

FCT

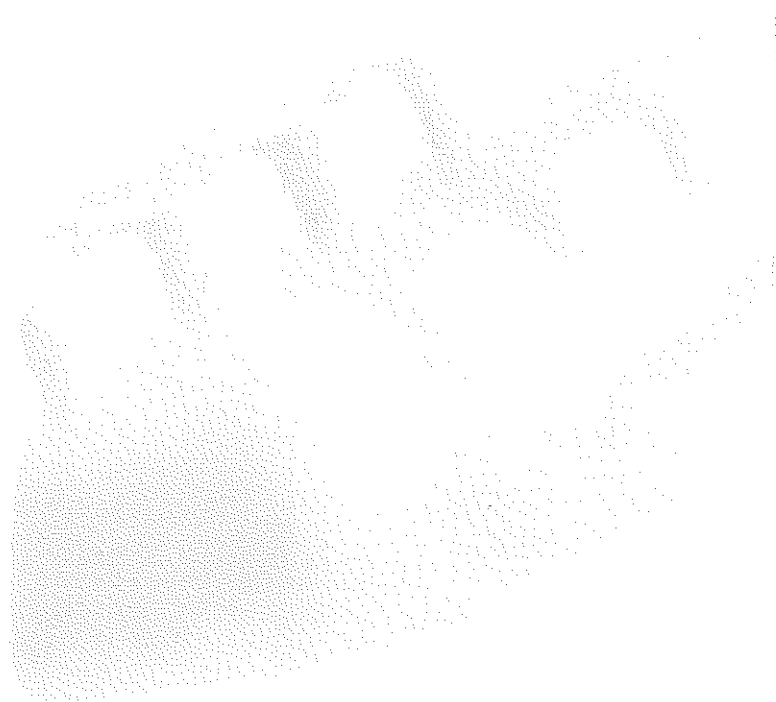
Fundação para a Ciência e a Tecnologia
MINISTÉRIO DA CIÊNCIA, TECNOLOGIA E ENSINO SUPERIOR

FCCN

Computação
Científica Nacional

CONTRACT:

“License Agreement”



GOVERNO DE
PORTUGAL

MINISTÉRIO DA CIÊNCIA,
TECNOLOGIA E ENSINO SUPERIOR

CONTRATO

FCT - Fundação para Ciência e a Tecnologia, com sede na Av. D. Carlos I, 126, Lisboa, e número de identificação de pessoa coletiva 503904040, representada pelo, Prof. Doutor Paulo Ferrão no uso dos poderes que lhe foram delegados pelo Ministro da Ciência, Tecnologia e Ensino Superior

CONTRACT

FCT - Fundação para Ciência e a Tecnologia, with headquarters in Av. D. Carlos I, 126, Lisbon, Portugal, with fiscal identification number 503904040 hereby represented by Professor Paulo Ferrão under the powers conferred on him by the Minister for Science, Technology and Higher Education

e

and

Elsevier, BV, com sede em Radarweg 29, 1043 NX Amsterdão, Holanda, com o número de contribuinte NL 005033019B01, representada no ato por Gino Ussi, na qualidade de Vice-President Research Solution Sales,

Elsevier, BV, with headquarters in Radarweg 29, 1043 NX Amsterdam, The Netherlands, with fiscal identification number NL 005033019B01, hereby represented by Gino Ussi, in the quality of Vice-President Research Solution Sales,

foi acordado e reciprocamente aceite o presente contrato que se rege pelas cláusulas seguintes:

Have agreed on this contract that is ruled by the following clauses:

Cláusula 1ª - Objeto

O presente contrato tem por objeto a compra dos conteúdos identificados no anexo I ao presente contrato, para acesso por parte dos membros da Biblioteca do Conhecimento Online (b-on) identificados no anexo II.

Clause 1 – Scope

The scope of this contract is the purchase of the contents identified annex I to this contract for access by b-on members identified in annex II.

FUNDAÇÃO PARA A CIÊNCIA
E A TECNOLOGIA

Cláusula 2ª - Vigência

O presente contrato vigora entre 1 de Janeiro de 2016 e termina a sua vigência em 31 de Dezembro de 2018.

Clause 2 – Term

The term of this contract shall commence on 1 January 2016 and continue until 31 December 2018.

Cláusula 3.ª - Preço e condições de pagamento

1. Pela aquisição objeto do presente contrato, a FCT pagará ao adjudicatário a quantia de 19.555.168,18€ (dezanove milhões, quinhentos e cinquenta e cinco mil, cento e sessenta e oito euros e dezoito cêntimos), IVA excluído.

