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DEED OF AGREEMENT

This DEED OF AGREEMENT is made on July 19, 2016 Christian era.

BETWEEN

CEMEX Properties Ltd., 6/14 Humayun Road, Mohammadpur, Dhaka (Project: CemexShopnoBilash) is the 'FIRST PARTY', which expression, where the context so admits shall include its successors in interest and assigns of the FIRST PARTY.

AND

M/S. CROSS WORLD POWER LTD. having its office at House # NE (O) 06, Road # 92, Gulshan-2, Dhaka-1212, Bangladesh, the local agent and exclusive distributor of **TEMPEST Brand, Perkins Engine**, Diesel Generating Set, hereinafter referred to as the Contractor or Supplier which expression, where the context so admits shall include its successors in interest and assigns of the SECOND PARTY.

W H E R E A S the Second party has made the offer vide has letter no. **Ref: CWPL-AM/1825/16F** dated July 12, 2016 for supply, install, test and commission of **80 KVA (Prime) Tempest Brand Perkins engine** with **Macc-Alte alternator**.

Terms and conditions:

A.1. Gen-Set details: Brand new 80 KVA (Prime) Tempest, UK Perkins Diesel Generating Set Model: PM80, 415/240 V, 3 Phase, 4 Wire, 50 Hz, 0.8 P.F. Powered by Perkins Engine **Model: 1104A-44TG2** for 80KVA, 1500 RPM coupled with Macc-Alte Alternator **Model: ECP32-4L/4**, Set Mounted Automatic Start (AMF) Control Panel, Main Line Circuit Breaker, with base Fuel Tank, Silencer, Flexible Bellows, Lead Acid Battery, Operational & Maintenance manuals and other standard accessories as per our offer. **Total Quantity of Gen-Set: 1 No. (One).**

A.2. Work Scope: The supplier agreed to carry out supply, installation, testing and commissioning of the Gen-Set at site & the 1st party will provide all kinds of commissioning materials.

A.3. The other technical specifications as mentioned in the offer No. **Ref: CWPL-AM/1825/16F** dated July 12, 2016.

A.4. Delivery schedule: The 2nd Party will make delivery of the generating set at the project site as per schedule date "subject to force- majeure" beyond our control and installation of the generator to be completed within 05 to 07 days from the date of delivery.

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B.1. PRICE: Total price for generator with Local canopy & Local ATS is BDT. 1,200,000.00 (Twelve Lac Taka Only)

Schedule of payment:

The 1st Party has made the schedule of payment to the 2nd Party is as follows:

B.2. BDT10, 00,000.00(Ten Lac Taka only) as advance (83.33% of Total Amount) Before Delivery of generating set as Advance. Chq No. ~~BANK ASIA~~ 3615561.... Dated: 24.07.2016.....

B.3. Balance BDT 200,000.00(Two Lac Taka Only) to be paid by Postdated check immediate after 01 month of delivery (Balancing Amount 16.67% of Total Amount). Chq No. ~~BANK ASIA~~ 3615562. Dated: 11.09.2016.....

Warranty:

The supplier shall provide guarantee of their equipment against any manufacturing, materials & workmanship defect of 12 (Twelve) months period from the date of commissioning or 1500 hours whichever comes first. However warranty doesn't cover improper maintenance by the user, consumable items like lube oil and filters, servicing by unauthorized person, running the gen set above its capacity or any unauthorized modification of the gen set.

Services:

The supplier will provide 12 months free services for the above mentioned Generator Set from the date of commissioning, within this period, the first party or buyer will pay only the cost of consumable items like lube oil and all kinds of filters.

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In witness whereof:

Both the Buyer & supplier have conceded in this agreement to be executed with their seal & signature as of the day & year first above written.

For and on behalf of "CEMEX Properties Ltd."

ALAMGIR HOSSAIN (ALAM)
Director
CEMEX PROPERTIES LTD.

Name:

Designation:

Witness:

1.

2.

For And On behalf of "CROSS-WORLD POWER LTD."

Md. Iftekhar Karim
Chief of Operation (COO)
CROSS WORLD POWER LTD

Witness

1. Md. Masudur Rahman Khan (GM, Sales)

2. Mohammad Sofikul Islam (Executive Sales)