Ref. Ares(2024)6133331 - 29/08/2024

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

# DRAFT CONTRACT

# SUPPLY CONTRACT FOR EUROPEAN UNION EXTERNAL ACTIONS

## No **TR14SPL305**

### FINANCED FROM THE GENERAL BUDGET OF THE UNION

Ministry of Transport and Infrastructure, Directorate General for European Union Affairs and Foreign Relations, Department of European Union Investments, with its office at Hakkı Turayliç Cad. No.5, B Blok, Kat: 10, 06490 Emek, Çankaya, Ankara, Türkiye represented for its part by Mr. Burak AYKAN, Head of Operating Structure ('The contracting authority'),

('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

# CONTRACT TITLE

# Post-Earthquake Transport Recovery Action (PETRA) in Kahramanmaraş

**Identification number EC-NEAR/ANK/2024/EA-OP/0142**

## Article 1 Subject

1.1 The subject of the contract shall be:

the supply, delivery, unloading, siting and installation, commissioning, maintenance, after sale services, technical support, trainings and warranty services of the following supplies for Lot 1:

[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.

**Lot 1: Electric bus and charging station**

| Item | Description | Quantity | Delivery to (DDP) [4] | Implementation period |
|---|---|---|---|---|
| **1.1** | Electric bus | 16 | İstasyon mahallesi 21047. sokak Büyükşehir Belediyesi Asfalt Şantiyesi Otobüs Garajı Dulkadiroğlu/Kahramanmaraş Türkiye | 300 days |
| **1.2** | Charging station | 8 | | 300 days |

The subject of the contract for is: the supply, unloading, delivery, testing and warranty services of the following supplies Lot 2:

**Lot 2: Electric bicycle and auxiliary equipment**

| Item | Description | Quantity | Delivery to (DDP)[5] | Implementation period |
|---|---|---|---|---|
| 2.1 | Electric bicycle | 50 | Kahramanmaraş Büyükşehir Belediyesi Trafik ve Akıllı Ulaşım Sistemleri Müdürlüğü deposu, 21047 Sok. İstasyon Mah. Dulkadiroğlu/ Kahramanmaraş | 180 days |
| 2.2 | Bicycle battery | 50 | | 180 days |
| 2.3 | Bicycle battery charger | 50 | | 180 days |

The place of acceptance of the supplies shall be as indicated in Instructions to Tenderers (ITT), and the Incoterm applicable shall be DDP. The implementation period of tasks shall run from the commencement to provisional acceptance.

1.2 The contractor shall comply strictly with the terms of the special conditions and the technical annex.

## 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 <insert price>.

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

[4] DDP (Delivered Duty Paid) — Incoterms 2020 International Chamber of Commerce http://www.iccwbo.org/incoterms/

[5] DDP (Delivered Duty Paid) — Incoterms 2020 International Chamber of Commerce http://www.iccwbo.org/incoterms/
DDP (Delivered Duty Paid) — Incoterms 2020 International Chamber of Commerce http://www.iccwbo.org/incoterms/

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

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#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 | For the contracting authority |
|---|---|
| Name: | Name: |
| Title: | Title: |
| Signature: | Signature: |
| Date: | Date: |

## Endorsed for financing by the European Union

Name:

Title:

Signature:

Date: