

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

**DRAFT CONTRACT****SUPPLY CONTRACT FOR EUROPEAN  
UNION EXTERNAL ACTIONS**

PUBLICATION REF.: ADD-15-2024

**FINANCED FROM THE EUROPEAN UNION****CONTRIBUTION AGREEMENT No.****NDICI AFRICA/2022/438-582**

The Italian Agency for Development Cooperation (AICS)

Postal address: Villa Italia, Kebena

Town: ADDIS ABABA

Postal Code: P.O. Box 1108

('The contracting authority'),

of the one part,

and

&lt;Full official name of contractor&gt;

[<Legal status/title>]<sup>1</sup>[<Official registration number>]<sup>2</sup>

&lt;Full official address&gt;

[<VAT number>]<sup>3</sup>, ('the contractor')

of the other part,

have agreed as follows:

**PROJECT : NDICI AFRICA/2022/438-582 – Joint European Initiative to Strengthen  
the Medical specialization in Ethiopia****CONTRACT TITLE Supply, Delivery, Installation, Commissioning, Testing and  
Training of Medical Equipment for 6 University hospitals in Ethiopia in the  
framework of the Initiative “NDICI AFRICA/2022/438-582 – Joint European Initiative  
to Strengthen the Medical specialization in Ethiopia” AID 012763/01/0  
Publication Ref: ADD-15-2024**

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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:

Supply, Delivery, Installation, Commissioning, Testing and Training

of the following supplies:

.....

The place of acceptance of the supplies shall be:

.....

the time limits for delivery shall be <insert date and time> and the Incoterm applicable shall be DDP<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 subject of the contract must be accompanied by the spare parts described by the contractor in its tender]

## 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);
- the budget breakdown (Annex IV);

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<sup>4</sup> 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 [https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#AnnexesA\(Ch.2\):General](https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#AnnexesA(Ch.2):General)

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: