**TEMPLATE**

**LETTER OF UNDERTAKING TO PROVIDE GUARANTEE AND INDEMNITY**

Chairperson

Prequalification Committee

Main Roads Western Australia

P O Box 6202

EAST PERTH WA 6892 [*Insert Date]*

Dear Sirs

RE: PREQUALIFICATION

UNDERTAKING TO PROVIDE GUARANTEE AND INDEMNITY

This letter confirms that [*insert* *description of the relationship between the guaranteeing entity and prequalified contractor eg (name of prequalified contractor) is a wholly owned subsidiary of (name of guaranteeing entity)]*.

[*insert name of guaranteeing entity*] hereby undertakes to provide to the **COMMISSIONER OF MAIN ROADS** a guarantee and indemnity in the terms of Clause 5.10 of the General Conditions of Contract (as amended by SCC 4A) of Main Roads Major Projects Contract (available from the Main Roads website at http://www.mainroads.wa.gov.au) and Clause 22 of the Design and Construct Project Deed in the event that in the event that [*insert name of prequalified contractor*] is awarded a contract arising from the Contractor’s prequalification status. In that event, [*insert name of guaranteeing entity*] confirms that it will be a party to, and execute, that contract in its capacity as covenantor.

[*insert name of guaranteeing entity*] agrees that this letter of undertaking will be resubmitted each year, together with the submission of its annual financial statements in support of the maintenance of [*insert name of prequalified contractor*]’s prequalification.

Yours faithfully

[*Insert name of guaranteeing entity*]

[*Insert name of Company Secretary/Director/other authorised representative*]

Company Secretary/Director/[*insert title of other authorised representative*]

**Please note: the letter must be produced on the organisation’s letterhead.**