient.

(High Commission of India)
(Brunei Darussalam)

**NOTICE INVITING TENDER FOR SELECTING CONTRACTOR
FOR
(Construction of Chancery, High Commissioner's Residence, Staff Residences and Auxiliary Facilities Building.)**

Bank Guarantee Proforma for Earnest Money Deposit

Bank Guarantee No.....

Brief description of contract: *Construction of Chancery, High Commissioner's Residence, Staff Residences and Auxiliary Facilities Building.*

Name and Address of Beneficiary: *High Commission of India, Brunei Darussalam, Baitussyifaa, Simpang 40-22, Jalan Sungai Akar, Bandar Seri Begawan BC 3915*

Date:

Whereas M/s (*Name of Contractor with address*) have submitted their tender for *Construction of Chancery, High Commissioner's Residence, Staff Residences and Auxiliary Facilities Building.* at *Bandar Seri Begawan* for **High Commission of India, Brunei Darussalam** and one of the tender conditions is for the M/s (*Name of Contractor with address*) to submit a Bank Guarantee for Earnest Money Deposit amounting **B\$ 150,000.00**. In fulfillment of the tender conditions, we, (*Name of Bank with address*) hereby irrevocably and unconditionally undertake to pay to you within three working days of receipt of your first written demand, without any demur whatsoever and without seeking any reasons, whatsoever, up to the maximum aggregate amount of **B\$ 150,000.00**.

2. This guarantee is valid for a period of 180 (One hundred and eighty) Days and any claim and statement hereunder must be received at the above mentioned office before expiry. After expiry, this guarantee shall become null and void whether returned to us for cancellation or not and any claim or statement received after expiry shall be ineffective.

3. Notwithstanding anything to the contrary contained hereinabove, the maximum liability under this guarantee is restricted to **B\$ 150,000.00**.

4. Notwithstanding anything to the contrary contained hereinabove, this guarantee is valid from (*date of issue*) up to the (*date after 180 days from date of issue*) and claims under this guarantee should be submitted not later than (*date after 180 Days from date of issue*).

5. This guarantee may not, without our prior written consent, be transferred or assigned and this guarantee is limited to the payment of a sum of money.

6. This guarantee shall be governed and construed in accordance with the laws of the **Brunei Darussalam** and is governed by the United Rule for Demand Guarantee(URDG) (ICC Publication No.758) and shall be subject to exclusive Jurisdiction of the **Brunei Darussalam** Courts.

Date:
Name:

Place:
Signature:

(High Commission of India)
(Brunei Darussalam)

**NOTICE INVITING TENDER FOR SELECTING CONTRACTOR
FOR
(Construction of Chancery, High Commissioner's Residence, Staff Residences and Auxiliary Facilities
Building.)**

Bank Guarantee Proforma for Performance Security

Bank Guarantee No.....

Brief description of contract: *Construction of Chancery, High Commissioner's Residence, Staff Residences and Auxiliary Facilities Building.*

Name and Address of Beneficiary: *High Commission of India, Brunei Darussalam, Baitussyifaa, Simpang 40-22, Jalan Sungai Akar, Bandar Seri Begawan BC 3915*

Date:

Whereas M/s (**Name of Contractor with address**) have submitted their tender for *Construction of Chancery, High Commissioner's Residence, Staff Residences and Auxiliary Facilities Building*. at *Bandar Seri Begawan* for **High Commission of India, Brunei Darussalam** , and one of the tender conditions is for the M/s (**Name of Contractor with address**) to submit a Bank Guarantee for Performance Security (5% of tendered cost) amounting to (*5% of the tendered cost*). In fulfilment of the tender conditions, we, (**Name of Bank with address**) hereby irrevocably and unconditionally undertake to pay to you within three working days of receipt of your first written demand, without any demur whatsoever and without seeking any reasons, whatsoever, up to the maximum aggregate amount *calculated as 5% of the tendered cost*).

2. This guarantee is valid for a period of ___ Days and upto (**date should be two months after the date of completion of work**) and any claim and statement hereunder must be received at the above mentioned office before expiry. After expiry, this guarantee shall become null and void whether returned to us for cancellation or not and any claim or statement received after expiry shall be ineffective.

3. Notwithstanding anything to the contrary contained hereinabove, the maximum liability under this guarantee is restricted to *5% of the tendered cost of B\$*)

4. Notwithstanding anything to the contrary contained hereinabove, this guarantee is valid from (**date of issue**) up to the (**date should be two months after the date of completion of work**) and claims under this guarantee should be submitted not later than (**from date of expiry**).

5. This guarantee may not, without our prior written consent, be transferred or assigned and this guarantee is limited to the payment of a sum of money.

6. This guarantee shall be governed and construed in accordance with the laws of the **Brunei Darussalam** and is governed by the United Rule for Demand Guarantee(URDG) (ICC Publication No.758) and shall be subject to exclusive Jurisdiction of the **Brunei Darussalam** Courts.

Date: Place:

Name: Signature: