

3rd MODULE OF POLISH INTEGRITY PACT (SIGNED ON 4.08.2017)

TERMS OF REFERENCE (ToR) FOR AN OPEN TENDER TO CONTROL AND SUPERVISE IMPLEMENTATION OF THE INVESTMENT PROJECT

DEFINITIONS

Integrity Pact – Integrity Pacts are civil control mechanisms for safeguarding EU funds, Phase II, grant contract No. 2015CE16BAT098 funded by European Commission.

Agreement – the Agreement between the Stefan Batory Foundation and PKP Polish Railways S.A to enforce the Integrity Pact in the framework of public procurement contract for the design and build line Częstochowa - Zawiercie section of line No. 1 between Warsaw and Katowice.

Consultant – a natural person, legal entity or a unit without legal entity authorised by the Social Partner to be responsible for monitoring the Contract implementation. Several Consultants (designer, lawyer etc.) may be involved in the project.

Social Partner – an entity whose main responsibility in the framework of the Integrity Pact will be to monitor compliance by the Parties with the standards of transparency and integrity of Contract implementation. For the purpose of Contract, the Social Partner will be the Stefan Batory Foundation seated in Warsaw, ul. Sapieżyńska 10a, 00-215 Warsaw, entered into the register of associations, other non-governmental and trade organisations, foundations and independent public healthcare units at the District Court for the Capital City of Warsaw, XII Business Section of the National Court Register, under KRS number 0000101194, VAT No. 5261046481, REGON 002188077.

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General Contractor's Obligation

9. The Contractor shall pass to the Social Partner or the Consultant a copy of the contract for building works including accompanying correspondence (e.g.: request for amendment, the Contractor's ascertainment, necessity report, etc.).

10. Whereas under Sub-Clause 20.1 of the contract for building works the Contractor shall inform the Social Partner about the Contracting Authority's and the Contractor's claims on a monthly basis.

11. The Contractor shall pass to the Social Partner or the Consultant a copy of accompanying correspondence concerning the claims referred to in Section 10, selected by the Social Partner.

12. Each instance of communication by the Social Partner or the Consultant to the Contractor must be in an electronic form with a copy to the Contracting Authority.