2. A quantia referida no número anterior é distribuída pelos anos de vigência do contrato da seguinte forma:

- 2016: 6.276.810,60€, IVA não incluído
- 2107: 6.512.191,14€, IVA não incluído
- 2018: 6.766.166,44€, IVA não incluído.

Clause 3 - Price and payment conditions

1. For the purchase contemplated in this contract FCT will pay the total amount of 19.555.168,18€ (nineteen million, five hundred and fifty five thousand, one hundred and sixty eight euros and eighteen cents), VAT not included, under the conditions set out in the annexes to this contract.

2. The amount referred to in paragraph 1 will be distributed among the years of the contract's term in the following manner:

- 2016: 6.276.810,60€, VAT not included
- 2107: 6.512.191,14€, VAT not included
- 2018: 6.766.166,44€, VAT not included

Cláusula 4.ª – Caução

1. O Segundo outorgante apresentou caução no valor de 977.758,40€, correspondente a 5% do preço contratual.

Clause 4 – Collateral

1. Elsevier, BV has provided a collateral in the total amount of 977.758,40€, corresponding to 5% of the contractual price.

2. A FCT procederá à liberação da caução no prazo de 30 dias após o termo de vigência do presente contrato.

Cláusula 5.ª - Lei aplicável

A execução do presente contrato rege-se pela lei portuguesa.

2. FCT will liberate the collateral within 30 days of the contract's term.

Clause 5 – Applicable law

The contract will be ruled by Portuguese law.

Cláusula 6.ª - Contrato

1. O contrato integra, para além do presente clausulado contratual:

- a) o caderno de encargos;
- b) a proposta adjudicada;

2. Em caso de discrepância entre os vários elementos referidos nas diferentes alíneas do nº 1, a prevalência obedece à ordem por que vêm enunciados nas diferentes alíneas do número anterior.

3. Em caso de discrepância entre os documentos referidos nas diferentes alíneas do nº 1 e o clausulado contratual, prevalecem os primeiros.

Clause 6 - Contract

1. The contract includes:

- a) The Tender Document;
- b) The proposal.

2. In case of discrepancy between the various documents referred to above, the ones listed first will prevail.

3. In case of discrepancy between the documents referred to above and the clauses of the contract, the first ones will prevail.

Cláusula 7.ª – Tribunal de Contas

O presente contrato está sujeito a visto prévio do Tribunal de Contas ficando, nos termos da lei, os emolumentos devidos, no valor de 0,1% do preço contratual, a cargo da Elsevier. BV.

Clause 7 – Court of Auditors

This contract is subject to prior approval by the Court of Auditors. Under the applicable law the correspondent audit fees totalizing 0,1% of the contractual price are due by Elsevier, BV.

Cláusula 8.ª - Disposições finais

Clause 8 – General

1. O fornecimento objeto do presente contrato foi adjudicado por decisão do Prof. Doutor Paulo Ferrão, datada de 14 de março de 2016.

2 A minuta relativa ao presente contrato foi aprovada pelo Prof. Doutor Paulo Ferrão no uso da delegação de competências do Ministro da Ciência, Tecnologia e Ensino Superior, em 13 de abril de 2016.

3. A despesa para 2016 inerente ao presente contrato, está assegurada pelos compromissos n.ºs 201600003150 e 201600003151, datados de 13 de maio de 2016. A despesa para os anos de 2017 e 2018 está inscrita no Sistema Central de Encargos Plurianuais (SCEP) da Direção Geral do Orçamento (DGO), na sequência da aprovação da RCM n.º 69/2015 de 9 de setembro de 2015.

O contrato vai ser assinado pelos representantes das partes.

1. This tender has been adjudicated by decision of Prof. Paulo Ferrão, dated March 14th, 2016.

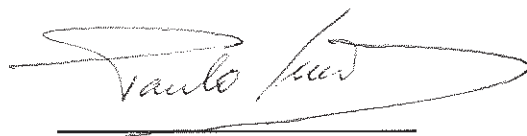
2. This contract's model was approved by decision of Prof.. Paulo Ferrão under the powers conferred to him by the Minister for Science, Technology and Higher Education, dated April 13th, 2016.

3. The total expense for 2016 is guaranteed by the commitments numbers 201600003150 and 201600003151 dated May 13th, 2016. The expenditure for the years 2017 and 2018 is registered in the "*Sistema Central de Encargos Plurianuais*" (SCEP) of "*Direção Geral do Orçamento*" (DGO) in sequence of the approval of the Resolution of the Council of Ministers No. 69/2015 of September 9th, 2015.

This contract will be signed by the parties' representatives.

Lisboa, 16 de maio de 2016

FCT,

A handwritten signature in black ink, appearing to read 'Paulo Ferrão', written over a horizontal line.

(Professor Paulo Ferrão)

ELSEVIER,

A handwritten signature in black ink, appearing to read 'Gino Ussi', written over a horizontal line.

(Gino Ussi)

ANEXO I / ANNEX I

(CONTEÚDOS / CONTENTS)

- Freedom collection
- Titles subscribed at consortium level (table 1)
- Titles no longer published but previously included in the Freedom Collection during the term of previous b-on consortium subscription Agreements (until and including 2013) and to which Elsevier retains the rights to give access (table 2)
- Titles fallen from the Freedom Collection in the years 2014-2016 and to which Elsevier retains the rights to give access (table 3)

Table 1

1076-6332	Academic Radiology
0065-3411	Advances in Surgery
0002-9378	American Journal of Obstetrics & Gynecology
0890-5096	Annals of Vascular Surgery
1878-5352	Arabian Journal of Chemistry
0003-9993	Archives of Physical Medicine and Rehabilitation
1464-3383	Combinatorial Chemistry - an Online Journal
0960-9822	Current Biology
1876-6102	Energy Procedia
0016-5085	Gastroenterology
1572-3461	Injury Extra
0360-3016	International Journal of Radiation Oncology / Biology / Physics
0886-3350	Journal Of Cataract & Refractive Surgery
0022-0302	Journal of Dairy Science
0099-2399	Journal of Endodontics
1018-3647	Journal of King Saud University - Science
0278-2391	Journal of Oral and Maxillofacial Surgery
1319-6103	Journal of Saudi Chemical Society

0894-7317	Journal of the American Society of Echocardiography
1016-7315	Journal of the Saudi Heart Association
0022-5223	Journal of Thoracic and Cardiovascular Surgery
0741-5214	Journal of Vascular Surgery
1051-0443	JVIR: Journal of Vascular and Interventional Radiology
0161-6420	Ophthalmology: Journal of the American Academy of Ophthalmology
1875-3892	Physics Procedia
1877-0428	Procedia - Social and Behavioral Sciences
1876-6196	Procedia Chemistry
1878-5220	Procedia Earth and Planetary Science
1877-7058	Procedia Engineering
1878-0296	Procedia Environmental Sciences
1877-282X	Procedia in Vaccinology
1761-676X	Progrés en Urologie - Fmc
1319-562X	Saudi Journal of Biological Sciences
1319-4534	Saudi Journal of Ophthalmology
1319-0164	Saudi Pharmaceutical Journal
0001-2998	Seminars in Nuclear Medicine
1053-4296	Seminars in Radiation Oncology
0887-2171	Seminars in Ultrasound, Ct and Mri
0002-9149	The American Journal of Cardiology
0002-9343	The American Journal of Medicine
0003-4975	The Annals of Thoracic Surgery
0022-3476	The Journal of Pediatrics
0022-5347	The Journal of Urology
1013-9052	The Saudi Dental Journal

0301-5629	Ultrasound in Medicine and Biology
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Table 2

Before 2010

1076-6332	Academic Radiology
0065-3411	Advances in Surgery
0002-9378	American Journal of Obstetrics & Gynecology
0890-5096	Annals of Vascular Surgery
0003-9993	Archives of Physical Medicine and Rehabilitation
0016-5085	Gastroenterology
0360-3016	International Journal of Radiation Oncology / Biology / Physics
0886-3350	Journal of Cataract & Refractive Surgery
0099-2399	Journal of Endodontics
0278-2391	Journal of Oral and Maxillofacial Surgery
0894-7317	Journal of the American Society of Echocardiography
0022-5223	Journal of Thoracic and Cardiovascular Surgery
0741-5214	Journal of Vascular Surgery
1051-0443	JVIR: Journal of Vascular and Interventional Radiology
0161-6420	Ophthalmology: Journal of the American Academy of Ophthalmology
0001-2998	Seminars in Nuclear Medicine
1053-4296	Seminars in Radiation Oncology
0887-2171	Seminars in Ultrasound, Ct and Mri
0002-9149	The American Journal of Cardiology
0002-9343	The American Journal of Medicine
0003-4975	The Annals of Thoracic Surgery
0022-3476	The Journal of Pediatrics
0022-5347	The Journal of Urology

