

Appendix C. Sample Parent Guarantee Letter

FORM OF PARENT COMPANY GUARANTEE

(To be completed on letterhead of
Tenderer's Ultimate Parent Company)

To:
Client

Attn: _____

Dear Sirs,

Subject: _____

Project No. _____

Invitation to Tender No. _____

We refer to the accompanying Tender for the subject mentioned Services ("SERVICES") by (Name of Tenderer) ("TENDERER") of which we are the ultimate holding company, and hereby request (Name of Client) (COMPANY) to enter into a contract with TENDERER for the same. In the event of COMPANY doing so and in consideration of COMPANY entering into such contract ("AGREEMENT"):

1. We guarantee that TENDERER shall duly perform all its obligations contained in the AGREEMENT.
2. If TENDERER shall in any respect fail to perform its obligations under AGREEMENT or shall commit any breach thereof, we undertake, on simple demand by COMPANY, to perform or to take whatever steps may be necessary to achieve performance of said obligations under AGREEMENT and shall indemnify and keep indemnified COMPANY against any loss, damages, claims, costs and expenses which may be incurred by COMPANY by reason of any such failure or breach on the part of TENDERER.
3. Our guarantee and undertaking hereunder shall be unconditional and irrevocable and, without prejudice to the generality of the foregoing, we shall not be released or discharged from our liability hereunder by: -
 - (a) Any waiver of forbearance by COMPANY of or in respect of any of TENDERER 's obligations under AGREEMENT whether as to payment, time, performance or otherwise howsoever or by any failure by COMPANY to enforce AGREEMENT or this instrument, or

- (b) Any alteration to, addition to or deletion from AGREEMENT or the scope of the services to be performed under AGREEMENT, or
- (c) Any change in the shareholding relationship between ourselves and TENDERER and our guarantee and undertakings hereunder shall continue in force until all TENDERER 's obligations under AGREEMENT and all our obligations hereunder have been duly performed.

4. This document shall be construed and take effect in accordance with the laws of the [Insert name of country].

Yours faithfully,

Signed :
Name :
Date :

Signed :
Name :
Date :

For and on behalf of

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(TENDERER's ultimate holding company)