

## **Amendment in the clauses of the Tender TE090/2016**

### **Clause 6.12 (c) (Additional conditionality added)**

EMD shall not be forfeited if instances or events beyond the control of the Bidder, prevent the bidder from entering into the Agreement or submitting of the Performance Bank Guarantee e.g. if EDM changes its policies and declines to enter into a PPA with the Project.

### **Clause 7.6.1 (Amended one)**

#### **7.6 Failure to Execute Agreement**

7.6.1 Contractor/Successful Bidder failing to execute the agreement to the satisfaction of MBL under the terms and conditions set forth therein, shall have the Performance Bank Guarantee encashed.