



FEED THE CHILDREN (K)

P.O. BOX 2999-00621 NAIROBI.

TENDER DOCUMENT

**TENDER FOR: CONSTRUCTION OF THREE (3) VIP LATRINE BLOCKS & IN
TURKANA CENTRAL -SUB COUNT, TURKANA COUNTY**

TENDER NO: ITB/KJ1451//NOVEMBER/2025

DATE OF ADVERTISEMENT: 18/11/2025

CLOSING DATE: 02/12/2025

Nov 2025

SECTION I:

INVITATION FOR TENDERS (IFT)

TENDER NO. ITB/KJ1451//NOVEMBER/2025 FOR THE CONSTRUCTION OF THREE (3) VIP LATRINE IN TURKANA CENTRAL-SUB COUNTY

Feed the Children is one of the world's leading anti-hunger organizations, bringing together caring individuals to create a world where no child goes to bed hungry. Together we provide healthy food, safe water, education and other resources for children and their families without life essentials.

Feed the Children Kenya invites sealed Tenders from eligible contractors who meet the following minimum conditions (Mandatory):

- Evidence of experience in similar works of same nature and complexity in the last five years
- Valid Certificate of Incorporation / Certificate of Registration.
- Must submit CR12 /BN 3 from Registrar of Companies to show list of directors
- Copies of valid tax compliance, VAT and PIN certificates.
- Technical staff
- Valid Business Permit
- Valid registration with National Construction Authority (NCA 1-6)

SCOPE OF WORK

The work involves construction of THREE (3) VIP Latrine Blocks in TURKANA CENTRAL-Sub County and is not limited to the following: - Builders Works (20ft Pit excavation, pit lining, slabbing, Sub-structure, Super-structure, Roofing, Doors, and Finishes for the latrines and Construction of concrete base, plumbing and installation of concrete handwashing stations) and branding works for both works. The breakdown of latrine blocks and handwashing stations in each school is as the table below.

Name of School	No. of doors latrine blocks for Boys and girls with Urinal	Other Comments
Napeget primary school	3	Per the provided design
Murua-Arot ECD	3	Per the provided design
Lobolo Primary school	3	Per the provided design

Interested eligible bidders (PREFERABLY FROM TURKANA COUNTY) may find tender documents at tenders@tenderskenya.co.ke but for any clarifications or queries to channel through Feed the Children procurement department- procurement.kenya@feedthechildren.org

Pre- site visit. The Tenderer, at the Tenderer's own responsibility and risk, is encouraged to visit, examine and inspect the sites of the Required Services and their surroundings and obtain all information that may be necessary for preparing for the bidding. Tender and entering a contract for the Services. The costs of visiting the site shall be at the Tenderer's own expense.

Submission. The duly completed tender documents in plain sealed envelope clearly marked with the tender name, and tender reference and should be addressed and sent to the following address: -

**TENDER COMMITTEE- LATRINE CONSTRUCTION IN LODWAR,
FEED THE CHILDREN IN KENYA,
P.O. BOX 2999-00621.
NAIROBI, KENYA.**

OR deposited in the Tender Box at Feed the Children Main **Reception located in Dagoretti centre, Kikuyu Road**, Opposite Shell petrol station to be received on or before **2ND DECEMBER 2025 at 4:00 PM**. Electronic bidding will not be permitted. Late tenders will be rejected.

The prices quoted should be inclusive of all taxes and shall remain valid for 150 days from the closing date of the tender. Eligible bidders who need clarification of tendering documents should write to procurement.kenya@feedthechildren.org.

Feed the Children reserves the right to accept or reject any TENDER documents without giving any reasons thereof.

FEED THE CHILDREN -PROCUREMENT DEPARTMENT

SECTION II: TENDER DATA SHEET

Tender Data Sheet (TDS)

