# *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**

Association of Beekeepers from Romania - Caraș - Severin Branch

(Asociația Crescătorilor de Albine Caraș -ACA CS)

B-dul I. L. Caragiale no. 3, Reșița, Caraș-Severin County, Romania

(‘The contracting authority’),

of the one part,

and

<Full official name of contractor>

[<Legal status/title>][[1]](#footnote-1)

[<Official registration number>][[2]](#footnote-2)

<Full official address>

[<VAT number>][[3]](#footnote-3), (‘the contractor’)

of the other part,

have agreed as follows:

**PROJECT:** RORS00240 – BanatHoneyRoute - Interreg IPA Romania–Serbia Programme

**CONTRACT TITLE: Supply of 5 Trailers – Banat Honey Route**

**Identification number:** RORS00240/ACACSCB/TD3

**Article 1 Subject**

* 1. The subject of the contract shall be the supply, delivery, unloading, siting, installation and commissioning of **five (5) mobile beekeeping trailers (cabins)** intended for apiculture, apitherapy (inhalation) and the exhibition of bee products, within the framework of the Banat Honey Route project financed under the Interreg IPA Romania–Serbia Programme.

The cabins shall be manufactured from eco-friendly materials and equipped in accordance with the technical specifications set out in Annex II and the contractor’s technical offer (Annex III).

The place of acceptance of the supplies shall be Caraș-Severin County (Reșița area and Danube Gorge – Clisura Dunării), Romania. The time limit for delivery shall be maximum eight (8) weeks from the date of contract signature. The Incoterm applicable shall be DDP. The implementation period of the tasks shall run from the date of contract signature until the date of provisional acceptance.

* 1. The contractor shall comply strictly with the terms of the special conditions and the technical annex.
  2. The supplies forming the subject of the contract must be accompanied by all accessories and items necessary for their proper and safe use, as specified in the instructions to tenderers and the technical specifications.

**Article 2 Origin**

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

When required, 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.

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 and minutes from the information meeting/site visit];
* the technical offer (Annex III - including clarifications from the tenderer provided during tender evaluation, if any);
* the budget breakdown (Annex IV);

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 (DG NEAR);

(b) the data protection notice is available at

<https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA(Ch.2):General>

Done in English in two originals: one original being for the contracting authority and one original being for the contractor.

|  |  |  |  |
| --- | --- | --- | --- |
| **For the contractor** | | **For the contracting authority** | |
| Name: |  | Name: |  |
| Title: |  | Title: |  |
| Signature: |  | Signature: |  |
| Date: |  | Date: |  |

1. Where the contracting party is an individual. [↑](#footnote-ref-1)
2. Where applicable. For individuals, mention their ID card or passport or equivalent document – number. [↑](#footnote-ref-2)
3. Except where the contracting party is not VAT registered. [↑](#footnote-ref-3)