

# Contract Agreement

ADB-Loan # 2727 Tranche-II

THIS AGREEMENT ADB-LESCO-01-2011(I)-R made this 09<sup>th</sup> day of March, 2015.

## BETWEEN

- (i) **Lahore Electric Supply Company (Ltd.) (LESCO), Lahore, Pakistan**, a corporation incorporated under the Laws of Islamic Republic of Pakistan and having its principal place of business at **Lahore, Capital of Punjab**, (hereinafter called "The Purchaser"),

**And;**

- (ii) **M/s Pak Electron Limited (PEL)**, a corporation incorporated under the Laws of Islamic Republic of Pakistan and having its registered office at **14-K.m. Ferozpur Road, Lahore** (hereinafter called "The Supplier");

WHEREAS the Purchaser invited bids for certain Goods and Related Services, viz., 132/11.5kV, 31.5/40 MVA Power Transformers along with complete accessories (the tendered quantity i.e. 12Nos. have been increased by 15% making a total of 14Nos. pursuant to Clause 41.1 of Section I "Instruction to Bidders and in pursuance of 2<sup>nd</sup> meeting of Procurement Committee of BoD held on 02.02.15; and has accepted a Bid by the Supplier for the supply of those Goods and Related Services in the sum of **US\$ 3,849,342/ + PKR 218,050,000/ + PKR 4,200,000 (for related services)** without GST (**US\$ Three Million Eight Hundred Forty Nine Thousand Three Hundred and Forty Two + PKR Two Hundred Eighteen Million Fifty Thousand + PKR Four Million Two Hundred Thousand (for related services)**) GST applicable as per prevailing Rules/ Laws) (hereinafter "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) This Contract Agreement
  - (b) The Purchaser's Notification to the Supplier of Award vide No. 1128-33 dated 04.02.2015 and accepted by the Supplier;
  - (c) Performance Security No. 1328/LG/PB/CPUN/154/15 dated 02.03.15;
  - (d) The Bid Submission Sheet (Section-IV, Pg.4-3 & 4-4) and the Price Schedules (Section-VI, Pg.4-5 to 4-7) submitted by the Supplier;
  - (e) The Special Conditions of Contract (Section VIII, GCC 1.1(j), Pg.(8-2)-GCC30.1, Pg. 8-9);
  - (f) The General Conditions of Contract (Section VII, 1.1, Pg.(7-2)-36.1, Pg. 7-18);
  - (g) The Schedule of Supply (Section VI, Pg. 3-6);
  - (h) Technical Requirements (including Schedule of Supply and Technical Specifications) (Section-VI, Pg. 7-12);
  - (i) The Supplier's bid under cover letter No. Mktg-PD/E14.001 dated 12.02.14; and
  - (j) Post bid correspondence;

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3. This Contract shall prevail over all other Contract documents. In the event of any discrepancy or inconsistency within the Contract documents, then the precedence of documents shall prevail in the order listed above under Para 2.
4. In consideration of the payments to be made by the Purchaser to the Supplier as indicated in this Agreement, the Supplier hereby covenants with the Purchaser to provide the Goods and Related Services and to remedy defects therein in conformity in all respects with the provisions of the Contract.
5. The Purchaser hereby covenants to pay the Supplier in consideration of the provision of the Goods and Related Services 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 in the manner prescribed by the Contract.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Islamic Republic of Pakistan on the day, month and year indicated above.

For and on behalf of the Purchaser

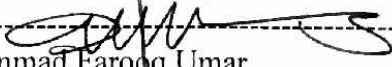
For and on behalf of the Supplier  
M/s Pak Electron Limited (PEL)

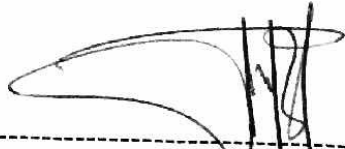
Signed:-   
Mr. Ateeq Ahmed Khan  
In the capacity of  
Chief Engineer (Development) PMU LESCO

Signed:-   
Mr. Abdul Waheed Butt  
In the capacity of  
General Manager (M&S) -P.D.

Witness 1:

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Signed:   
Mr. Muhammad Farooq Umar  
In the capacity of  
Dy. Manager (Proc.) PMU LESCO

Signed:   
Mr. Hafiz Imran Ahmed  
In the capacity of  
Manager (Sales & Marketing)-P.D.