Instructions to Tenderers Clause Reference

TDS Reference Number	ITT Clause Number	Amendments of, and Supplements to, Clauses in the Instruction to Tenderers
A. Introduction		
1.	1.1	The Procuring Entity is Feed the Children (K)
2.	1.1	Name of Project: Munson initiative for Turkana community. Project Scope: - Construction of Three (3) VIP Latrine Blocks Turkana Central Sub County; Turkana County
3.	1.2	The expected completion date of the works is 90 days after Signing the contract.
4.	1.3	The objectives of the project are to: - Improve School Sanitation Infrastructure Construct three gender-sensitive 3-door VIP latrines in underserved schools, ensuring dignity, safety, and privacy for students.
5.	2.1	Name of financing institution is Victor Munson Name of the Procuring entity is Feed the Children. Financial Year is 2025/2026 Describe works under the contracts. The work involves Construction of three (3) VIP Latrine Blocks & in Napeget Primary School, Lobolo Primary School and Muruarot in Turkana Centalt -Sub County. Builders Works (20ft Pit excavation, reinforcement columns, Sub-structure, Super-structure, Roofing, Doors, and Finishes for the latrines per the approved designs and BOQ
8.	5.2	Alternative time for completion Not applicable
9.	3.1	Only Tenderers registered as Building contractors in Class 1 - 6 with the National Construction Authority and holding a valid practising license.
10.	7.3	Pre-Tender meeting shall not be held.

B. Tendering Documents		
12.	8.2	The number of copies to be completed and returned with the Tender is ONE original.
13.	8.1	Address for clarification of Tendering Document is procurement.kenya@feedthechildren.org

14.	8.2	Period to Respond to request for clarification by the Procuring Entity 7 days. Period Prior to deadline for submission of Tenders for Tenderers to request clarification 14 days.
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C. Preparation of Tenders		
15.	11.1	Language of Tender and all correspondence shall be English.
16.	13.3	Other information or materials required to be completed and submitted by Tenderers: a) Copies of original documents defining the constitution or legal status, place of registration, and principal, place of business; written power of attorney authorizing the signatory of the Tender to commit the Tenderer. b) The minimum required annual volume of construction work for the successful Tenderer in any of the last 2 years shall be KES Five Million only. c) Experience as prime contractor in the construction of at least three projects of nature and complexity equivalent to the Works in the last 5 years or the period stated in b) above (to comply with this requirement, works cited should be at least 70 percent complete). d) A project manager with a minimum of 5 years specific works experience and held the position of project manager/ Team Leader in at least three projects of similar nature and scope. e) Evidence of adequate working capital for this contract. f) Information regarding litigation, current
18.	16.4	The price shall be Fixed. Information to be submitted with the Tender are: i) The basic rates of materials and services
19.	17.1	The currency in which the prices shall be quoted shall be: <i>Kenyan Shillings</i>
20.	17.2 30.2	The authority for establishing the rates of exchange shall be Central Bank of Kenya. N/A
21.	18.1	The Tender validity period shall be 150 days.
23.	20.1	In addition to the original of the Tender, the Tenderer should submit one copy of the Tender N/A

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D. Submission of Tenders		
25.	21.2 a)	Tenders shall be submitted to TENDER COMMITTEE, FEED THE CHILDREN IN KENYA, P.O. BOX 2999-00621. NAIROBI, KENYA. *To be dropped into the tender box located at the reception in Dagoretti Centre, off Kikuyu Road
26.	21.2 b)	Project name: Construction of three (3) VIP Latrine s Turkana Central Subcounty. Tender number:: ITB/KJ1451//NOVEMBER 2025 Time and date for submission
27.	22.1	The deadline for Tender submission is. a) Day ...TUESDAY b) Date...2ND DEC 2025 c) Time4:00 PM
28.	22.3	The extension of the deadline for submission of Tenders <i>shall be communicated if need be.</i>
29	24.4	Expiry of Tender validity is 90 days

E. Opening and Evaluation of Tenders		
29.	25.1	The Tender opening shall take place at: Bidders will not witness the tender opening process
30.	32.3	Additional Preference <i>Not applicable</i>
31.	34.1	Post- qualification <i>will be undertaken</i>
32.	38.1	Percentage for quantities increase or decrease is 15%
F. Award of Contract		
33.	41.1	The amount of Performance Security shall be 10% of the contract price
35.	43.1	The proposed adjudicator for the project is: The Institute of Engineers of Kenya whose hourly rate shall be determined by the Institution

TENDER EVALUATION CRITERIA

After tender opening, the tenders will be evaluated in 4 stages, namely:

1. Preliminary Evaluation.
2. Technical Evaluation.
3. Financial Evaluation; and
4. Recommendation for Award.

STAGE 1: PRELIMINARY EVALUATION

This stage of evaluation shall involve examination of the mandatory requirements as set out in the Tender Advertisement Notice or Letter of Invitation to Tender and any other requirements stated in the bid document.

