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

**DRAFT CONTRACT**

SUPPLY CONTRACT FOR EUROPEAN

UNION EXTERNAL ACTIONS

No CB007.2.32.165 – PP2 – Supply 1 – LOT 1

**financed from the general budget of the Union**

**MUNICIPALITY OF BOTEVGRAD**

Address: 13 "Osvobozhdenie" square, Botevgrad, postal code 2140, Republic of Bulgaria

Registration number: **000776089**

VAT registration: **BG000776089**

Represented by: …………………..-……………………… and

……………………….-………………………..

(‘The contracting authority’),

of the one part,

and

<Full official name of contractor>

[<Legal status/title>][[1]](#footnote-1)

[<Official registration number>][[2]](#footnote-2)

<Full official address>

[<VAT number>][[3]](#footnote-3)

[<Represented by:>],

(‘the contractor’)

of the other part,

have agreed as follows:

**PROJECT*:* The Environment - Future and Responsibility of All, ref. No CB007.2.32.165**

**CONTRACT TITLE “Supply of technical equipment for protection and restoration of ecosystems in the protected natural areas of Botevgrad municipality”,**

**LOT 1 “Supply of backhoe loader and mini backhoe loader for the needs of the Municipality of Botevgrad”**

**Identification number CB007.2.32.165 – PP2 – Supply 1 – LOT 1**

**Article 1 Subject**

**1.1.** the supply, delivery and unloading of the following supplies:

## **lot no 1:** **Backhoe loader – 1 pc**

**Mini Backhoe loader – 1 pc**

The place of acceptance of the supplies shall be Municipality of Botevgrad, Address: 13 "Osvobozhdenie" square, Botevgrad, postal code 2140, Republic of Bulgaria, the time limits for delivery shall be 180 days of receiving a commencement order from the Contracting Authority and the Incoterm applicable shall be DDP, but not later than the end date of project CB007.2.32.165, which is 24.03.2022 or the new deadline for the implementation of the project in case of its extension. The implementation period of tasks shall run from receiving a commencement order from the Contracting Authority 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**

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 for the lot (specimen in Annex IV). The total maximum contract price shall be:

* <insert price> BGN VAT excl. <in words>
* 20% VAT <insert amount> BGN <in words>
* <insert price> BGN VAT incl. <in words>

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 for the respective lot;
* the special conditions for the respective lot;
* 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] for the respective lot;
* the technical offer (Annex III [including clarifications from the tenderer provided during tender evaluation]) for the respective lot;
* the budget breakdown (Annex IV) for the respective lot;
* A statement by the tenderer attesting the origin of the supplies tendered (Annex V) for the respective lot;

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 <http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>.

Done in English in three originals two originals being for the contracting authority and one original being for the contractor.

|  |  |  |  |
| --- | --- | --- | --- |
| **For the contractor** | | **For the contracting authority** | |
| Name: |  | Name: |  |
| Title: |  | Title: |  |
| Signature: |  | Signature: |  |
| Date: |  | Date: |  |
|  |  |  |  |
|  |  | Name: |  |
|  |  | Title: |  |
|  |  | Signature: |  |
|  |  | Date: |  |

1. Where the contracting party is an individual. [↑](#footnote-ref-1)
2. Where applicable. For individuals, mention their ID card or passport or equivalent document – number. [↑](#footnote-ref-2)
3. Except where the contracting party is not VAT registered. [↑](#footnote-ref-3)