

Performance cum Extension Notice

To:

MAXUP SOLAR ENERGY PRIVATE LIMITED
MAXUP SOLAR ENERGY PRIVATE LIMITED
PLOT NO-2C/1064,CDA,SECTOR-11,CUTTACK
Cuttack
ODISHA-753014
[Tel:07008979171]

SUB: GeM Contract No. GEMC-511687743847606 dated 28-Jan-2023

Sir

1. You have failed/shown inability to deliver the entire quantity of stores within the contract delivery period. In spite of the fact that the time of delivery of the goods / services stipulated in the contract is deemed to be of the essence of the contract, supplies are still outstanding even though the date of delivery is approaching close/has expired.

Item No	Consignee	Slot Id	Quantity	Original DP	Refixed DP
1	Prasanna Kumar Senapati	-	2	27-Feb-2023	25-Mar-2023
2	Prasanna Kumar Senapati	-	20	27-Feb-2023	25-Mar-2023
3	Prasanna Kumar Senapati	-	60	27-Feb-2023	25-Mar-2023
4	Prasanna Kumar Senapati	-	1	27-Feb-2023	25-Mar-2023
5	Prasanna Kumar Senapati	-	1	27-Feb-2023	25-Mar-2023

2. Please note that in the event of your failure to deliver the goods within the delivery period as hereby extended, the contract shall be cancelled for the outstanding goods at your risk and cost
3. Please note that an amount equal to the pre-estimated / liquidated damages for delay in the supply of the stores after the expiry of the contract delivery period shall be recovered from you as specified in General Terms and Conditions (GTC) of GeM (or as specified in the subject contract) for the extended period notwithstanding the grant of this extension.
4. The above extension of delivery date will also be subject to the following further conditions:
 - a. That no increase in price on account of any statutory increase in or fresh imposition of customs duty, GST, VAT or on account of any other tax or duty, which takes place after the original delivery period shall be admissible on such of the said stores as are delivered after the original delivery period and
 - b. That notwithstanding any stipulation in the contract for increase in price on any other ground no such increase which takes place after original delivery period shall be admissible in such of the said stores as are delivered after the original delivery period.
 - c. But, nevertheless, the purchase shall be entitled to the benefit of any decrease in price on account of reduction in or remission of customs duty, GST, VAT or on account of any other tax or duty or on any other ground, including market rate, stipulated in the price variation clause which takes place after the expiry of the original delivery period.
5. You are requested to note that notwithstanding the extension in Delivery Period, the time hereby extended for supply of stores be deemed to be of essence of contract and failure on your part to supply the stores by the extended time shall entitle the purchaser to cancel the contract at your risk and cost without further notice or opportunity.
6. You are also required to extend the validity period of the performance guarantee for the subject contract suitably as agreed in GeM GTC and contract terms and conditions.
7. Please intimate your unconditional acceptance on-line in GeM within 5 days failing which contract will be cancelled at your risk and expense without any further reference to you. Your dispatch / delivery of the Goods / services after the original / re-fixed DP pursuant to this amendment would amount to your unconditional acceptance of the aforesaid conditions.
8. All other terms and conditions of the contract remain unaltered.

For and on behalf of:

Buyer Details

Name: Prasanna Kumar
Senapati
Designation: Training Officer
Prasanna Senapati
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