

[REDACTED]  
CEIIA-Centro de Engenharia e Desenvolvimento  
A. Dom Afonso Henriques, 1825  
4450-017 Matosinhos  
Portugal

By registered mail and email

[REDACTED]  
Lisbon, 20 JUL. 2019

[ems.c.3.0.dir\(2019\)8856298](mailto:ems.c.3.0.dir(2019)8856298)

Ref: Specific Contract No 5 for Transportation, On-site Set-up, On-site Activities and Flight Operations/missions-Greece - Implementing Framework Contract 2018/EMSA/OP/1/2018

## Subject: Contract amendment No. 1

Dear Mr. [REDACTED]

With reference to Specific Contract No 5 implementing Contract No. 2018/EMSA/OP/1/2018 signed on 22 August 2019 between CEIIA-Centro de Engenharia e Desenvolvimento and the European Maritime Safety Agency ("EMSA"), EMSA hereby requests the Contractor to agree to the modification(s) of the Contract subject to the Amendment attached to this letter.

All the provisions of the Contract unaffected by the Amendment remain unchanged and shall continue to apply. The Amendment shall form an integral part of the Contract and shall enter into force upon the signature of the contracting parties concerned.

Please find enclosed two copies of the proposed amendment, posted together with the original of this letter. I would be grateful if you could date and sign both copies of the amendment. Please ensure that all pages are initialled by you, and that both of the signed and initialled copies are returned to EMSA by courier or express mail to the following address:

**European Maritime Safety Agency**

[REDACTED]  
Praça Europa 4  
1249-206 Lisbon

Yours sincerely,

[REDACTED]  
Executive Director

**Enclosure:** 2 copies of the proposed amendment

## CONTRACT AMENDMENT No. 1

### Title of contract: Specific Contract No 5 for Transportation, On-site Set-up, On site Activities and Flight Operations/missions Greece

### Contract number: 2018/EMSA/OP/1/2018

The European Maritime Safety Agency, with its seat at Praça Europa 4, 1249-206 Lisbon, Portugal, VAT registration no.: 507 685 326 which is represented by [REDACTED] Executive Director hereinafter referred to as "EMSA",

on the one part,

and

CEIIA-Centro de Engenharia e Desenvolvimento (Associação)  
A. Dom Afonso Henriques, 1825  
4450-017 Matosinhos  
Portugal  
VAT PT504689878

(hereinafter referred to as "the Contractor"). represented by [REDACTED]  
[REDACTED] Board member

on the other part,

Having regard to Specific Contract No 5 implementing Framework contract No 2018/EMSA/OP/1/2018 made between EMSA and the Contractor on 22 August 2019 ("the Contract"),

#### Whereas:

- The requester for RPAS services has informed EMSA of its intention to extend the operations in Greece for another period until 31 March 2020;
- According to Article III.2.3 of the Specific Contract "the parties may extend the duration by written agreement before it elapses and before expiry of the FWC";
- EMSA informed the Contractor of its intention to amend the Specific Contract, namely:
  - o To extend its duration in line with the provision of Article III.2.3 as above;

- To increase its value in line with Article 172.3 (d) of the Financial Regulation, according to which “[...] a specific contract under a framework contract may be modified without a new procurement procedure in any of the following cases: [...] (d) where both of the following conditions are fulfilled: (i) the minimum requirements of the initial procurement procedure are not altered; (ii) any ensuing modification of value complies with the conditions set out in point (c) of this subparagraph, unless such modification of value results from the strict application of the procurement documents or contractual provisions”.
- To increase the logistical on-site costs linked to the RPAS operation requirements during the extension.

Hereby agree on the following:

#### **Article 1**

The second paragraph of Article III.2.3 is replaced by the following clause: “On-site activities and flight operations/missions shall start as of the date of the acceptance of the transportation and on-site set-up and will have a maximum duration until 31 March 2020”.

#### **Article 2**

Article III.3.1 is replaced as follows:” The maximum price payable under this specific contract is EUR [REDACTED] including all services to be provided which includes Transportation, On-site Set-up, On-site Activities, Flight Operations/Missions and logistical costs as per Article III.3.2.”

#### **Article 3**

In Article III.3.2, the maximum ceiling shall be EUR [REDACTED]

#### **Article 4**

All the other provisions of the Contract shall remain unaltered and shall continue to apply.

#### **Article 5**

The present amendment shall form an integral part of the Contract and it shall enter into force after signature by the last contracting party.

SIGNATURES

For the contractor,CEIIA

For EMSA,



Board member

signature: \_\_\_\_\_

signature: \_\_\_\_\_

Done at:

Done at Lisbon

Date:

Date:

For the contractor,CEIIA



Board Member

signature: \_\_\_\_\_

Done at: Date:

In duplicate in English

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By registered mail and email

[REDACTED]  
Lisbon, 20 JAN 2020

[emsas2.adm\(2020\)283139](mailto:emsas2.adm(2020)283139)

Ref: Specific Contract No 5 for Transportation, On-site Set-up, On-site Activities and Flight Operations/missions-Greece - Implementing Framework Contract 2018/EMSA/OP/1/2018

## Subject: Cancellation of Contract amendment No. 1

Dear Mr. [REDACTED]

Further to a request by Frontex in December 2019, asking for an extension of the RPAS deployment in Greece for a new period of three months, EMSA proposed to CEIIA-Centro de Engenharia e Desenvolvimento an amendment No1 to Specific Contract No 5 signed on 22 August 2019. This amendment proposed an extension of operation until 31 March 2020 and an increase of the initial contractual value.

Further to the technical incidents since the start of the service and in particular the hard landing that occurred on 4 January 2020 that entailed the unavailability of the service, Frontex and the Hellenic Coast Guard have both cancelled their requests to extend the RPAS deployment after 19 January 2020 (expiry date of Specific Contract No5).

Consequently, EMSA will not countersign the amendment No 1 to Specific Contract No5. The proposed amendment must be considered as null and void.

Yours sincerely,

[REDACTED]  
Executive Director