

SUPPLEMENT TO GENERAL CONDITIONS

GLOSSARY OF TERMS

ACP States	The Africa, Caribbean and Pacific States signatories of the ACP-EC Partnership Agreement.
Addendum	A document modifying the terms and conditions of a contract.
Administrative order	Any instruction or order issued in writing by Project Manager to the Contractor regarding the execution of the contract.
Ancillary services	All related services which the Contractor is required to implement in a supply contract in addition to deliver the goods procured. Where they are necessary they are specified in the contract and may include for example services such as unloading, installation, testing, commissioning, provision of expertise, supervision, maintenance, repair, training and other such obligations connected with the goods to be provided under the contract (SUP).
Beneficiary country	The country or state outside the European Union with which the European Union has an agreed programme of cooperation.
Best value for money	See "most economically advantageous offer".
Budget breakdown	The schedule which breaks down the contract value according to the different items or services, stating out fee rate, unit prices and lump sums for each item provided (W, SER, SUP).
Call for proposals	A public invitation by the Contracting Authority, addressed to clearly identified categories of applicant, to propose operations within the framework of a specific EU programme.
Clearance	The amount of expenditure incurred in accordance with the Contract which the Contracting Authority, after examination of the expenditure verification report or the supporting documents, accepts for deduction from the total sum of pre-financing under the Contract.
Commercial warranty	The warranty the manufacturer provides for a defined period that the supply will be free from structural defects due to substandard material or workmanship, under conditions of normal commercial use and service. The Commercial warranty should not be confused with - and might go beyond - the warranty period of the contract (SUP).
Commission	The European Commission

Conflict of interests	<p>Any event influencing the capacity of a candidate, tenderer, applicant or contractor or grant beneficiary to give an objective and impartial professional opinion, or preventing it, at any moment, from giving priority to the interests of the Contracting Authority. Any event that compromises the impartial and objective exercise of the functions or the Contracting Authority, or the respect to the principles of competition, non-discrimination or equality of treatment of candidates/tenderers/applicants with regards to the award procedure or contract. Any consideration relating to possible contracts in the future or conflict with other commitments, past or present, of a candidate, tenderer, applicant or contractor. These restrictions also apply to any sub-contractors and employees of the candidate, tenderer, applicant or contractor.</p> <p>There is also a conflict of interests where the impartial and objective exercise of the functions of a player in the implementation of the budget or an internal auditor is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with the beneficiary.</p>
Consortium	<p>A grouping of eligible natural and legal persons or public entities which submits a tender or an application, under a tender procedure or in response to a Call for Proposals. It may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure or Call for Proposals. All members of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the Contracting Authority.</p>
Contract	<p>An agreement, between two or more persons or entities, with specific terms and an undertaking to provide services, supplies and/or works in return for a financial consideration (SER, SUP, W).</p>
Contract budget	<p>A summary of the costs of performing the contract. The total of these costs is the contract value or contract price. In the case of grants the budget shows the eligible costs for funding and the total costs. The income must also be detailed. In the case of works the sum represents the initial estimate payable for the execution of the works or such other sum as ascertained by the final statement of account as due to the contractor under the contract.</p>
Contract price	<p>See "Contract budget".</p>
Contract value	<p>See "Contract budget".</p>
Contracting Authority	<p>The entity concluding the contract.</p>
Contractor	<p>Any natural or legal person or public entity or consortium of such persons and/or bodies selected at the end of the procedure for the award of the contract. The successful tenderer, once parties have signed the contract.</p>
Corrigendum	<p>Correction of a notice or guidelines already published in the Official Journal of the European Union and/or equivalent local publication and on the EuropeAid website.</p>

Day	Calendar day unless otherwise specified.
Drawings	Drawings provided by the Contracting Authority and/or drawings provided by the Contractor, for the provisions of the supplies
EC	The European Commission.
EDF	The European Development Fund.
EU	The European Union.
Economic operator	Covers contractors, suppliers and service providers.
Evaluation committee	A committee made up of a non-voting Chairperson, a non-voting secretary and an odd number of members (at least three) with the technical and administrative expertise capacities necessary to give an informed opinion on tenders or grant applications.
Execution period	The period from contract signature until release of the performance guarantee after final acceptance for supplies.
Expert	A natural person employed or otherwise legally contracted by an eligible contractor, or where applicable subcontractor, engaged to provide the expertise required for the proper performance of a contract.
Explanatory note	A summary at the beginning of a contract dossier or addendum dossier explaining to the reader the purpose and essential features of the proposed contract or addendum.
Final acceptance certificate	Certificate(s) issued by Project Manager to the Contractor at the end of the warranty period stating that the Contractor has completed its obligations.
Financing Agreement	An agreement between the European Commission and the beneficiary country which determines the objectives and scale of a future programme of assistance.
Financial offer	The part of a tender which contains all the financial elements of the tender, including its summary budget and any detailed price breakdown or cash-flow forecast required by the tender dossier.
Financing Memorandum	See Financing Agreement.
Foreign currency	Any currency permissible under the applicable provisions and regulations other than the Euro, which has been indicated in the tender.

General conditions	The general contractual provisions setting out the administrative, financial, legal and technical clauses governing the execution of all contracts of a particular type.
General damages	Damages which have not been agreed beforehand by the parties and awarded by a court or arbitration tribunal, or agreed between the parties, as compensation payable to an injured party for a breach of the contract by the other party.
Goods	A tangible physical product where the property of what is purchased is transferred from the contractor to the contracting authority (in the case of procurement contracts) or to the designated local partners of the beneficiary and/or final recipients of the action (in the case of grant agreements).
Head of Delegation	The representative of the European Union in third countries.
Hybrid contract	A contract between the Contracting Authority and a service provider, supplier or construction firm covering two or more of the following: works, supplies and services.
Implementation period	The period from the signature, or alternative date if specified in the Special Conditions, until the provisional acceptance for the last lot has been issued
InforEuro	http://ec.europa.eu/budget/inforeuro Website necessary to make any conversion into euro of the real costs borne by a contractor or grant beneficiary in other currencies.
Invitation to tender	Letter sent to shortlisted candidates in a restricted procedure or competitive negotiated procedure inviting them to submit a tender.
In writing	This includes any hand-written, typed or printed communication, including telex, cable, e-mail and fax transmissions.
Liquidated damages	Liquidated damages are damages which have been agreed beforehand by the parties, and recorded in the contract, as being a genuine estimate of the loss suffered by the injured party (i.e. compensation payable by the Contractor to the Contracting Authority for failure to complete the contract or part of the contract within the contractual periods, the compensation shall be calculated in accordance with the method(s) outlined in the general conditions).
Mixed contract	See "Hybrid contract".
Month	Calendar month.
Most economically advantageous tender	The tender proposal judged best in terms of the criteria laid down for the contract, e.g. quality, technical properties, aesthetic and functional qualities, after-sales service and technical assistance in relation to the price offered. These criteria must be announced in the tender dossier.

National currency	The currency of the beneficiary country.
Open procedure	Calls for tender are open where all interested economic operators may submit a tender. Calls for proposals are open when the concept paper and full proposal are submitted at the same time.
PADOR	Potential Applicant Data On-line Registration (http://ec.europa.eu/europeaid/work/onlineservices/pador/index_en.htm)
Period	A period begins the day after the act or event chosen as its starting point. Where the last day of a period is not a working day, the period expires at the end of the next working day.
Procurement procedure	The procedure followed by a Contracting Authority to identify, and conclude a contract with, a suitable contractor to provide defined goods, works or services.
Project	The project in relation to which the services/works/supplies are to be provided under the contract, and the project in relation to which the grant contract is awarded.
Project manager	The person responsible for monitoring the implementation of a project on behalf of the Contracting Authority.
Special Conditions	The special conditions laid down by the Contracting Authority as an integral part of the tender or call for proposals dossier, including amendments to the General Conditions, clauses specific to the contract and the technical specifications
Successful Tenderer	The tenderer selected at the end of a tender procedure for the award of contract.
Supplier	Any natural or legal person or public entity or consortium of such persons and/or bodies offering to supply products.
Supplies	All goods the Contractor are required to supply to the Contracting Authority and where the property of what is purchased, is transferred from the contractor to the contracting authority (in the case of procurement contracts) or to the designated local partners of the beneficiary and/or final recipients of the action (in the case of grant contracts).
Supply contract	Supply contracts cover the purchase, leasing, rental or hire purchase, with or without option to buy, of products. A contract for the supply of products and, incidentally, for siting and installation shall be considered a supply contract.
Taxes	Include indirect taxes such as value added taxes, customs and import duties, other fiscal charges and duties in beneficiary countries* (*except under the ENPI Regulation, which does not specify country(ies)).

Technical offer	The part of a tender which contains all non-financial elements of the tender, i.e., all elements other than the financial offer which are required by the tender dossier. The technical offer must not contain any financial indications.
Tender	A written or formal offer to supply goods, perform services or execute works for an agreed price.
Tender dossier	The dossier which contains all the documents needed to prepare and submit a tender.
Tender Price	The sum stated by the tenderer in its tender for carrying out the contract.
Tender procedure	The overall process of putting a contract out for tender, starting with the publication of a procurement notice and ending with the award of the tendered contract.
Tenderer	A natural or legal person or consortium thereof submitting a tender with a view to concluding a contract.
Technical specifications	The document drawn up by the Contracting Authority setting out its requirements and/or objectives in respect of the provision of supplies or works, specifying, where relevant, the methods and resources to be used and/or results to be achieved.
Time limits	Those periods in the contract which shall begin to run from the day following the act or event which serves as the starting point for those periods. Where the last day of the period is not a working day, the period expires at the end of the next working day.
Warranty obligations	The warranty of the Contractor that the supplies are new, unused, without defects, of the most recent models and incorporate all recent improvements in design and materials. This warranty must remain valid for a maximum of 1 year after provisional acceptance. See article 32 of the General Conditions (SUP).
Written communications	Certificates, notices, orders and instructions issued in writing under the contract.