The **mandatory requirements** shall include the following:

ITEM	REQUIREMENTS (ATTACH THE FOLLOWING)	REQUIREMENT	YES	NO
Statutory and General Requirements				
1.	Copy of CR12 Form/ Certificate of Registration BN 3 And Copy of certificate of incorporation/ business registration certificate as appropriate	<i>Limited company details Must attach CR 12 for the last 12 months and ID of Directors. Certificate of registration BN 3 and ID of the proprietor.</i>		
2.	Copy of Tax Compliance Certificate from KRA.	<i>Valid Until date of opening bids</i>		
3.	Copy of PIN/VAT Certificate/ ETR Receipt with ETR code	<i>Limited companies to provide PIN for the companies and business name, individual PIN</i>		
4.	Copy of National Construction Authority Certificate (NCA 1-6) for building works), Must be accompanied by a valid annual practising license for building works.	<i>Both Certificate and annual Practicing license Must be Valid and subject to Verification.</i>		
5.	Single Business Permit	<i>Must be Valid, Stamped and signed from any Subcounty in Turkana County-Subject to verification</i>		
6.	Physical address and work yard	<i>Must attach Utility bills (water or electricity and lease agreement/ title deed</i>		
	Bidding and other requirements			
1.	Form of tender	<i>Must be filled, Signed, and stamped</i>		
2.	Safety Policy	<i>A written policy by the company and signed by the director</i>		
3.	Statement of Work Methods	<i>Well-written and detailed schedule explaining the work programme</i>		
4.	Tender completeness	<i>The schedules, Bills of Quantities and relevant forms must be filled and stamped.</i>		
	Eligibility			
5.	Conflict of Interest/ integrity declaration	<i>No conflicts of interests</i>		

6.	Final document must be fully paginated by the tenderer.			
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NB: All bidders with all the mandatory requirements proceed to the technical stage of evaluation. Any bidder who fails to meet any of the above requirements shall be disqualified at this stage.

STAGE 2: TECHNICAL EVALUATION

The tender document shall be examined based on clause 3.2 of the Instruction to Tenderers which states as follows:

In accordance with clause 3.2 of Instruction to Tenderers, the tenderers will be required to provide evidence for eligibility of the award of the tender by satisfying the employer of their eligibility under sub clause 3.1 of Instructions to Tenderers and their capability and adequacy of resources to effectively carry out the subject contract.

To comply with provisions of clause 3.2 of Instruction to Tenderers, the tenderers shall be required.

- a) *To fill in the Standard Forms provided in the bid document for the purpose of providing the required information. The tenderers may also attach the required information if they desire.*

Summary of Technical Score

The award of points considered in this section shall be as shown below:

Item	Category	Maximum score
1	Experience	35
2	Key Personnel	35
3	Key Equipment	20
4	Methodology	10
	TECHNICAL SCORE	100

The pass-mark under the Technical Evaluation is 70 percent.

The detailed scoring plan shall be as shown in table 1.

TABLE 1: Technical Evaluation

EXPERIENCE			
Completed contracts	Contracts completed in the last five (2) years (Max of 5 No. Projects)- <u>Provide Evidence (Practical completion certificates, Recommendation, completion certificate.</u>		
	Latrine, sanitation or school infrastructure projects Of over 5 projects	20	
	Latrine, sanitation or school infrastructure projects Of over 3 projects	10	
	Latrine, sanitation or school infrastructure projects Of below 3 projects	5	
	No completed project of similar nature	0	
	Total	20	
Geographic Relevance	Score up to 5 projects verified with Evidence; completion certificate, LPO or letter of award	10	
	Experience in Turkana score 2 for each completed latrine, sanitation or school infrastructure project		
	Experience in other ASAL areas score 1.5 for each completed latrine, sanitation or school infrastructure project		
	Non ASAL regions score 1 for each completed latrine, sanitation or school infrastructure project for each completed		
	No experience		
	Total	10	
Ongoing projects	<u>On-going projects – Provide Evidence e.g. letter of award, LPO or contract</u>		
	Two and above Projects of similar nature, complexity, and magnitude	5	
	One project of similar, nature complexity and magnitude	2	
	No Project of similar nature, complexity, and magnitude	0	
	Total	5	
	TOTAL FOR EXPERIENCE	35	
Equipment			
Equipment and plant owned by the company. (Submit Evidence of Ownership/Leasing (Mandatory) e.g. logbooks for vehicles, purchase receipts for equipment or lease agreements or any other acceptable documentary evidence and photo. Indicate availability			
Concrete Mixer	I. Owned (Attach ownership documents and photos)	5	
	II. Leased(Attach lease agreement and photos	3	
	III. None No document attached (0)	0	
	I. Owned (Attach Ownership documents and Photos)	5	

