

PRELIMINARY AGREEMENT

“PRELIMINARY AGREEMENT” entered into on this day of 20.... between
The Secretary for and behalf of the GOVERNOR (here in after called“ the Government”) of the
one part and Sri

.....
..... (H.E. Full name and address of the
Bidder) hereinafter called (“the Bidder ”) of the other part for the execution of the agreement as well as
for the execution of the work

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.....
.....

WHEREAS the Government invited E tenders for the work.....

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.....

by Notification No. in the website www.etenders.kerala.gov.in

SECRETARY

BIDDER

Agreement for the supply ,as per the procurement of Goods and Services in Local Services in LSG institutions kerala ,and the tender guidelines specified for the supply ,if he/she fail to do this or in the case of non supply of the items at specified period mentioned in the notice, the earnest money and security deposit shall be forfeited to Government and fresh tenders shall be called for or the matter otherwise disposed off. If as a result of such measures due to the default of the tender to pay the requisite deposit sign contractors or take possession of the work any lost to the Government results the same will be recovered from him as arrears of revenue, but should it be savings to government, the original contractor shall have not claim whatever to the difference, recoveries on this or any other account will be made from the sum that may be due to the contractor on this or any other subsisting contractors or under the revenue recovery act, or otherwise the Government may decide.

Now therefore these presents of witness and it is mutually agreed as follows:

1 The terms and conditions for the same contract having been stipulated in the said tender form to which the Bidder has agreed, a copy of which is hereto appended which forms part of this agreement it is agreed that the terms and conditions stipulated therein shall bind the portions to this agreement except to the extent to which they are abrogated or altered by express terms and conditions where in agreed to and in which respect the express provisions herein shall supersede these of the said tender form.

2 The Bidder hereby agrees and under take to perform and fulfill all the operations and obligation connected within the execution of

if awarded in favor of the Bidder

SECRETARY

BIDDER

3. If the Bidder does not come forward to execute the original agreement after the said work is awarded and selection notice issued in his favor of commits breach of any of the conditions of the contract as stipulated in clause in the notice inviting tenders as quoted above within the period stipulated then the Government may rearrange the supply otherwise or get it done departmentally at the risk and cost of the Bidder and the loss so sustained by the Government can be realized from the Bidder under the Revenue Recovery Act as if arrears of land revenue as assessed, qualified and fixed by an adjudicating authority consisting of the any officers or officers authorized by the Government in this behalf, taking into consideration the prevailing LSG Department procurement Manual and after giving due notice to the Bidder. The decisions taken by such authority, officer or officers shall be final and conclusive and shall be binding on the Bidder

4. The Bidder further agrees that any amount found due to the Government under or by virtue of this agreement shall be recoverable from the Bidder from his EMD and his properties, movable and immovable, as arrears of land revenue under the provisions Revenue Recovery Act for the time being in force or in any other manner as the Government may deem for in this regard.

5. The Bidder further assures that it is clearly understood that the settlement of claims either by part bills or by final bills will be made only according to the availability of budget provisions and allotment of funds and arranged and also subject to the seniority of such bids. No claims for interest for damages what so ever shall be made for the belated settlement of claims of bills.

IN WITNESS WHERE OF Sri..... the Bidder have set their hand on the say and year first above written.

Signed by Sri....., The Secretary,Grama Panchayat

Officer/officers of ITI in the presence of witnesses

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Signed and delivered by Sri.

(Bidder) in the presence of witnesses.

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The Secretary

Bidder