

To
ROAD INFRASTRUCTURE AGENCY
Sofia, Republic of Bulgaria

**BANK GUARANTEE
FOR PARTICIPATION IN PUBLIC PROCUREMENT
FOR CONSTRUCTION**

We have been informed that our Client [name and address of the Tenderer], hereinafter referred to as TENDERER, will bid in a public procurement tender [number, date, State Gazette] of the Chairman of the Management Board of the Road Infrastructure Agency for public procurement under the title: **"Selection of contractor for additional design and construction of the site: "HEMUS" motorway, /A2/ Sofia ring road (SRR) - YANA road junction, from km 0+000 to km 8+460.**

We have also been informed that in accordance with the terms and conditions of the tender procedure and the provisions of the Public Procurement Act, the tenderer is obliged submit with his bid a bank guarantee for participation amounting to 1 000 000 (one million) BGN in the form of cash deposit or bank guarantee. The Tenderer has chosen the guarantee for participation to be in the form of a bank guarantee.

Considering the aforementioned, we [name of the Bank] hereby irrevocably and unconditionally commit to pay to you in a bank account you indicate the amount of BGN 400 000 (four hundred thousand) BGN within 3 (three) working days after receipt of your written request to do so, containing your statement that the tenderer has committed any of the following actions:

- has withdrawn his bid after the deadline for receipt of tender bids;
- is selected for contractor and has failed to fulfil its obligation to enter into the public works contract.

This guarantee shall enter into force upon its issuance.

Our liability under this guarantee shall expire at [hour, day, year]¹, by which date we must receive any claims under it. After that date, this guarantee shall automatically become invalid, regardless whether this guarantee letter is sent back to us or not.

This guarantee shall be sent back to us as soon as it is no longer necessary or its validity has expired, whichever occurs earlier.

This guarantee is issued in favour of the Road Infrastructure Agency or its legal successor and cannot be assigned.

Best regards,

[BANK]

[Names and positions of the persons who have the powers to take on obligations on behalf of the bank]

[Signatures and stamp of the Bank]

¹ The validity term of the guarantee shall be completed by the bank, according to the tender bid of the tenderer. The validity term shall not be less than the validity period of the tenderer's bid.