

FRAMEWORK AGREEMENT

FRAMEWORK AGREEMENT NUMBER – [...]

This Financial Framework Agreement ('the Agreement') is between the following parties: Doctors with Africa CUAMM (hereinafter referred to as the 'Contracting Authority'), represented by the Country Manager for [Country], [Country Manager Name]

on the one part,

and

1. [full official name] [ACRONYM]

[official legal status or form]¹

[official registration No]²

[official address in full]

[VAT number],

hereinafter referred to as the 'Contractor', represented for the purposes of signature of this Agreement by [function, forename and surname]

on the other part,

(the 'Parties')

The parties referred to above have agreed to enter into a framework agreement under the terms and conditions below.

The Agreement is composed of

- Terms and Conditions

¹ To be deleted or filled in according to the 'legal entity' form.

² To be deleted or filled in according to the 'legal entity' form.

PREAMBLE

The Contracting Authority is responsible for implementing humanitarian projects in Ethiopia financed by different Humanitarian Agencies for which it might requires supplies or services by the Contractor.

For this purpose, the Contracting Authority has pre-selected some Contractors engaged in the business of [Write the commercial category of the contract], with which it wishes to establish a relationship of lasting cooperation.

The general objectives which it shares with the Contractor in the above-mentioned business and which justify the establishment of a framework agreement are the following:

SUPPLY OF [write a general indication of supplies the Contractor may provide for instance: Human drugs, Medical Equipment and Hospital Consumable]

OR

PROVISION OF SERVICE OF [write a general indication of service the Contractor may provide for instance: vehicle hire, vehicle maintenance etc.]

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ARTICLE 1 — SUBJECT OF THE AGREEMENT

This Agreement establishes a long-term cooperation between the Contracting Authority and the Contractor for the provision only of [Write the commercial category/ries for which the contractors was pre-selected].

The Contractor agrees to be part of the Contracting Authority List of Eligible Suppliers and Service Providers

ARTICLE 2 — AWARD OF CONTRACTS

2.1 Award of contracts

The Contracting Authority may award contracts to the Contractor for the provision of only [Write the commercial category/ries for which the contractors was pre-selected].

The framework agreement shall apply to any specific contract awarded between the parties.

Signature of this Agreement shall not give rise to any obligation of the Contracting Authority to award specific contracts. It shall be without prejudice to the Contractor's participation in other tenders for the purposes of award of contracts.

2.2.1 Procedure for the award of specific contracts

The Contracting Authority may request the Contractor to obtain a proposal for [Write the commercial category of the contract].

Such request shall take place on the basis of an invitation to a tender. The invitation shall define the selection and award criteria to be applied. The contractor agrees to have a limit amount of time (from 5 to 15 days) to provide offers to tenders for which received an invitation. The Contractor shall not be obliged to submit a proposal in response to such an invitation.

2.2.2 Conclusion of specific contracts

Where the Contracting Authority decides to award a specific contract, it shall propose to the Contractor to sign a specific contract in accordance with the applicable model.

By signing the specific contract, the Contractor agrees to provide the requested [Supply or Service], in accordance with the terms and conditions laid down in this Agreement and in the Contract.

Specific contracts shall be signed before the expiry date of the Agreement. Where an action is still carried out after the above-mentioned date or after a premature termination of the Agreement, the terms of the Agreement shall continue to apply to the implementation of the specific contract governed by the Agreement.

ARTICLE 3 — DURATION AND STARTING DATE OF THE FRAMEWORK AGREEMENT

The framework agreement is concluded for a period of 2 **years** as of its entry into force.

All contracts under the framework agreement must be signed before the end of the agreement.

ARTICLE 4 — PROPER IMPLEMENTATION OF THE FRAMEWORK AGREEMENT

The Contractor must respect the objectives of the framework agreement.

The Contractor must abide to all rights and obligations set out in the contract.

The Contractor must maintain relations of mutual co-operation and regular and transparent exchanges of information with the Contracting Authority on:

- the implementation and follow-up of the contract; and
- other matters of common interest related to the framework agreement.

ARTICLE 5 — SUSPENSION

The Contractor is aware that to keep the status as eligible supplier or service provider will have to renew and submit to the Contracting Authority in due time any legal document that is subject to expiration.

The Contractor also agrees that in order to maintain the status as eligible supplier or service provider will have to provide any extra documentation the Contracting Authority may subsequently require.

The Contracting Authority may suspend the Agreement if there is the suspicion that the Contractor no longer complies with the eligible criteria set out during the Contractor pre-selection procedure or for any other subsequent criteria established by the Contracting Authority.

The Agreement can be reactivated once the Contractor complies with the eligible criteria set out during the Contractor pre-selection procedure or for any other subsequent criteria established by the Contracting Authority.

ARTICLE 6 — TERMINATION

6.1 Termination of the Agreement by the Contracting Authority

The Contracting Authority may terminate the Agreement if the Contractor is in an exclusion situation of early detection or exclusion, their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the early detection and exclusion system (EDES) and communicated to the persons and entities concerned in relation to the framework agreement.

6.2 Contractor termination

In duly justified cases, the Contractor may terminate the Agreement according to the same procedures as those set out in the grant contracts.

ARTICLE 7 — COMMUNICATION BETWEEN THE PARTIES

7.1 Communication details of the Contracting Authority

Any communication addressed to the Contracting Authority for the purpose of the framework agreement shall be sent to the following address:

Doctors with Africa CUAMM
Country Manger – [Full name]
Procurement Manager – [Full name]
[Full official address]
E-mail address: [complete]

7.2 Communication details of the Contractor

Any communication from the Contracting Authority to the Contractor for the purpose of the framework Agreement shall be sent to the following address:

[Full name]
[Function]
[Name of the entity]
[Full official address]
E-mail address: [complete]

ARTICLE 8 — AMENDMENTS

Amendments shall not have the purpose or effect of making changes to the Agreement which would call into question the Contracting Authority's decision to establish the framework agreement or which would be contrary to the equal treatment of the applicants.

ARTICLE 9 — ENTRY INTO FORCE

The Agreement will enter into force on the day of signature by the Contracting Authority or the Contractor, whichever is the latest.

SIGNATURES

For the Contractor

[function/forename/surname]
[electronic signature]

Done in [English]

on [electronic time stamp]

For the Contracting Authority

[Full name]
[electronic signature]

Done in [English]

on [electronic time stamp]