**Engineering, Procurement & Construction Contract**

**SPARE SPM BUOY OF BŪTINGĖ TERMINAL**

**INSTALLATION OF TELEMETRY, INSTRUMENTATION & AUTOMATION AND**

**POWER SUPPLY SYSTEMS**

**STC ANNEX No. 5**

**PERFORMANCE BOND**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Rev.** | **0** | **1** | **2** | **3** | **4** |
| **Date** | **2025-05-08** |  |  |  |  |

MT 760

Sender: \_\_\_\_\_\_ (SWIFT), \_\_\_\_\_\_\_ bank

Receiver: (SWIFT), bankas, , Lithuania

**27: Sequence of Total**

1/1

**20: Transaction Reference Number**

XXXX

**30: Date**

XXXX

**40C: Applicable Rules**

URDG 758

**77C: Details of Guarantee**

Quote

Beneficiary:

Public Company ORLEN Lietuva

Mažeikių St. 75, Juodeikiai Village

LT-89453 Mažeikiai District Municipality

Lithuania

**PERFORMANCE BOND No.\_\_\_\_\_\_\_**

We have been informed by our customer, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereinafter called the contractor, that he has concluded a contract No.\_\_\_\_\_ dated \_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_ with you for the ……………………….. As security for the due performance of the above mentioned contract, a performance bond (hereinafter – guarantee) by a bank shall be furnished.

At the request of the contractor, we, \_\_\_\_\_\_ Bank, having our registered office at \_\_\_\_\_\_\_\_\_\_\_, hereby irrevocably unconditionally undertake to pay to you at sight any amount in total not exceeding \_\_\_\_\_\_\_\_\_ (say:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) upon receipt of your first original written and duly signed request for payment (acceptable by authenticated SWIFT message) conforming guarantee conditions, i.e. with reference to this guarantee No.\_\_\_\_\_\_ stating that the contractor is in breach of his obligation(s) under the contract No.\_\_\_\_\_\_ dated \_\_\_\_\_\_\_\_\_.

The total amount of the guarantee will be reduced by any payment effected by us hereunder.

Any written announcements including request for payment must be presented through your bankers (acceptable by authenticated SWIFT message), requesting them to confirm to us that the signature appearing on your announcement/request for payment is in conformity with the specimen of signature held with your bankers and that the signatory has the right to sign on behalf of your company (hereinafter called „the Signature confirmation“).

This guarantee is valid until ………..

All our obligations under this guarantee shall expire if any of these conditions occur:

1. we have not received at the above mentioned address your request for payment together with Signature confirmation until the last date of guarantee validity (inclusive);
2. You notify us in writing (acceptable by authenticated SWIFT message) that you waive your rights under this guarantee.

Any dispute between Parties relating to this guarantee shall be settled by the competent court of the Republic of Lithuania.

This guarantee is subject to the Uniform Rules for Demand Guarantee, ICC Publication No 758

Presentation of supporting documents under article 15(a) of the URDG is excluded.

**Note:** Performance Bond to be issued by first class Bank with at least Standard & Poors rating of BBB or equivalent rating by other Agency