B. DRAFT CONTRACT AND SPECIAL CONDITIONS, INCLUDING ANNEXES

DRAFT CONTRACT

SUPPLY CONTRACT FOR EUROPEAN UNION EXTERNAL ACTIONS

NO .....

FINANCED FROM THE EU GENERAL BUDGET

County Emergency Hospital Resita
Fagarasului Street, No.18, postal code 320210,
Resita,
Caras-Severin County, Romania,
tax registration no. 1061626
("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

"ROMANIA-SERBIA JOINT INITIATIVE AGAINST CANCER IN CROSS-BORDER REGION: IMPROVED DIAGNOSIS AND TREATMENT OF MALIGNANT TUMORS – ROSECAN"

[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.

CONTRACT TITLE

Procurment Medical equipment for the project "ROMANIA-SERBIA JOINT INITIATIVE AGAINST CANCER IN CROSS-BORDER REGION: IMPROVED DIAGNOSIS AND TREATMENT OF MALIGNANT TUMORS – ROSECAN"

Identification number: RORS 193/CEHR/04

Article 1 Subject

1.1 The subject of the contract shall be the delivery, installation, testing and training of the following supplies:

Item No.	Item	Qty
	*LOT NO 1 – **MEDICAL EQUIPMENT 1***	
1.	Mortuary Refrigeration Unit	1
	*LOT NO 2 – **MEDICAL EQUIPMENT 2***	
1.	Table for Surgery	1
	*LOT NO 3 – **MEDICAL EQUIPMENT 3***	
1.	ENT Surgery Shaver	1

at County Emergency Hospital Resita, Fagarasului str., no.18, Resita City, Caras-Severin County, Romania DDP[4], the time limits for delivery shall be 40 days and the Incoterm applicable shall be DDP[5]. The implementation period of tasks shall run from the day the contract is signed by both parties to date for provisional acceptance.

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

Article 2 Origin

All supplies purchased under a procurement contract, or in accordance with a grant agreement, financed under IPA II shall originate from an eligible country or from any country which is eligible under the rules of the Member State.

As the Romanian national rules do not contain any restrictions as regards the rules of origin and nationality, then all natural persons or legal persons can participate in public procurement procedures from any country, and all goods can originate from any country, irrespective of any thresholds.

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. (VAT included)

DDP (Delivered Duty Paid) - Incoterms 2010 International Chamber of Commerce - http://www.iccwbo.org/incoterms/

3.2 Payments shall be made in accordance with the 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);
- [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.

Done in English in four originals, two originals being for the Contracting Authority and two originals being for the Contractor.

For the Contractor	**For the Contracting Authority**
Name:	Name:
Title:	Title:
Signature:	Signature:
Date:	Date: