

DARS, MOTORWAY COMPANY IN THE REPUBLIC OF SLOVENIA
DARS, d.d.

CHAPTER 5

GUARANTEE SAMPLE

for

Quality Supervision During the ETS Operation Phase

July 2017

PERFORMANCE GUARANTEE

Guarantor:

.....

Contracting Authority:

.....

(i.e. the public procurement contractor or, in the case of a joint venture, one of the partners in the joint venture)

Beneficiary:

.....

(i.e. the public procurement contracting authority)

Form of submission: In a paper form by registered mail or any other express mail service.

Place of submission: *[The Guarantor fills in the address of the branch office where the submission of paper documents is undertaken. If the place of submission is not listed, the submission takes place at the above Guarantor's address, where they issued a guarantee.]*

Guarantee no.

In accordance with the contract (contract title, contract number, date) concluded between the beneficiary DARS, Motorway company in the Republic of Slovenia – DARS d.d. with the registered office in Celje, Ulica XIV. divizije 4

and

.....

(contractor's title, in case of a joint venture, list all partners) for the execution of

..... (contract subject) in the amount of EUR is the contractor required to provide all contractual works in the total amount of EUR (In words:)

within/by (date, days, months) in the quantity and quality as determined in the aforementioned contract.

Stamp

Signature: _____

With this guarantee and at the request of the Contracting Authority, I hereby irrevocably and unconditionally commit to pay within 15 days after the receipt of your first written claim the amount of EUR if the Contractor shall not fulfil their contractual obligations whether in the agreed quality or quantity or by the deadline defined in the aforementioned contract. This commitment is also valid in the case of a partial fulfilment of contractual obligations, if the provided service does not meet the contractual obligations, even in part.

The claim for the payment of this guarantee shall be submitted to the Guarantor and shall include the original letter for putting into effect the guarantee in accordance to the previous indent.

This guarantee is valid until After that date, this guarantee shall cease to be valid and our obligation shall automatically be extinguished irrespective of the guarantee being returned or not.

If the beneficiary agrees at any time during the validity of this guarantee to extend the contractual deadline to the Contracting Authority of this guarantee or if the Contracting Authority of this guarantee does not succeed in fulfilling their contractual obligations, the Contracting Authority and the Guarantor can mutually agree on extending the guarantee.

This guarantee is not transferable.

Any disputes between the Beneficiary and the Bank shall be resolved by the court of subject matter jurisdiction in Ljubljana.

Guarantor:
(Stamp and signature)

Stamp

Signature: _____