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Podgorica, 01.07. 2022 god.

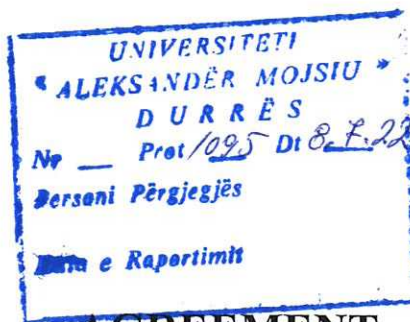


UNIVERSITETI "ISMAIL QEMALI"
VLORE

ZYRA E PROTOKOLL - ARKIVËS

NR. 611/22 PROT.

DATA 12.07.2022



Co-funded by the
Erasmus+ Programme
of the European Union



AGREEMENT

on the implementation of the joint open public procurement of equipment (herein referred to as 'Agreement') within the "Development of Regional Joint Master Program in Maritime Environmental Protection and Management" (herein referred to as 'MEP&M') project of Erasmus + programme (Project reference number: 619239-EPP-1-2020-1-ME-EPPKA2-CBHE-JP, Grant Agreement number 7988115-29/12/2020, concluded between the following contracting authorities (project partner institutions):

University of Montenegro (UoM) represented by the rector prof. dr Vladimir Božović,

University of Durres "Aleksander Moisiu" (UAMD) represented by rector prof. dr Kseanela Sotirofski and administrator Gerald Ceka, and

University of Vlora 'Ismail Qemali' (UV) represented by rector prof. dr Roland Zisi and administrator Sajmir Xhelaj

herein referred to as the 'Parties'.

PREAMBLE

The Grant Agreement number 7988115-29/12/2020 with the Project reference number: 619239-EPP-1-2020-1-ME-EPPKA2-CBHE-JP is concluded between the Education, Audiovisual and Culture Executive Agency (hereinafter referred to as the 'Agency'), acting under powers delegated by the European Commission, and the coordinating institution of the MEP&M project University of Montenegro (UoM) and entered into force on 29.12.2020.

The partner universities concluded the individual Partnership Agreements with the coordinating institution University of Montenegro (No. 01/4-145/7 from 19th March 2021 with the University of Durres "Aleksander Moisiu" - UAMD; No. 01/4-145/6 from 19th March 2021 with the University of Vlora 'Ismail Qemali'- UV) with the coordinator at the beginning of the MEP&M project implementation.

One of the output results of the MEP&M project is the procurement of the equipment for three partner universities: University of Montenegro (Montenegro), University of Durres "Aleksander Moisiu", and University of Vlora "Ismail Qemali" (Albania).

The coordinator received the approval on 30/05/2022 from the Agency for the implementation of the joint open public procedure within the MEP&M project and that the University of Montenegro will conduct the process (see the Annexes).

General provisions Subject matter



Article 1

The Parties (UoM, UAMD, and UV) agreed on the joint open public procurement procedure for the purchased equipment within the MEP&M project with an estimated value of 245.000,00 € without VAT. Duration of the Agreement is up to the official expiration of the MEP&M project.

Article 2

For the purpose of procuring equipment within MEP&M project, the Parties (UAMD and UV) have decided to engage in joint action and agreed that a Lead Party that will conduct the joint open public procurement procedure is the University of Montenegro (UoM).

Article 3

This Agreement lays down governing the joint open public procurement procedure according to Article 73, paragraph 1 of the Law on Public Procurement of Montenegro ('Official Gazette of Montenegro', No. 074/19 of December 30, 2019).

Article 4

This Agreement also covers ancillary matters such as:

- a) the management of the joint open public procurement procedure;
- b) the financial provisions of the subject matter;
- c) the conduct of any legal proceedings arising from the joint open public procurement procedure or the framework contracts, or from a failure to comply with this Agreement.

Article 5

A person or institution who is not a Party to this Agreement shall not be entitled to enforce or enjoy any rights or benefits of any term of this Agreement.

Powers granted to the Lead Party

Article 6

Subject to this Agreement, each Party (UAMD and UV) authorizes the Lead Party to act on its behalf under:

- a) the conduct of the joint open public procurement procedure(s) including giving consent to conclude the framework or direct contract(s);
- b) the management of joint open public procurement procedure(s) including the signature of any amendment of a non-substantial nature.

Article 7

Specific contracts following a joint procurement procedure conducted under this Agreement shall be concluded and managed on an individual basis by each Party.



Article 8

The Parties nominate the Commission containing at least one of the representative on behalf of each Party and authorize it to act as their sole representative in instituting or defending any legal proceedings arising from the joint open public procurement procedure or the framework contracts, or from a failure to comply with this Agreement.

Article 9

The Agreement is concluded on the basis of the Montenegrin national Law on Public Procurement as the public procurement procedure referred to the Article 73, paragraph 2 is conducted in full in the name and on behalf of all contracting authorities participating in the joint open public procurement, or if one contracting authority conducts the procedure on behalf of all contracting authorities, all contracting authorities are jointly responsible for fulfilling their obligations by this law.

Financial provisions

Article 10

The total amount of the budget for the purchased equipment within the MEP&M project is of 245.000,00 € without VAT, i.e.:

- 105.000,00 € for the University of Montenegro (UoM);
- 70.000,00 € for the University of Durres “Aleksander Moisiu” (UAMD); and
- 70.000,00 € for the University of Vlora “Ismail Qemali” (UV).

According to the article 83, paragraph 1 of the Law on Public Procurement of Montenegro ('Official Gazette of Montenegro', No. 074/19 of December 30, 2019), the total amount of funds foreseen for the procurement shall be at the account of the Lead Party.

Article 11

The payments for the equipment will be realized according to the concluded contracts between the Parties and the contractor(s).

Cancellation of the Agreement

Article 12

The Agreement can be suspended by the Parties due to one of the following reasons:

- One of the Party not fulfilling Agreement and other obligations;
- The Party is in serious breach of the contract, failing to meet contractual obligations.

Resolving of disputes

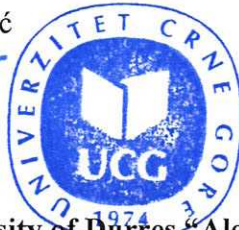


Article 13

Any disputes arising out of or relating to this Agreement which cannot be settled otherwise shall be referred to the exclusive jurisdiction of the court in Podgorica, Montenegro following the national legislation of the state of the Lead Party.

Lead Party of the joint open public procurement: University of Montenegro

Rector, Prof. dr Vladimir Božović



Contracting Authority: University of Durres "Aleksander Moisiu"

Rector, Prof. dr Kseanela Sotirofski

Administrator Mr Gerald Ceka



Contracting Authority: University of Vlora "Ismail Qemali"

Rector prof. dr Roland Zisi

Administrator Mr Sajmir Xhelaj