0301-5629 Ultrasound in Medicine and Biology

2010-2012

1878-5352	Arabian Journal of Chemistry
1464-3383	Combinatorial Chemistry an Online Journal
1533-3167	EJVES Extra
1876-6102	Energy Procedia
1572-3461	Injury Extra
1876-3413	International Health
1879-3665	Journal of Eurasian Studies
1018-3647	Journal of King Saud University Science
1319-6103	Journal of Saudi Chemical Society
1016-7315	Journal of the Saudi Heart Association
1369-7021	Materials Today
1875-3892	Physics Procedia
1876-6196	Procedia Chemistry
1877-0509	Procedia Computer Science
1878-5220	Procedia Earth and Planetary Science
1877-7058	Procedia Engineering
1878-0296	Procedia Environmental Sciences
1877-0428	Procedia – Social and Behavioral Sciences
1877-282X	Procedia in Vaccinology
1761-676X	Progrès en Urologie FMC
1013-9052	The Saudi Dental Journal
1319-562X	Saudi Journal of Biological Sciences
1319-4534	Saudi Journal of Ophthalmology
1319-0164	Saudi Pharmaceutical Journal

0035-9203	Transactions of the Royal Society of Tropical Medicine and Hygiene
2213-0071	Respiratory Medicine Case Reports

2013

1006-7191	Acta Metallurgica Sinica (English Letters)
1872-1508	Acta Physico-Chimica Sinica
1090-820X	Aesthetic Surgery Journal
0002-6417	Alpha Omegan
8957-7061	American Journal of Hypertension
1472-0299	Anaesthesia & Intensive Care Medicine
0003-3944	Annales de Chirurgie
7539-9053	Annales de Chirurgie de la Main
2460-0203	Annales de l'Institut Henri Poincaré (B) Probability and Statistics
0012-9593	Annales Scientifiques de l'école Normale Supérieure
0001-2092	AORN Journal
0887-6177	Archives of Clinical Neuropsychology
0307-4412	Biochemical Education
1470-8175	Biochemistry and Molecular Biology Education
0294-3506	Biofutur
1065-6995	Cell Biology International
1005-9040	Chemical Research in Chinese Universities
1872-2075	Chinese Journal of Biotechnology
1872-2059	Chinese Journal of Chromatography
0001-4001	Chirurgie
1477-6804	Clinical Radiology Extra
1572-3496	CMIG Extra: Cases
0363-0188	Current Problems in Diagnostic Radiology

1747-7891	Environmental Hazards
1090-3801	European Journal of Pain
1754-3207	European Journal of Pain Supplements
1756-1175	European Journal of Radiography
0169-5983	Fluid Dynamics Research
1875-3728	Geography and Natural Resources
1464-2867	Global Environmental Change Part B: Environmental Hazards
0191-6599	History of European Ideas
0961-1290	III-Vs Review
1158-1336	Implantodontie
1754-4548	Infosecurity
1742-6847	Infosecurity Today
0953-5438	Interacting with Computers
0928-4346	International Hepatology Communications
1002-0705	Journal of China University of Geosciences
1057-7408	Journal of Consumer Psychology
1098-612X	Journal of Feline Medicine & Surgery
0304-4181	Journal of Medieval History
1526-9523	Journal of Midwifery & Women's Health
1071-3581	Journal of Nuclear Cardiology
0091-2182	Journal of Nurse-Midwifery
1319-6103	Journal of Saudi Chemical Society
1004-4132	Journal of Systems Engineering and Electronics
1546-1440	Journal of the American College of Radiology
1525-8610	Journal of the American Medical Directors Association
1067-5027	Journal of the American Medical Informatics Association
1044-0305	Journal of the American Society for Mass Spectrometry

1005-8850	Journal of University of Science and Technology Beijing, Mineral, Metallurgy, Material
0958-3947	Medical Dosimetry
1357-3039	Medicine
1084-8592	Molecular Diagnosis
1673-5374	Neural Regeneration Research
1545-5343	NeuroRX
1933-7213	Neurotherapeutics
1001-8042	Nuclear Science and Techniques
1741-9409	Oral Oncology Extra
1439-6092	Organisms Diversity & Evolution
0194-5998	Otolaryngology - Head and Neck Surgery
1219-4956	Pathology and Oncology Research
1029-9599	Physical Mesomechanics
1877-0428	Procedia – Social and Behavioral Sciences
1002-0071	Progress in Natural Science: Materials International
1476-1793	Psychiatry
1001-0521	Rare Metals
1624-0693	Réanimation
1164-6756	Réanimation Urgences
1098-7339	Regional Anesthesia and Pain Medicine
0048-721X	Religion
1468-6996	Science and Technology of Advanced Materials
1546-2501	Sexuality, Reproduction and Menopause
0584-8539	Spectrochimica Acta Part A: Molecular Spectroscopy
0263-9319	Surgery (Oxford)
1366-2120	Technical Tips Online
1744-1889	The Foundation Years

