

Contratto n. 42/2021  
del 30/9/2021



Funded by  
the European Union

Partnership between the EU and the Government of Kenya  
to advance the Blue Economy Agenda through Coastal  
Development - "Go Blue" - Italian Cooperation  
Component  
FED/2020/419-534



ITALIAN AGENCY  
FOR DEVELOPMENT  
COOPERATION

## SERVICE CONTRACT FOR EUROPEAN UNION EXTERNAL ACTIONS

No CIG Z7C31876D6

FINANCED FROM THE EDF

AICS Office of Nairobi  
United Nations Crescent Road – Gigiri  
P.O. Box 63389 - 00619 Muthaiga (Nairobi).  
(‘the contracting authority’),

of the one part,

and

WTS International Limited  
Office A3, SK Offices, Rhapta Road, Westlands  
P.O. Box 4925 – 00800  
Nairobi, KENYA  
Personal Identification Number P051366002S  
Business ID 1259433  
(‘the contractor’)

of the other part,

have agreed as follows:

**PROJECT: Partnership between the EU and the Government of Kenya to advance the Blue Economy Agenda through Coastal Development – “Go blue” – Italian Cooperation Component – FED/2020/419-534**

**CONTRACT TITLE: Employment of six specialised and support staff under the Go Blue – Italian Cooperation Component (FED/2020/419-534)**

**Identification number N. CIG Z7C31876D6**

### (1) Subject

- 1.1 The subject of this contract is the employment of WTS International Limited for the purpose of hiring the support staff and the Program Analyst Financial expert under the Go Blue – Italian Cooperation Component (FED/2020/419-534), done in Nairobi with identification number CIG Z7C31876D6 (‘the services’).
- 1.2 The contractor shall execute the tasks assigned to him in accordance with the terms of reference annexed to the contract (Annex II).
- 1.3 The contract will start on October 1<sup>st</sup> 2021 provided that both Contracting Parties have signed the contract.



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1.4 The Contract duration is until November 21<sup>st</sup> 2024, with the exception of the reasons for terminating the contract earlier specified in the articles under "Breach of Contract, Suspension and Termination" section of the General Conditions for Service Contracts for External Actions financed by the European Union or by the European Development Fund.

**(2) Contract value**

This contract, established in euros, is a global price contract. Based on the offer set out in Annex III, the contract value is EUR 276,974.88, where the fixed labour amount is EUR 250,648.02 .

**(3) Order of precedence of contract documents**

The following documents shall be deemed to form and be read and construed as part of this contract, in the following order of precedence:

- the contract agreement,
- the special conditions,
- the general conditions (Annex I),
- the terms of reference including clarification before the deadline for submitting tenders (Annex II),
- Budget breakdown and financial offer (Annex III),
- Financial Identification Form (Annex IV),
- Declaration on traceability (Annex V)
- Legal Entity File (Annex VI).

**These above listed documents make up the contract. They shall be deemed to be mutually explanatory. In cases of ambiguity or divergence, they shall prevail in the order in which they appear above. Addenda shall have the order of precedence of the document they are amending.**

**(4) Language of the contract**

The language of the contract and of all written communications between the contractor and the contracting authority and/or the project manager shall be English.

**(5) Other specific conditions applying to the contract**

Resolution of the disputes arising from the interpretation and/or implementation of this contract must be resolved according the Article 40 of the General Conditions for Service Contracts for External Actions financed by the European Union or by the European Development Fund.



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The Contracting Authority reserves the right to reject one or several workers proposed by the Contractor with a duly justified and substantiated note proving that the proposed worker/s are not suitable for implementing the tasks indicated in the Terms of References annexed to this contract.

Each workers' contract drafted by the Contractor must be approved by the Contracting Authority prior to their signature. The Contracting Authority can request a modification of the same with a duly justified note sent to the Contractor, who will have the power to accept it or to reject it, in which case a justification of the rejection will be requested to clarify the reasons behind this choice. The contracts must contain the AICS and European Union logos provided by the Contracting Authority.

The following conditions to the contract shall apply:

For the purpose of Article 42 of the general conditions the data protection notice is available at <http://ec.europa.eu/europeaid/frag/annexes.do?chapterTitleCode=A>.

Done in English in three originals, one original for the Contracting Authority, one original for the European Commission, and one original for the Contractor.

#### **(6) - Contractor's obligation to comply with rule of financial flow traceability**

The Contractor in signing this service contract is obliged to comply with the rule of financial traceability according to the article 3 of Italian law no. 134 on 13 August 2010 and subsequent amendments.

To that end the following Contractor's bank account shall be dedicated to the contract financial management:

Bank account number : 9302017282800

Bank name: Standard Chartered Bank Kenya

SWIFT: SCBLKENXXXX

Account holder: WTS International Limited

Account holder fiscal code: P051366002S

Position: Off Mutaiga Road, Oil Libya Plaza (P.O. Box 64355-00620)

The Contractor also declares that the aforementioned bank account is dedicated, even on a non-exclusive basis, to public procurement.



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Details to be included in the contractor's invoices:

VAT code: P051366002S

Bank account details: Account n. 9302017282800, SWIFT SCBLKENXXXX, Standard Chartered Bank Kenya

CIG number: Z7C31876D6

The Contractor's invoices header shall be: "AICS Nairobi",

The Contractor's invoices issued for contract, shall include the CIG number (Z7C31876D6).

The Annex V Declaration on traceability shall be deemed to form and be read as part of this contract.

**For the contractor**

Name: Brian Kuloba  
Title: Business Development Manager - WTS International Limited

Signature:

Date: 30/09/2021



**For the contracting authority**

Name: Fabio Melloni  
Title: Head of Office - AICS Nairobi

Signature:

Date: 30/09/2021