Excavator or Backhoe Loader	II. Leased (Attach Lease documents and photos)	3	
	III. None		
Support Track or Pick Up	I. Owned(Attach Ownership documents and Photos)	5	
	II. Leased (Attach Lease documents and photos)	3	
	III. None	0	
Masonry Tools Set	Trowels, plumb bob, spirit level, jointers, chisels. Attach Inventory list and photos)		
	I. Owned 3	3	
	II. Partial 2	2	
	III. None 0	0	
Personal Protective Equipment (PPE) (Attach Inventory Lists and Photos)	I. Full Set Available (helmets, gloves, boots, vests) 2	2	
	I. Partial Set Available 1	1	
	II. None	0	
Total Equipment		20	
KEY PERSONNEL (Attach copies of Academic certificates and CV)			
Director of the firm	I. Holder of degree in relevant Engineering field/ Business Management/ Project Management	5	
	II. Holder of Diploma certificate in relevant Engineering field or Business Management	2	
	III. Holder of trade test certificate in relevant Engineering field or Business Management	1	
	IV. No relevant certificate	0	
	Total	5	
Project Manager/Site Agent	At least a Diploma in Civil engineering or Project Management		
	I. Over 5 years specific works experience and held the position of project manager/ Team Leader in at least three projects of similar nature and scope	15	
	II. 3 Years and below specific works experience and held the position of project manager/ Team Leader in at least three projects of similar nature and scope	10	
	III. No relevant experience	0	

	Total	15	
Foreman	At least 1 No. Certificate holder in the relevant Engineering field		
	I. 10 and above years of relevant experience	10	
	II. 5-9 years relevant experience	5	
	III. Below 5 years' experience	3	
	IV. No relevant experience	0	
	Total	10	
Manson	At least trade test certificate Certificate in Masonry		
	I. Over 5 years' experience	5	
	II. Below 5 years experience	3	
	III. No Experience Listed	1	
	IV. Did not attach/list a Mason	0	
	Total	5	
TOTAL FOR KEY PERSONNEL		35	
METHODOLOGY			
Understanding of Scope	I. Comprehensive and context-specific	3	
	II. General understanding	2	
	III. Vague or generic	1	
Methodology & Approach	I. Detailed and practical	3	
	II. Moderate detail	2	
	III. Basic or unclear	1	
Work Schedule & Timelines	I. Clear and achievable	2	
	II. Present but vague	1	
	III. Missing or unrealistic	0	
Risk Mitigation & Contingency Plan	I. Comprehensive and relevant	2	
	II. Partial or generic	1	
	III. Missing	0	
TOTAL FOR METHODOLOGY		10	

Summary of Technical Score

Item	Category	Maximum score	Awarded score
1	Experience	35	
2	Equipment	20	
3	Key Personnel	35	
4	Methodology	10	
	TECHNICAL SCORE	100	

Any bidder who scores 70 points and above shall be considered for further evaluation.

STAGE 3 - FINANCIAL EVALUATION

Upon completion of the technical evaluation a detailed financial evaluation shall follow.

The evaluation shall be in **three stages**.

- Determination of Arithmetic errors
- Comparison of Rates; and
- Consistency of the Rates.

A. Determination of Arithmetic Errors

Arithmetic Errors will be corrected by the Procuring Entity as follows:

- i. In the event of a discrepancy between the tender amount as stated in the form of Tender and the corrected tender figure in the Main summary of the Bills of Quantities, the amount as stated in the Form of Tender shall prevail. Pursuant to Section 82 of the Public Procurement and Asset Disposal Act 2015, the tender sum as submitted and read out during the tender opening shall be absolute and final and shall not be the subject of correction, adjustment, or amendment in any way by any person or entity.
- ii. The error correction factor shall be computed by expressing the difference between the amount and the corrected tender sum as a percentage of the corrected contract works (i.e. corrected tender sum less P.C; and Provisional Sums).
- iii. The Error correction factor shall be applied to all contract works (as a rebate or addition as the case may be) for the purposes of valuations for Interim Certificates and valuation of variations.

