**SAMPLE OF BANK GUARANTEE FOR THE SERIOUSNESS OF THE BID TO PARTICIPATE IN THE PUBLIC AUCTION FOR THE SALE OF**

(irrevocable, unconditional and on first request)

Header with information about the guarantor (bank)

**For:** Termoelektrarna Šoštanj d.o.o.,

**Date:** (insert the date of issue)

**TYPE OF WARRANTY** (guarantee for the seriousness of the bid)

**WARRANTY NUMBER** (Warranty number to be entered)

**GUARANTOR** (enter the name and address of the bank in the place of issue)

**WARRANTY CLIENT** (enter the name and address of the client of the guarantee)

**BENEFICIARY:** Termoelektrarna Šoštanj d.o.o., Cesta Lole Ribarja 18, 3325 ŠOŠTANJ, SLOVENIJA

**BASIC TRANSACTION:** theobligation of the contracting authority to guarantee from its bid submitted for the public auction for the sale of electricity produced by the company Termoelektrarna Šoštanj d.o.o.o. In accordance with the Rules, the contracting authority is obliged to provide the beneficiary with a bank guarantee for the seriousness of the bid in the amount of **....................** EUR (5% of the bid value).

**AMOUNT AND CURRENCY** (enter the maximum amount with number and word and currency)

**DOCUMENTS TO BE ANNEXED TO THE REQUEST FOR PAYMENT IN ADDITION TO THE DECLARATION AND EXPRESSLY REQUESTED BELOW:** none

**FORM OF SUBMISSION:** in paper form by registered mail or any form of express mail or in electronic form via the SWIFT system to the address (the SWIFT address of the guarantor shall be indicated)

**PLACE OF SUBMISSION:** ........................ (The guarantor shall enter the address of the branch where the paper documents are to be presented or the e-mail address for the presentation in electronic form, such as the guarantor's SWIFT address. If the place of presentation is not indicated in this box, the presentation shall take place at the place where the guarantee has been issued.)

**VALIDITY PERIOD: 31. 1. 2025**

**PARTY LIABLE TO PAY COSTS** (enter the name of the client of the warranty).

As the guarantor, we irrevocably and unconditionally undertake to pay to the beneficiary on first demand any amount up to the amount of the guarantee within 5 (five) days, after the beneficiary submits the relevant request for payment in the above-mentioned form of submission, signed by the authorized signatory(s) and together with other documents, if listed above, and in any case together with the beneficiary's statement, which is either included in the text of the request for payment itself or on a separate signed document annexed to or referred to by the request for payment, indicating the extent to which the principal of the guarantee has failed to fulfil its obligations under the underlying transaction.

The guarantee may be exercised for the following reasons, which must be stated in the beneficiary's declaration or request for payment:

* the selected participant in the public auction has not signed the contract within the time limit specified in the rules; or
* the selected participant in the public auction has not provided financial security for the proper performance of contractual obligations in accordance with the rules.

Any request for payment under this warranty must be received on or before the warranty term at the above place of submission.

Any disputes relating to this guarantee shall be resolved by the court with substantive jurisdiction in Ljubljana under Slovenian law.

This guarantee is subject to the Uniform Rules for Warranties on Call (EPGP) Revision 2010, issued by MTZ under No. 758.

Guarantor

(stamp and signature)

