

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

DRAFT CONTRACT

SUPPLY CONTRACT FOR EUROPEAN UNION EXTERNAL ACTIONS

EPA TAPSS/SUPL/2010/001

FINANCED FROM THE EUROPEAN DEVELOPMENT FUND (EDF)

The Imprest Administrator of the Economic Partnership Agreement Related Trade and Private Sector Support Programme (EPA TAPSS), P. O. Box 29901, Kampala

("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:

**CONTRACT TITLE: SUPPLY OF 3 (THREE) 4WD DOUBLE CABIN PICK-UP
MOTOR VEHICLES**

Identification number: EPA TAPSS/SUPL/2010/001

Article 1 Subject

1.1 The subject of the contract shall be the **supply, registration, delivery and commissioning by the Contractor of 3 (three) 4WD Double Cabin Pick-up Motor Vehicles.**

The place of acceptance of the supplies shall be relevant offices of the Economic Partnership Agreement Related Trade and Private Sector Support (EPA TAPSS) Programme, the time limits for delivery shall be **3 (three) months after the date of**

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.

commencement of the performance of the contract as specified in Art. 18 of the Special Conditions and the Incoterm applicable shall be DDP¹. The implementation period of tasks shall run from the date the contract has been signed by all Parties to the date of provisional acceptance.

- 1.2 The Contractor shall comply strictly with the terms of the Special Conditions and the technical annex [including any changes under the proposed variant].

Article 2 Origin

All supplies and materials purchased must originate in a Member State of the European Union and/or the ACP States.

A certificate of origin for the supplies must be provided by the Contractor at the latest when it requests provisional acceptance of the supplies. Failure to comply with this condition may result in the termination of the contract.

The definition of the concept of "originating products" shall be assessed by reference to the relevant international agreements, especially Protocol 1 included in Annex V of the ACP-EU Partnership Agreement, and supplies originating in the European Union shall include supplies originating in the Overseas Countries and Territories.

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 beUganda shillings.

- 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;

¹ <DDP (Delivered Duty Paid) /DDU (Delivered Duty Unpaid)> - Incoterms 2000 International Chamber of Commerce - <http://www.iccwbo.org/incoterms/id3040/index.html>

- 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, 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: