

***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

European Union, represented by the European Commission, B-1049 Brussels, Belgium, in order to support the economic development of the Turkish Cypriot community, in accordance with Council Regulation No. 389/2006¹

(‘The contracting authority’),

of the one part,

and

<Full official name of contractor>

[<Legal status/title>]²

[<Official registration number>]³

<Full official address>

[<VAT number>]⁴, (‘the contractor’)

of the other part,

have agreed as follows:

CONTRACT TITLE

Transition to digital broadcasting and freeing the 700 MHz frequency band in Cyprus

Identification number: REFORM/2021/EA-OP/0010

Article 1 Subject

1.1 The subject of the contract shall be the supply, delivery, unloading, siting and installation, commissioning, training, and compliance with specific after-sales service of the following supplies:

¹ Council Regulation (EC) No. 389/2006 of 27 February 2006 establishing an instrument of financial support for encouraging the economic development of the Turkish Cypriot community and amending Council Regulation (EC) No. 2667/2000 on the European Agency for Reconstruction (OJ L 65, 7.3.2006).

² Where the contracting party is an individual.

³ Where applicable. For individuals, mention their ID card or passport or equivalent document – number.

⁴ Except where the contracting party is not VAT registered.

All the necessary equipment to undertake the digital upgrade of television broadcasting in the Turkish Cypriot community. Subordinate to Annex II: Technical Specifications, the following equipment will be required: a headend system with all the necessary ancillaries, a network management system, a digital microwave solution, transmitters in main and redundant configuration, a redundant GPS system, a remote control and monitoring system for the transmitters, a number of uninterrupted power supply (UPS) units, and a PVC cabinet for storage of such units. The contract also envisages the necessary spare parts and consumables (if applicable) for five years of subsequent operation.

The place of acceptance of the supplies shall be the sites defined in section IV of Annex II: Technical Specifications, and the Incoterm applicable shall be DDP⁵. The implementation period of tasks shall be 240 days counted from the day the date of issue of the commencement order.

- 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, and by the accessories and other items necessary for using the goods over a period of 5 years, as specified in the instructions to tenderers.

Article 2 Origin

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

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

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);

⁵ 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,

- (a) the data controller is the head of the budget and finance unit A.3 of DG Structural Reform Support.
- (b) the data protection notice is available at <http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A.1>

Done in English in three originals, two originals being for the European Commission, and one original being for the contractor.

For the contractor

Name:

Title:

Signature:

Date:

For the contracting authority

Name: Judit RÓZSA

Title: Director – Resources,
Coordination and Aid Programme

Signature:

Date: