

**INTEGRATED AIR & MISSILE DEFENCE  
CENTRE OF EXCELLENCE**

Souda Air Base, 73100, Chania  
<https://www.iamd-coe.org>



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	NCN:	302-6154012
<b>Date:</b> 21 December 2023	Email:	info@iamd-coe.org

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**SUBJECT: CONTRACT 22-04 EXECUTION (DEFERRAL OF DELIVERY TIME - LIQUIDATED DAMAGES)**

**REFERENCES:**

- A. IAMD COE Financial Administrative Procedures (FAPs), dated 04 October 2022
- B. NU. 324/21 July 2022/IAMD COE Invitation For Bidding (IFB) No FINCON 22-05
- C. NU. 335/29 July 2022/IAMD COE Contract Award Decision (CAD) No FINCON 22-04
- D. Contract 22-04 Between IAMD COE and Technical University of Crete (TUC) (Special Account For Research Funding of the Technical University of Crete)
- E. email 11 11:15 July 2023/IAMD COE/FINCON
- F. email 20 22:33 December 2023/Director of TurboLab-TUC (Dr. Ioannis K. Nikolos)

1. After meticulous examination of the following circumstances:

1.1 The contractual obligation stipulated in par. 39.1 of Reference D, mandating the completion of the last deliverable (No. 3) concerning the publication of the review paper titled "Overview of international hypersonic weapons programs, and potential ways to exploit physical phenomena around Hypersonic Weapons to improve surveillance capabilities (Detection and Tracking)" by 29 June 2023.

1.2 Noting the elapsed deadline without completion, as evidenced by References E and F, attributable to the intricate review and acceptance procedures for the manuscript.

1.3 Observing that no "Force Majeure" reasons have been notified, submitted, or identified by the Contractor, as per the Contract's provisions (Clause 14.4).

1.4 Considering the extension request from Dr. Ioannis K. Nikolos, the TUC representative and responsible professor, seeking an extension of the delivery time for the pending deliverable until 31 July 2024.

1.5 Recognising the contractual provisions governing this delivery, as delineated in References B, C, and D.

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1.6 The respective recommendation from P&C Officer and following FINCON's endorsement;

the IAMD COE Director

**decides**

a. To impose liquidated damages at the rate of ten (10) % of the agreed price (1.000,00 € x 10% = 100,00 €) for deliverable No. 3, pertaining to the "Publishing of the abovementioned paper-report into a scientific journal or magazine (as per 3.3 of Part III of the IFB No FINCON 22-5)," owing to the delay in delivery exceeding ten (10) weeks from its initial deadline (29 June 2023), and in light of the absence of reasons qualifying as Force Majeure, in accordance with the clauses of Reference D (par. 14.1-14.5).

b. The deferral of the delivery time for the pending deliverable (paper publication) **until 31 July 2024**, acknowledging the circumstances leading to the delay and considering the request made by TUC responsible professor (Dr. Ioannis K. Nikolos), as per Reference F. This decision is made with regard to the exhaustion of liquidated damages under the respective Contract clauses, and the determination that no default is advantageous heretofore for the Centre concerning this deliverable, factoring in the progress achieved in the entire project.

2. Based on this decision, the IAMD COE is entitled to deduct imposed liquidated damages when paying the respective invoice (in case the penalty would have not been accounted for through invoicing) pursuant to provisions of par. 14.2 of Reference D.

3. The Contractor is kindly requested to exert efforts towards concluding the pending publication, making every reasonable endeavour to mitigate, rectify, or eliminate, if possible, events of delay within its control, and to keep the IAMD COE informed of such instances.

4. Points of Contact (POC) are: CPT (OF-2) Evangelos BALTADOROS, IAMD COE Financial Controller, e-mail: [fincon@iamd-coe.org](mailto:fincon@iamd-coe.org), tel.: 2821440712 and 1<sup>st</sup> LT (OF-1) Pavlos BOURNAZOS Procurement & Contracting Officer, e-mail: [procurement@iamd-coe.org](mailto:procurement@iamd-coe.org), tel.: 2821440736.

FOR THE IAMD COE

B. GEN (OF-6) Nikolaos KOKKONIS GRC (AF)  
Director

**DISTRIBUTION:**

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Technical University of Crete, TUC University Campus, Kounoupidiana, 73100, Greece [Dr. Ioannis K. Nikolos ([inikolos@tuc.gr](mailto:inikolos@tuc.gr))]

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