

AGREEMENT ON THE TERMINATION OF THE PARTNERSHIP AGREEMENT

concluded pursuant to Section 51 of Act No. 40/1964 Coll., Civil Code of the Slovak Republic, as amended later, in order to jointly implement the project entitled: "The City of Košice responds to climate change – together we can achieve more (ClimaUrbanKosice)" /„Mesto Košice reaguje na zmenu klímy – spoločne dosiahneme viac (ClimaUrbanKosice)“/

Between the Parties

Beneficiary

Name of the association/organization: Mesto Košice
Legal form: subject of Public administration
Address/Seat: Trieda SNP 48/A, 040 11 Košice, Slovak Republic
Company ID /IČO/: 00691135
Tax ID /DIČ/: 2021186904
Statutory representative: Ing. Jaroslav Polaček – Mayor of the City
Project account: SK50 0200 0000 0039 1034 3751
(Hereinafter as „**Beneficiary**“)

and

Partner

Name: City of Oslo
Address/Seat: Raa dhusplassen 1, 0037 Oslo, Norway
Company ID/ Tax ID: 976 819 837
Represented by: Erna Ansnes – Assistant to the Director General
Bank contact: Account No.: NO82 1315 01 01063
(Hereinafter as „**Partner**“)

Article 1

Basic provisions

1. On 30th March 2021, the Parties concluded a Partnership Agreement in order to regulate their mutual rights and obligations and other contractual conditions related to the implementation of the project entitled "City of Košice responds to climate change – together we can achieve more (ClimaUrbanKosice)" (hereinafter referred to as the "Project") and in accordance with the terms of the call for grant applications, the title of the call: Open Call for Project Applications - Action Plans for Mitigation and Adaptation to Climate Change implemented by local authorities in urban areas (ClimaUrban); the Parties entered also into the Project Agreement No. 76/2021/7 .7 concluded between the Ministry of the Environment of the Slovak Republic as the grant provider and the Beneficiary – the City of Košice.
2. In connection with the Project Agreement on the Grant, namely Annex No. 1 to the Project Agreement, point 4.2.1, the Programme Administrator provided the Beneficiary with an Advance Payment in the amount of EUR 278 044.-. The Beneficiary transferred to the Partner the amount of EUR 2,877 from this Advance Payment.

3. Due to the conclusion of the Agreement on the Termination of the Project Contract No. 76/2021/7 of August 10, 2022, between the City of Košice as the Grant Beneficiary and the Program Administrator, which was signed due to the significant increase in expenditures on construction works compared to expenditures under the project budget, the City of Košice terminates the implementation of the project. The Beneficiary does not have a financial coverage of this significant difference in the construction costs of the project in the program budget of the City. After the Parties have informed each other, in accordance with the Partnership Agreement, of the reasons for the situation arising within the implementation of the Project, the Parties have agreed to terminate their mutual cooperation on the Project and will not implement the Project.

4. The Parties, following the statements in paragraph 3 of this Article, agree to terminate their Partnership Agreement without any rights and/or obligations of either Party in relation to the other Party, e.g. the obligation to provide any performance.

5. The Partner, based on the guidance of the Programme Administrator SK – Klíma of 19.05.2022, returned to the Beneficiary on 13.06.2022 a part of the advance payment in amount of EUR 2,877.

6. In order to fully settle all mutual rights and obligations arising from mutual legal relations in connection with the existence of the Partnership Agreement, the intention to implement the Project, as well as the termination of the Partnership Agreement, the Parties agree that there are no further such rights and obligations between them, for the avoidance of any doubt, even beyond the rights and obligations particularly specified in this Agreement.

Article 2

Final Provisions

1. This Agreement is concluded on the date of its signature by the last of the Parties. It shall take effect on the day following its publication in the Central Register of Contracts or on the day of entry into force of the Agreement on Termination of the Project Agreement between the Project Beneficiary and the Programme Administrator - the Ministry of the Environment of the Slovak Republic, whichever is the later.

2. This Agreement is made in three counterparts, of which the Partner shall receive one counterpart, and the Beneficiary of the City of Košice shall receive two counterparts.

3. The Contractual Parties declare that they have duly and thoroughly read the text of this Agreement, understood its content and legal effects resulting from it, their contractual declarations are sufficiently clear, certain and understandable, the signatories are authorized to sign this Agreement and have signed it as a sign of consent.

Košice, on.....12.1.2023.....

Oslo, on.....7/8-2023.....

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City of Košice represented by
Ing. Jaroslav Poláček
Mayor of the City

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City of Oslo represented by
Erna Ansnes
Assistant to the Director General