- With respect to the service agreement, the following minimum terms will apply:
- To provide a neutral, internationally recognized governing law and jurisdiction, this partnership service agreement will be under the laws of the State of Cameroon and the parties will submit to exclusive jurisdiction and venue in Douala, Littoral Region.
- The term of the agreement will be for a minimum term of two (2) years, without any termination for convenience on the part of Somfa Co Ltd, and will automatically renew for additional one (1) year periods. The agreement may only be terminated by Somfa Co Ltd at the end of the initial term or any renewal term upon ninety (90) days prior written notice.
- MEP-CIG shall on its part ensure timely payments so long as Somfa Ltd meets quality standards, scope and project requirements as stated in the performance contract.
- Any change of scope, if requested by MEP-CIG, will be charged at a service rate negotiated between both parties and added to the project cost.
- All prices between Somfa Co Ltd and MEP-CIG will be in the CFA Franc (XAF) and Somfa Co Ltd will provide drilling services to MEP-CIG at special discount rates to honor their commitment to their corporate social responsibility policies.
- Somfa Co Ltd is committed to exercising best efforts to implement design changes and continuous improvement initiatives in order to maintain competitiveness in cost and quality.
- Throughout the term of the agreement plus 12 months following expiration or termination of the agreement, Somfa Co Ltd and MEP-CIG will not (without MEP-CIG consent) directly or indirectly initiate, solicit, negotiate, contract or enter into any business transactions, agreements or undertakings with any third party customer identified or introduced by MEP-CIG.
- Customer requested integration services such as powering pumps using solar panels will be treated as custom services, but will still be rendered at the above discount rate.
- Somfa Co Ltd agrees that lead times for delivery of drilling services will be as agreed to on performance contract. IfSomfa Co Ltd does not meet these lead times, Somfa and/or MEP-CIG will have the right to procure similar services from other sources in order to meet contractual obligations MEP-CIG has with its funders or private individuals.