

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

# DRAFT CONTRACT

## SUPPLY CONTRACT FOR EUROPEAN UNION EXTERNAL ACTIONS

No <Contract number>

FINANCED FROM THE [EU GENERAL BUDGET] [EDF]

### Exceptional Situations Department of Chisinau General Inspectorate for Emergency Situations

3 Iacob Hancu Street, Chisinau, MD-2005, Republic of Moldova

Represented by: Liviu Merzîncu, Acting Head

Fiscal code: 1006601000587

Bank: Ministerul Finantelor-Trezoreria de stat

Cod: TREZMD2X

IBAN: xxx

(“The Contracting Authority”),

of the one part,

and

<Full official name of Contractor>

[<Legal status/title>]<sup>1</sup>

[<Official registration number>]<sup>2</sup>

<Full official address>

[<VAT number>]<sup>3</sup>,

(“the Contractor”)

of the other part,

have agreed as follows:

### PROJECT

“Improving the reaction time for the prevention and elimination of floods within the cross-border area (Vaslui County, Romania; Chisinau, Hancesti, Criuleni, Dubasari, Anenii Noi, Straseni Districts, Republic of Moldova)”, registration no. 2SOFT/4.2./149

### CONTRACT TITLE

< PROCUREMENT OF SPECIALIZED EQUIPMENT AND SUPPLIES FOR PREVENTION  
AND ELIMINATION OF FLOOD CONSEQUENCES >

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<sup>1</sup> Where the contracting party is an individual.

<sup>2</sup> Where applicable. For individuals, mention their ID card or passport or equivalent document - number

<sup>3</sup> Except where the contracting party is not VAT registered.

## Article 1 Subject

1.1 The subject of the contract shall be the supply of the following supplies:

Purchasing of specialized equipment and supplies for prevention and intervention of floods. This specialized equipment will be used for interventions as well as for joint interventions in the border area.

Procurement of specialized equipment and supplies as follows (the contract may include one or more lots depending on the bidders' offer):

Lot 5.1 - 6 (six) floating motor pumps; 6 (six) mud motor pumps; 4 (four) average motor pumps;

Lot 5.2 - Hoses for motor pumps -50 (Fifty) items

Lot 5.3 - Change pieces for motor pumps

Lot 5.4 - Two-axle van / trailer (Camper van / trailer) (1 item) with frame for motor-pumps.

Lot 5.5 - Generator with stabilizer 9,5 - 10 KW for camper van -1 (one) item

Lot 5.6 - Inflatable Tents -3 (three) items (orange and green colour is considered as advantage)

Lot 5.7 - Portable air conditioning (for cooling and heating) for inflatable tent -3 (three) items

The place of acceptance of the supplies shall be mutually agreed between the Contractor and the Contracting Authority, the time limits for delivery shall be <maximum 30 days after contract signature> and the Incoterm applicable shall be DAP<sup>4</sup>. The implementation period of tasks shall run from <Specify the date on which implementation of the tasks is to commence> to <date for provisional acceptance>.

1.2 The Contractor shall comply strictly with the terms of the Special Conditions and the technical annex.

1.3 The supplies which form the procurement of the specialized equipment must be accompanied by the spare parts described by the Contractor in its tender and by other items necessary for using the goods.

## 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.

## 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>

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<sup>4</sup> <DDP (Delivered Duty Paid)>/<DAP (Delivered At Place)> - Incoterms 2010 International Chamber of Commerce - <http://www.iccwbo.org/incoterms/>

3.2 Payments shall be made in accordance with the General and/or Special Conditions (Articles 26 to 28).

3.3 The price does not include VAT and other custom duties.

#### **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 and minutes from the information meeting/site visit];
- 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)];

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**

The tender procedure was conducted according to the provisions of the Procurement and grants for European Union external actions (PRAG 2016.0) using the competitive negotiated procedure.

Done in English in three originals, one original being for the Contracting Authority, one original being for the European Commission, and one original being for the Contractor.

#### **For the Contractor**

Name:

Title:

Signature:

Date:

#### **For the Contracting Authority**

Name:

Title:

Signature:

Date: