PRELIMINARY AGREEMENT

Preliminary agreement entered in to this ……. day of ……..…….. two thousand ……..…….. between Secretary, Centre for Heritage, Environment and Development (c-hed),Ernakulam for and on behalf of Centre for Heritage, Environment and Development (hereinafter called c-hed) of the one part and Shri……
….....(Here enter full name and address of the Bidder) of the other part for the execution of the agreement as well as for the execution of the work "*Renovation works of E K Narayanan Square in Division 21 – Pullardesam of Kochi Municipal Corporation*" against Tender Notice c-hed/47/2023, dtd 13/12/2024 (re-tender)"

I/We undersigned hereby offer to construct the proposed work in strict accordance with the contract/bid document for the consideration to be calculated in terms of the priced schedule of quantities.

I/We undertake to complete the whole of the works as per the attached schedule from the date of issue of intimation by you that our tender has been accepted and upon being permitted to enter site. I/We further undertake that on failure, subject to the conditions of the contract relating to extension of time, I/We shall pay agreed `Liquidated Damages' for the period during which the work shall remain incomplete.

I/We hereby deposit with you as Bid security of Rs 50000/- Lien Marked in favour of Secretary, Centre for Heritage, Environment and Development and I/We agree that this sum shall be forfeited in the event of the Employer accepting my/our tender and I/We fail to take up the contract when called upon to do so.

I/We further agree for the deduction of 2.5% from the `Interim Payment/RA Bill' and up to a maximum of 2.5% of the contract value towards the 'Performance Security Deposit', which will be returned as per the relevant clauses in the agreement.

I/We will furnish the Performance Guarantee Bond as per the approved format, if our bid is accepted. Bid Security deposited shall be treated as security for the proper fulfilment of the same and shall execute an agreement for the work in the prescribed form. If I/We fails to do this or maintain a specified rate of progress (as specified in the Milestone details of contract data in the bid document), the performance guarantee and Performance Security Deposit if any deducted from the RA Bills shall be forfeited to c-hed 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 Bidder to pay the requisite deposit, sign contract or take possession of the work any loss to c-hed due to the same will be recovered from me/us as arrears of revenue, but should it be a saving to c-hed. I/We shall have no claim whatever to the difference.

Recoveries on this or any other account will be made from the sum that may be due to us on this or any or other subsisting contracts or under the Revenue Recovery act or otherwise c-hed may decide.

I/We further agrees that, in the case of becoming the lowest bidder in this tender and in the event of failure on part of me/us to produce any of the original documents, or submit the performance guarantee, or enter into agreement with the first part within the specified time limit, the first part may take appropriate action as provided in the bid document. Recoveries on this or any other account will be made from the sum that may be due to us on this or any or other subsisting contracts or under the Revenue Recovery act or otherwise the c-hed may decide.

NOW THEREFORE IN THE PRESENCE OF WITNESS it is mutually agreed as follows.

1. The terms and conditions for the said contract having been stipulated in the said tender document and forms to which the I/We have agreed and a copy of which is here to be appended which forms the part of this agreement, it is agreed that the terms and conditions stipulated therein shall bind the parties to this agreement except to the extend to which they are abrogated or altered by express terms and conditions herein agreed to and in which respect the express provisions herein shall supersede those of said tender form.
2. I/We hereby agreed and undertake to perform and fulfil all the operations and obligations connected with the execution of the said contract work "*Renovation works of E K Narayanan Square in Division 21 – Pullardesam of Kochi Municipal Corporation*" by Notification c-hed/47/2023, dtd 13/12/2024 (re-tender)" If awarded in favour of me/us.
3. If the Bidder does not come forward and to execute the original agreement after the said work is awarded and selection notice issued in his favour or commits breach of any of the conditions of the contract as stipulated in clause of the notice inviting tenders as quoted above, within the period stipulated then c-hed may rearrange the work otherwise or get it done departmentally or through other at the risk and cost of the Bidder and the loss so sustained will be recovered as assessed., quantified and fixed by an adjudicating authority authorized by c-hed.

   c-hed in this behalf, taking in to consideration the prevailing PWD rates and after giving due notices to the Bidder. The decisions taken by such authority, or the 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 c-hed under or by virtue of this agreement shall be recoverable from the Bidder from his Bid Security and his properties, movable and immovable, as arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force or any other manner as c-hed may deem fit 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. No claim for interest or for damages whatsoever shall be made for the belated settlement of claims of bills.

IN WITNESS whereof Parties hereof have set their hands on the day and year first above written

Signed by Secretary , Centre for Heritage, Environment and Development (c-hed), Kacherippady, Ernakulam In the presence of witnesses

1.

2.

Signed and Delivered by Shri……
the bidder in the presence of witnesses

1.

2.