

# KBC Bank Head Office

Trade & Commercial Finance  
Guarantees - BKG

Sender: BKG - Delacensierstraat 1, B-2018 Antwerp



Szpital Uniwersytecki im. Karola  
Marcinkowskiego w Zielonej Gorz sp zoo  
ul. Zyty 26  
65-046 Zielona Gora  
POLAND

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KREDBEBB

Antwerp, 19 March 2024

## **TENDER GUARANTEE NO. ANTWGO0016229**

**On behalf of:** BIOCARTIS NV, GENERAAL DE WITTELAAN 11B, 2800 MECHELEN, Belgium, hereinafter referred to as the 'Applicant'

**For the benefit of:** Szpital Uniwersytecki im. Karola, Marcinkowskiego w Zielonej Gorz sp zoo, ul. Zyty 26, 65-046 Zielona Gora, POLAND, hereinafter referred to as the 'Beneficiary'

**Amount:** PLN 13.500,00 (PLN thirteen thousand five hundred), hereinafter referred to as the 'Guarantee Amount'

**Issuing bank:** KBC Bank NV (member of the KBC group) - Havenlaan 2 - 1080 Brussels - Belgium - BIC KREDBEBB – VAT BE 0462.920.226 - RLP Brussels, acting in this matter through its Guarantee department at Delacensierstraat 1 - B-2018 Antwerp, hereinafter referred to as the 'Bank'

Whereas

- the Beneficiary issued an invitation to tender with reference NZ.261.8.2024 regarding Sukcesywne dostawy odczynników diagnostycznych do wykrywania mutacji w skrawkach parafinowych metodą real time PCR wraz z dzierżawą analizatorów (hereinafter referred to as the '**Invitation to Tender**'),
- the Applicant wishes to participate in this Invitation to Tender,
- as a condition for participation, the Applicant must submit a guarantee in the amount of the Guarantee Amount,

without being able to rely on any exception arising from the Beneficiary's relationship with the Applicant, the Bank undertakes to pay the Beneficiary no more than the Guarantee Amount at its written and complying demand. The demand must be originally signed and contain a supporting statement from the Beneficiary – either in the demand itself or in a separate document, originally signed and enclosed with the demand – indicating in what respect the Applicant is in breach under the following obligations:

- the Applicant has withdrawn its bid during the tender period, or
- despite having been identified as the successful bidder, the Applicant has failed to sign the contract corresponding to its bid, or
- the Applicant has failed to provide the guarantees demanded in the Invitation to Tender.

For administrative reasons, it is recommended that the reference number of this guarantee ANTWGO0016229 be included in every demand for payment.

Every demand for payment and every supporting statement must be drawn up in the language of the guarantee and be sent to the Bank at the aforementioned address of the Guarantee department by

registered letter or by courier (e.g., DHL, FedEx). Every other mode of delivery is excluded.

All aforementioned documents to be submitted to the Bank must be accompanied by a confirmation from the Beneficiary's bank that the signatures placed on the demand are authentic and binding on the Beneficiary concerned.

Every payment the Bank makes under this guarantee will be deducted from the Guarantee Amount.

This guarantee takes effect today and is open-ended.

This guarantee will end:

- when no more amounts are payable under the guarantee, or
- upon receipt by the Bank at the aforementioned address of the Guarantee department of a release from its obligations, originally signed by the Beneficiary,

irrespective of whether the original guarantee has been returned to the Bank.

Neither the right to the money nor the right to claim it can be assigned or pledged.

This guarantee is governed by the laws of Belgium and by the Uniform Rules for Demand Guarantees (URDG), Publication ICC 758. The courts of Antwerp have exclusive jurisdiction to resolve any and all disputes in connection with this guarantee.

Done at Antwerp, on 19 March 2024.

MARTINE KEYMEULEN  
Adviser Guarantees

ROEL PAUWELS  
Adviser Guarantees