

Appendix D – Bank guarantee: provisional deposit

On (date) at (time), the City of Bolzano/Bozen will hold a public auction to determine the party commissioned to carry out the Urban Restructuring Plan (USP) in the area between Via Alto Adige, Via Perathoner, Via Stazione and Via Garibaldi pursuant to art. 55 quinquies, para. 8 of the Italian Provincial Law/*Legge Provinciale* 13/1997;

For the purposes of the conditions set forth in art. 4 of the tender documents, a bank guarantee will be required by way of provisional security deposit.

Based on these preliminaries,

the legal representative of the undersigned bank/credit institute/_____ agrees to grant the City of Bolzano/Bozen a guarantee for _____ amounting to _____, which is equivalent to the **deposit as prescribed by art. 4 subsection A/subsection B** of the tender documents **(please delete as appropriate)**.

The bank/credit institute/_____ agrees, with immediate effect and without any exception, condition, reservation or limitation whatsoever, to pay the above amount to the City of Bolzano/Bozen **no later than 15 days following a simple application to enforce the guarantee** filed by the City of Bolzano/Bozen; the guarantor furthermore agrees, with immediate effect and without any exception, to **waive the benefit of prior discussion** (*beneficium excussionis*) pursuant to art. 1944 of the Italian Civil Code and the rights regarding the maturity of the principal obligation pursuant to art. 1957 of the Italian Civil Code.

The guarantee provided must be valid for a minimum of ninety (90) days from the date on which the tender is submitted.

Date

Stamp

Signature

Please note: The above conditions must be contained in the bank guarantee in full; otherwise the bid will be rejected.

In order to be valid, the bank guarantee must furthermore contain a declaration made by the legal representative of the bank including the following details: name and surname, position within the bank and proof of the representative's authorisation to enter into obligations on behalf of the bank.

Please note: This document was written in Italian and German and subsequently translated into English. In case of any discrepancy between the texts, the Italian version shall prevail at all times.