

Die Garantie ist gemäss diesem Musterformular durch die Garantin auszustellen.

PERFORMANCE GUARANTEE

Guarantor: -----

genaue Postanschrift des Garanten

Beneficiary: **Swiss Federal Railways SBB**

represented by:
Division und Geschäfts- oder Organisationseinheit
genaue Postanschrift

(referred to hereinafter as «SBB AG»)

We have noted the fact that a contract is to be concluded between SBB AG and the company ----- / the consortium ----- consisting of the companies -----, represented by ----- (hereinafter called «Company») regarding ----- (No. xxxxxxx).

In accordance with the contract, a performance guarantee must be supplied.

We hereby undertake on behalf of the Company to pay forthwith to SBB AG, at its first demand and irrespective of the validity and legal consequences of the aforementioned contract, and with waiver of any objections arising from said contract, any sum up to a maximum of

CHF 0.00
(in words -----)

immediately as soon as we receive the written and legally signed payment request from SBB AG together with confirmation that the company has not complied, either entirely or in part, with its contractual obligations relating to liability for defects or anticipates that it will not comply and that SBB AG is owed the amount demanded in connection with this guarantee.

Our guarantee shall apply as of the time of issue and shall lapse automatically and in its entirety if the payment demand of SBB AG including the aforementioned confirmation has not reached us by

Datum

at the latest.

The right of one party to set-off own debts against claims of the other party is expressly excluded.

Rights and obligations from this guarantee can only be assigned to third parties upon prior written assent from the other party.

The present guarantee shall be governed exclusively by Swiss law.

The exclusive place of jurisdiction is Bern/Lausanne/Zurich/Bellinzona/Basel.

Place and date

The guarantor