

***B. DRAFT CONTRACT AND SPECIAL CONDITIONS,
INCLUDING ANNEXES***

DRAFT CONTRACT

SUPPLY CONTRACT FOR EUROPEAN UNION EXTERNAL ACTIONS

No <Contract number>

FINANCED FROM THE GENERAL BUDGET OF THE UNION

Public Works Administration
Arsenija Boljevića 2a, City Mall 3rd floor
81000 Podgorica, Montenegro
(‘The contracting authority’),

of the one part,

and

<Full official name of contractor>
[<Legal status/title>]¹
[<Official registration number>]²
<Full official address>
[<VAT number>]³, (‘the contractor’)

of the other part,

have agreed as follows:

**PROJECT: Support to the Transport sector in Montenegro –
IPA/2017/039-816/01/ME/Transport**
**CONTRACT TITLE: Supply of Equipment for response to marine
pollution incidents**

Identification number: EuropeAid/140774/IH/SUP/ME

Article 1 Subject

1.1 The subject of the contract shall be the supply, delivery, unloading, siting and installation and commissioning of the following supplies:

¹ Where the contracting party is an individual.

² Where applicable. For individuals, mention their ID card or passport or equivalent document – number.

³ Except where the contracting party is not VAT registered.

Item	Description	Quantity
1	Inflatable Offshore Booms for oil spills (1000 meters)	1
2	Hydraulic Storage Reels for Booms	5
3	Sorbents (2000 kgs)	1
4	Oil Absorbent Booms (2000 meters)	1
5	Skimmer with Hoses	2
6	Portable Hydraulic Diesel Power Pack	2
7	Portable Air Blower	2
8	Floating Towable storage tank	2
9	Hydraulic Diesel Power Pack	1
10	Portable Storage Tank for oil collection and transport	2
11	Portable Container for response equipment	5
12	Side Door Container for Response Equipment	2
13	Self-contained breathing apparatus	2
14	Personal protective clothing	50
15	Personal shoreline response equipment	100
16	Portable Fire-fighting Water Pump	2
17	Multipurpose first response rigid-inflatable boat	2
18	Personal equipment for boats and ski jets	14

19	SAR wind and sea protection suit	8
20	First response multipurpose-towing ski jet	3
21	Portable handheld VHF radio	6
22	Double cab – pick up and transport commercial vehicle	2

The place of acceptance of the supplies shall be Bar, Montenegro, the time limits for delivery shall be 270 calendar days from the commencement date and the Incoterm applicable shall be DDP⁴. The implementation period of tasks shall run 270 days from the date stipulated in the commencement order.

- 1.2 The contractor shall comply strictly with the terms of the special conditions and the technical annex.

Article 2 Origin

The rules of origin of the goods are defined in Article 10 of the special conditions.

A certificate of origin for the goods must be provided by the contractor at the latest when it requests provisional acceptance of the goods. Failure to comply with this condition may result in the termination of the contract and/or suspension of payment.

Article 3 Price

- 3.1 The price of the supplies shall be that shown on the financial offer (specimen in Annex IV). The total maximum contract price shall be EUR <insert price>.
- 3.2 Payments shall be made in accordance with the general and/or special conditions (Articles 26 to 28).

Article 4 Order of precedence of contract documents

The contract is made up of the following documents, in order of precedence:

- the contract agreement;
- the special conditions
- the general conditions (Annex I);
- the technical specifications (Annex II [including clarifications before the deadline for submission of tenders]);
- the technical offer (Annex III [including clarifications from the tenderer provided during tender evaluation]);
- the budget breakdown (Annex IV);
- specified forms and other relevant documents (Annex V);

⁴ DDP (Delivered Duty Paid) - Incoterms 2020 International Chamber of Commerce - <http://www.iccwbo.org/incoterms/>

The various documents making up the contract shall be deemed to be mutually explanatory; in cases of ambiguity or divergence, they shall prevail in the order in which they appear above.

Article 5 Other specific conditions applying to the contract

For the purpose of Article 44 of the general conditions, for the part of the data transferred by the contracting authority to the European Commission:

(a) the controller for the processing of personal data carried out within the Commission is the head of contracts and finance unit R4 of DG Neighbourhood and Enlargement Negotiations;

(b) the data protection notice is available at <http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>.

Done in English in three originals, one original being for the contracting authority, and one original being for the European Commission, and one original being for the contractor.

For the contractor

For the contracting authority

Name:

Name:

Title:

Title:

Signature:

Signature:

Date:

Date:

Endorsed for financing by the European Union

Name:

Title:

Signature:

Date: