

PROCUREMENT REFERENCE NUMBER: MCC/W/CO/20/08/01

THIS AGREEMENT made the 8th day of October 2021, between Mzuzu City Council of Post Office Box 1 Mzuzu Malawi (hereinafter called "the Employer"), of the one part, and Plem Construction Limited of Post Office Box 1259, Kanengo Lilongwe 4 (hereinafter called "the Contractor"), of the other part:

WHEREAS the Employer is desirous that the Contractor execute Construction of Mzuzu City Council Civic Office Complex (hereinafter called "the works" and the Employer has accepted the bid by the contractor for the execution and completion of such Works and the remedying of any defects therein for the sum of MK12, 193, 720, 226.37 (Twelve Billion One Hundred Ninety Three Million Seven Hundred Twenty Thousand Two Hundred Twenty Six Kwacha Thirty Seven Tambala Only) (hereinafter called the Contract Price).

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this agreement, words and expressions shall have the same meanings as are respectively assigned to them in the contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement viz:
 - (a) the General Conditions of Contract;
 - (b) the Special Conditions of Contract;
 - (c) the Schedule of Requirements;
 - (d) the Bid Submission Form and the priced Activity Schedule or priced Bill of Quantities submitted by the contractor.
 - (e) the Employer's Notification to the Contractor of award of contract; and
3. In consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Employer to execute and complete the Works and remedy any defects therein in conformity in all respect 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 and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and the manner prescribed by the Contract.
5. The Contract Price or such other sum as may be payable shall be paid in Malawi Kwacha.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the law Specified in the Special Conditions of Contract on the day, month and year indicated above.

Signed by.....for the Employer

Name: GOMEZGANI E. NYASULU 2021 Position: CHIEF EXECUTIVE OFFICER

Witnessed by.....

Name: FRAZER BONDWE

Position: PROJECT MANAGER:

Address: Mzuzu City Council P.O.Box 1 Mzuzu

Signed by :..... (for the Contractor)

Name: **N.J. KRISHNAN**

Position: **DIRECTOR**

Witnessed by Position: **DIRECTOR OF FINANCE**

Name: **VENKATESH.S**

Address: Plem Construction P.O.Box 1259 Kanengo Lilongwe 4

