

## **ANNEX V: MODEL PERFORMANCE GUARANTEE**

<To be completed on paper bearing the letterhead of the financial institution >

For the attention of  
**Drejtoria e Shendetit Publik,**  
**Lagja nr.4, Prane Spitalit “Petro Nako”, Sarande**

referred to below as the “Contracting Authority”

Subject: Guarantee No...

Performance Guarantee for the full and proper execution of contract “Purchase of Medical Equipment for Saranda’s Hospital” no .....

We the undersigned, <name and address of financial institution>, hereby irrevocably declare that we guarantee as primary obligor, and not merely as a surety on behalf of <Contractor's name and address>, hereinafter referred to as “the Contractor”, payment to the Contracting Authority of <amount of the performance guarantee>, representing the performance guarantee mentioned in Article 11 of the Special Conditions of the contract “Purchase of Medical Equipment for Saranda’s Hospital” no ..... concluded between the Contractor and the Contracting Authority, hereinafter referred to as “the Contract”.

Payment shall be made without objection or legal proceedings of any kind, upon receipt of your first written claim (sent by registered letter with confirmation of receipt) stating that the Contractor has failed to perform his contractual obligations fully and properly and that the Contract has been terminated. We shall not delay the payment, nor shall we oppose it for any reason whatsoever. We shall inform you in writing as soon as payment has been made.

We accept notably that no amendment to the terms of the Contract can release us from our obligation under this guarantee. We waive the right to be informed of any change, addition or amendment to the Contract.

We note that the guarantee will be released within 45 days of the issue of the final acceptance certificate .

Any request to pay under the terms of the guarantee must be countersigned by the Manager at Delegation of the European Commission.

The law applicable to this guarantee shall be that of <country of the Contracting Authority/ country in which the financial institution issuing the guarantee is established>.. Any dispute arising out of or in connection with this guarantee shall be referred to the courts of Albania

This guarantee shall enter into force and take effect upon its signature.

Name: .....Position: .....

<sup>1</sup> Signature: ..... Date: <Date>

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<sup>1</sup> The name(s) and position(s) of the persons signing on behalf of the guarantor must be shown in printed characters.