B. Comparison of rates

Items that are underpriced or overpriced may indicate potential for non-delivery and front loading respectively. The committee shall promptly write to the tenderer asking for a detailed breakdown of costs for any of the quoted items, relationship between those prices, proposed construction/installation methods and schedules.

The evaluation committee shall evaluate the responses and make an appropriate recommendation to the procuring entity giving necessary evidence. Such recommendations may include but not limited to:

- i. Recommend no adverse action to the tenderer after a convincing response.
- ii. Employer requiring that the amount of the performance bond be raised at the expense of the successful tenderer to a level sufficient to protect the employer against potential financial losses.
- iii. Recommend non-award based on the response provided and the available demonstrable evidence that the scope, quality, completion timing, administration of works to be undertaken by the tenderer, would adversely be affected or the rights of the employer or the tenderers obligations would be limited in a substantial way.

C. Consistency of the Rates

The evaluation committee will compare the consistency of rates for similar items and note all inconsistencies of the rates for similar items.

STAGE 4 - RECOMMENDATION FOR AWARD

The successful bidder shall be the tenderer with the most competitive evaluated bid price and capacity to undertake the project.

SECTION VII: DRAWINGS

Provided in the tender document folder

Insert here a list of Drawings. The actual Drawings, including site plans, should be attached to this section, or annexed in a separate folder.



Napeget and Moru
arot designs and BQs



Lobolo designs and
BQs.pdf

SECTION VIII: BILL OF QUANTITIES

Provided in the tender document folder

Provide here sufficient information, BOQ, on the quantities of Works to be performed.

SECTION IX: TENDER FORMS

FORM OF TENDER

[date]

To:

***FEED THE CHILDREN IN KENYA,
P.O. BOX 61530-00200
NAIROBI***

We offer to execute the *[name and identification number of contract]* in accordance with the Conditions of Contract accompanying this Tender for the Contract Price of *[amount in numbers], [amount in words] [name of currency]*.

The Contract shall be paid in the following currencies:

Currency	Percentage payable in currency	Rate of exchange: one foreign equal <i>[insert local]</i>	Inputs for which foreign currency is required
(a)			
(b)			

The advance payment required is: -

Amount	Currency
(a)	
(b)	

We accept the appointment of *[name proposed in Tender Data Sheet]* as the adjudicator.

Or We do not accept the appointment of *[name proposed in Tender Data Sheet]* as the Adjudicator, and propose instead that *[name]* be appointed as Adjudicator, whose daily fees and biographical data are attached.

We are not participating, as Tenders, in more than one Tender in this Tendering process other than alternative Tenders in accordance with the Tendering documents.

Our firm, its affiliates, or subsidiaries, including any subcontractors or suppliers for any part of the contract has not been declared ineligible by the Kenya Government under Kenya's laws or any other official regulations.

This Tender and your written acceptance of it shall constitute a binding Contract between us.

We understand that you are not bound to accept the lowest or any Tender you receive.

We hereby confirm that this Tender complies with the Tender validity and Tender Security required by the Tendering documents and specified in the Tender Data Sheet.

Authorized Signature:

Name and Title of Signatory:

Name of Tenderer:

Address:

