

## TENDER BOND (GUARANTEE)

Name of the bank:

Place and date:

Beneficiary (Contracting Authority): Permanent Mission of the Republic of Slovenia to the United Nations in New York, 630 Third Avenue, 20<sup>th</sup> Floor, New York, N. Y. 10017, USA, representing the successor states of the former Socialist Federal Republic of Yugoslavia, namely Bosnia and Herzegovina, the Republic of Croatia, the Republic of Macedonia, the Republic of Slovenia and the Republic of Serbia

Guarantee No.

In accordance with the Invitation to tender for the provision of real estate sales services – the sale of diplomatic real estate in New York (United States of America), Tokyo (Japan), Bonn (Germany), and Berne (Switzerland), dated \_\_\_\_\_ for the following transaction: 1. Service of brokering the sale of immovable property listed above by a single real estate agency, which will be awarded the contract by the successor states of the former SFRY

for the needs of the Contracting Authority (beneficiary of this guarantee), the Tenderer

is bound - in order to prove seriousness of the Tender in this procurement procedure - to submit a bank guarantee amounting to USD 50,000.00 (fifty thousand 00/100).

The bank is bound to pay the sum indicated in the following cases:

- a) if the Tenderer withdraws or changes the bid during the Tender validity period specified in the Tender (e.g. until the successor states of the former SFRY notify tenderers of their decision) or
- b) if the Tenderer having been notified of the acceptance of its Tender during the Tender validity period:
  - fails or refuses to conclude the contract in compliance with the provisions of the Instructions to Tenderers, or
  - fails or refuses to submit the performance bond in compliance with the provisions of the Instructions to Tenderers.

We hereby undertake to be bound within 15 days upon the receipt of the first written claim of the Contracting Authority to pay to the Contracting Authority the abovementioned sum without requiring any additional argumentation, if it states in its claim that this sum belongs to it due to the occurrence of one or both of the above cases and states which case or cases occurred.

The claim invoking the bond shall be submitted to the bank and it shall contain:

1. an original statement of the Contracting Authority invoking the performance bond in compliance with the aforementioned paragraph and
2. the original of the Tender Bond No. \_\_\_\_\_ / \_\_\_\_\_.

This bond decreases with each, by this guarantee, realized payment.

This bond shall be valid until the Tenderer is selected in the aforementioned Tender procedure and (in case the whole or partial Tender is accepted) until the moment when the selected Tenderer concludes the contract with the Contracting Authority and submits to it the performance bond, but no later than until the expiration of the validity of the contract.

If we do not receive any claim from you regarding the payment of the guaranteed sum within 90 days from the deadline for submitting tenders, this guarantee ceases to be valid regardless of whether it has been returned.

This guarantee is not transferable.

Any disputes between the beneficiary and the bank shall fall within the jurisdiction of the competent court in New York City and are subject to law, valid in New York City.

Bank  
(Seal and signature)

**INSTRUCTIONS FOR COMPLETING THE FORM\*: Tender Bond (Form B-1)**

The Tenderer may submit equivalent suretyship insurance with an insurance company with the same content as defined in this sample.

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\* These instructions need not be enclosed to the bid / the application.