1081-602X	The History of the Family
0266-7681	The Journal of Hand Surgery: British & European Volume
1753-1934	The Journal of Hand Surgery: European Volume

Table 3

2014

Acta Agronomica Sinica	18752780
Annals of the ICRP	01466453
BioMedicine	22118020
The British Journal of Chiropractic	14662108
Clinical Chiropractic	14792354
Drug Invention Today	09757619
European Journal of Cancer Supplements	13596349
The International Information & Library Review	10572317
International Journal of Chemical and Analytical Science	09761209
The International Journal of Spine Surgery	22114599
Journal of Arrhythmia	18804276
Journal of Men's Health	18756867
The Journal of Men's Health & Gender	15718913
Library Acquisitions: Practice & Theory	03646408
Library Collections, Acquisitions, and Technical Services	14649055
SAS Journal	19359810
Serials Review	00987913
Tsinghua Science & Technology	10070214
Video Journal and Encyclopedia of GI Endoscopy	22120971
Weather and Climate Extremes	22120947

2015

Arthroscopy Techniques	22126287
Asian Nursing Research	19761317
Asian Pacific Journal of Reproduction	23050500
Asian Pacific Journal of Tropical Biomedicine	22211691
Asian Pacific Journal of Tropical Medicine	19957645
Biomedical and Environmental Sciences	08953988
Chinese Journal of Traumatology	10081275
Chinese Medical Sciences Journal	10019294
Clinical Ovarian and Other Gynecologic Cancer	22129553
Developmental Cognitive Neuroscience	18789293
Formosan Journal of Musculoskeletal Disorders	22107940
Free Radicals and Antioxidants	22312536
Gastrointestinal Intervention	22131795
Global Economics and Management Review	23401540
Hepatobiliary & Pancreatic Diseases International	14993872
Indian Journal of Dentistry	0975962X
Indian Journal of Rheumatology	09733698
Integrative Medicine Research	22134220
International Journal of Infectious Diseases	12019712
International Journal of Mycobacteriology	22125531
Japanese Dental Science Review	18827616
Journal of Acupuncture and Meridian Studies	20052901
Journal of Acute Disease	22216189
Journal of the Anatomical Society of India	00032778

Journal of Biomedical Research	16748301
Journal of Bone Oncology	22121374
Journal of Cardiovascular Disease Research	09753583
Journal of Clinical Gerontology and Geriatrics	22108335
Journal of Crohn's and Colitis	18739946
Journal of Food and Drug Analysis	10219498
Journal of Medical Ultrasound	09296441
Journal of Nanjing Medical University	10074376
Journal of Orthopaedic Translation	2214031X
Journal of Traditional Chinese Medicine	02546272
Journal of Transportation Systems Engineering and Information Technology	15706672
Journal of Young Pharmacists	09751483
Kidney Research and Clinical Practice	22119132
Osong Public Health and Research Perspectives	22109099
PAIN®	03043959
Pharmaceutical Methods	22294708
Pharmacognosy Journal	09753575
Public Health Forum	09445587
Revista de Gastroenterología de México (English Edition)	2255534X
Rice Science	16726308
Safety and Health at Work	20937911
Stem Cell Research	18735061
Urological Science	18795226

2016

Acta Anaesthesiologica Taiwanica	18754597
Archaeology, Ethnology and Anthropology of Eurasia	15630110
Asian Journal of Surgery	10159584
Biomarkers and Genomic Medicine	22140247
Dermatologica Sinica	10278117
Epidemics	17554365
Epileptology	22128220
FEBS Letters	00145793
Fooyin Journal of Health Sciences	18778607
Formosan Journal of Surgery	1682606X
Genomic Medicine, Biomarkers, and Health Sciences	22114254
Gynecology and Minimally Invasive Therapy	22133070
Hong Kong Journal of Nephrology	15615413
Hong Kong Journal of Occupational Therapy	15691861
Hong Kong Physiotherapy Journal	10137025
Indian Heart Journal	00194832
The Indian Journal of Neurotrauma	09730508
Indian Journal of Tuberculosis	00195707
International Journal of Gerontology	18739598
Journal of Acute Medicine	22115587
Journal of the Chinese Medical Association	17264901
Journal of Crohn's and Colitis Supplements	18739954
Journal of Dental Sciences	19917902
Journal of Epidemiology and Global Health	22106006
Journal of Exercise Science & Fitness	1728869X

Journal of the Formosan Medical Association	09296646
Journal of Microbiology, Immunology and Infection	16841182
Journal of Optometry	18884296
Journal of Orthopaedics, Trauma and Rehabilitation	22104917
The Kaohsiung Journal of Medical Sciences	1607551X
Pediatrics & Neonatology	18759572
Revista Portuguesa de Pneumologia (English Edition)	21735115
Taiwan Journal of Ophthalmology	22115056
Taiwanese Journal of Obstetrics and Gynecology	10284559
Tzu Chi Medical Journal	10163190

ANEXO II / ANNEX II

(INSTITUIÇÕES MEMBRO B-ON / B-ON MEMBER INSTITUTIONS)

Cod	Members
00100	Universidade dos Açores
00200	Universidade do Algarve
00300	Universidade de Aveiro
00400	Universidade da Beira Interior
00500	Universidade de Coimbra
00600	Universidade de Évora
00700	Universidade de Lisboa
00900	Universidade Nova de Lisboa
01000	Universidade do Minho
01100	Universidade do Porto
01200	Universidade de Trás-os-Montes e Alto Douro
01300	ISCTE-IUL - Instituto Universitário de Lisboa
01400	Universidade da Madeira
01500	Universidade Aberta
01600	Universidade Católica Portuguesa
01800	Universidade Fernando Pessoa
02000	Egas Moniz - Cooperativa de Ensino Superior CRL
02100	Universidade Portucalense Infante D. Henrique
10200	Escola Superior de Enfermagem do Porto
10400	Escola Superior de Hotelaria e Turismo do Estoril (ESHTE)
10700	Instituto Universitário da Maia (ISMAI)
10800	Instituto Politécnico de Beja
10900	Instituto Politécnico de Bragança

11000	Instituto Politécnico de Castelo Branco
11100	Instituto Politécnico de Coimbra
11200	Instituto Politécnico de Leiria
11300	Instituto Politécnico de Lisboa
11400	Instituto Politécnico de Portalegre
11500	Instituto Politécnico de Santarém
11600	Instituto Politécnico de Setúbal
11700	Instituto Politécnico de Viseu
11800	Instituto Politécnico do Cávado e do Ave
11900	Instituto Politécnico do Porto
12000	ISPA - Instituto Universitário de Ciências Psicológicas, Sociais e da Vida
12100	Instituto Politécnico de Viana do Castelo
12200	Escola Superior de Enfermagem de Lisboa
12300	Instituto Politécnico da Guarda
12400	Instituto Politécnico de Tomar
12500	Escola superior Náutica Infante D. Henrique
12600	Escola Superior de Enfermagem de Coimbra
20400	Laboratório Nacional de Energia e Geologia, I.P.
20500	Laboratório Nacional de Engenharia Civil – LNEC
20700	Instituto Nacional de Saúde Dr. Ricardo Jorge
20801	Instituto Gulbenkian de Ciência
21701	INL - International Iberian Nanotechnology Laboratory
21900	Instituto Português do Mar e da Atmosfera, I.P.
21501	Instituto Nacional de Medicina Legal e Ciências Forenses, IP
30301	INFARMED - Autoridade Nacional do Medicamento e Produtos de Saúde, I.P.
30401	Autoridade da Concorrência
30701	ICP - autoridade nacional de comunicações (ANACOM)
31400	Banco de Portugal

31500	Instituto Português do Sangue e da Transplantação, IP
40400	SCML-Santa Casa da Misericórdia de Lisboa
40500	Fundação D. Anna de Sommer Champalimaud e Dr. Carlos Montez Champalimaud
50100	Hospital Prof. Dr. Fernando Fonseca, E.P.E.
50200	Unidade Local de Saúde do Litoral Alentejano E.P.E.
50700	Centro Hospitalar e Universitário de Coimbra
51000	Centro Hospitalar de Lisboa Central E.P.E.
51100	Hospital de Braga

ANEXOS/ ANNEX