A. Integrity Declaration

UNDERTAKING BY TENDERER ON ANTI – BRIBERY POLICY / CODE OF CONDUCT AND COMPLIANCE PROGRAMME

1. Each Tenderer must submit a statement, as part of the Tender documents, in either of the two given formats which must be signed personally by the Chief Executive Officer or other appropriate senior corporate officer of the Tendering company and, where relevant, of its subsidiary in Kenya. If a Tender is submitted by a subsidiary, a statement to this effect will also be required of the parent company, signed by its Chief Executive Officer or other appropriate senior corporate officer.
2. Tenderers will also be required to submit similar No-bribery commitments from their subcontractors and consortium partners; the Tenderer may cover the subcontractors and consortium partners in its own statement, provided the Tenderer assumes full responsibility.
3.
 - a) Payment to agents and other third parties shall be limited to appropriate compensation for legitimate services.
 - b) Each Tenderer will make full disclosure in the Tender documentation of the beneficiaries and amounts of all payments made, or intended to be made, to agents or other third parties (including political parties or electoral candidates) relating to the Tender and, if successful, the implementation of the contract.
 - c) The successful Tenderer will also make full disclosure [quarterly or semi-annually] of all payments to agents and other third parties during the execution of the contract.
 - d) Within six months of the completion of the performance of the contract, the successful Tenderer will formally certify that no bribes or other illicit commissions have been paid. The final accounting shall include brief details of the goods and services if they are sufficient to establish the legitimacy of the payments made.
 - e) Statements required according to subparagraphs (b) and (d) of this paragraph will have to be certified by the company's Chief Executive Officer, or other appropriate senior corporate officer.
4. Tenders which do not conform to these requirements shall not be considered.
5. If the successful Tenderer fails to comply with its No-bribery commitment, significant sanctions will apply. The sanctions may include all or any of the following:
 - a) Cancellation of the contract.
 - b) Liability for damages to the public authority and/or the unsuccessful competitors in the Tendering possibly in the form of a lump sum representing a pre-set percentage of the contract value (liquidated).
6. Tenderers shall make available, as part of their Tender, copies of their anti-Bribery Policy/Code of Conduct, if any, and of their-general or project - specific - Compliance Program.
7. The Government of Kenya has made special arrangements for adequate oversight of the procurement process and the execution of the contract and has invited civil society and

other competent Government Departments to participate in the oversight. Those charged with the oversight responsibility will have full access to all documentation submitted by Tenderers for this contract, and to which in turn all Tenderers and other parties involved or affected by the project shall have full access (provided, however, that no proprietary information concerning a Tenderer may be disclosed to another Tenderer or to the public).

ANTI-CORRUPTION DECLARATION COMMITMENT/ PLEDGE

(Sections 39, 40, 41, 42, 43 & of the PPD Act, 2005)

I/We/Messrs.....

of Street, Building, P O Box.....

.....

Contact/Phone/E mail.....

declare that Public Procurement is based on a free and fair competitive Tendering process which should not be open to abuse.

I/We

declare that I/We will not offer or facilitate, directly or indirectly, any inducement or reward to any public officer, their relations or business associates, in connection with

Tender/Tender No

for or in the subsequent performance of the contract if I/We am/are successful.

Authorized Signature.....

Name and Title of Signatory.....

B. Letter of Acceptance

[Letter head paper of the Procuring Entity]

[date]

To: *[name and address of the Contractor]*

This is to notify you that your Tender dated [date] for execution of the *[name of the Contract and identification number, as given in the Contract Data Sheet]* for the Contract Price of the equivalent of *[amount in numbers and words]* *[name of currency]*, as corrected and modified in accordance with the Instructions to Tenderers is hereby accepted by us.

We confirm that *[insert name proposed by the procuring entity]* to be the Adjudicator.

We accept that *[name proposed by Tenderer]* be appointed as Adjudicator.

Or

We do not accept that *[name proposed by Tenderer]* be appointed as adjudicator, and by sending a copy of this letter of acceptance to *[insert the name of the Appointing Authority]*, we are hereby requesting *[name]*, the Appointing Authority, to appoint the adjudicator in accordance with Clause 44.1 of the Instructions to Tenderers.

You are hereby instructed to proceed with the execution of the said works in accordance with the Contract documents.

Please return the contract dully signed.

Authorized Signature: _____

Name and Title of Signatory:_____

Name of Agency:_____

Attachment: Form of Contract

C. Form of Contract Agreement

This Agreement made the [day] day of [month], [year] between [name and address of Procuring Entity] (hereinafter called “the Procuring Entity”) and [name and address of Contractor] (hereinafter called “the Contractor”) of the other part.

Whereas the Procuring Entity is desirous that the Contractor execute [name and identification number of contract] (hereinafter called “the Works”) with the objectives of [insert functional objectives of the works] and the Procuring Entity has accepted the Tender by the Contractor for the execution and completion of such works and the remedying of any defects therein in the sum of [contract price in words and figures] (hereinafter called “Contract Price”).

NOW THIS AGREEMENT WITNESSES AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to, and they shall be deemed to form and be read and construed as part of this Agreement.
2. In consideration of the payments to be made by the Procuring Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Procuring Entity to execute and complete the Works and remedy any defects therein in conformity in all respects with the provisions of the Contract.
3. The Procuring Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects wherein the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract.

In Witness whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

The Common Seal of _____

Was hereunto affixed in the presence of: _____

Signed, Sealed, and Delivered by the said. _____

In the presence of: _____

Tendering Signature of Procuring Entity _____

Binding Signature of Contractor _____