



European Organisation
for Astronomical
Research in the
Southern Hemisphere

Organisation Européenne
pour des Recherches
Astronomiques
dans l'Hémisphère Austral

Europäische Organisation
für astronomische
Forschung in der
südlichen Hemisphäre

AMENDMENT No. 2 to the AGREEMENT
CONCERNING THE OPERATIONS OF THE ROBOTIC TELESCOPE
REM
at the La Silla site of the La Silla Paranal Observatory in Chile

between the

**European Organisation for Astronomical
Research in the Southern Hemisphere**
Karl-Schwarzschild-Strasse 2
D-85748 Garching bei München, GERMANY
hereinafter referred to as **ESO**

on the one hand,

and the

INAF – Italian National Institute for Astrophysics
Viale del Parco Mellini, 84
I-00136 Roma, ITALY
hereinafter referred to as **INAF**,

on the other hand.

It is agreed to modify the initial Agreement dated 26 February 2013 as follows:

Article 1. The parties extend for a period of three years, starting 1 January 2018, the initial Agreement dated 20 December 2012 concerning the REM robotic telescope until **31 December 2020**.

INAF may decide to cease operations and terminate the agreement before 31 December 2020, giving at least one month prior written notice to ESO. The annual lump sum will then be adjusted proportionally, and INAF will undertake to remove the telescope and associated infrastructure, and restore the site to its original condition.

Annex B is updated to bring various prices applicable to certain services to the economic conditions of the year 2018 and to define how such prices shall evolve over time.



ESO / INAF Agreement - REM

A new **Annex D** is added to specify in detail the procedures for all imports, exports and shipping to and from Chile under this Amendment to the Agreement.

Except for the extent of the modification specified above, all terms and conditions of the initial Agreement remain unchanged and applicable.

Enclosures

Annex B: Cost rates for REM as of Jan. 1, 2018

Annex D: Routing and Packing

Signed in Garching, 5.03.2018, 2018
ESO – EUROPEAN SOUTHERN OBSERVATORY

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Xavier Barcons, Director General ESO



Signed in Rome,, 2018

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Prof. Nicolò D'Amico, President of INAF



ANNEX B - Cost rates for REM

1.	<p>Contribution to the Operations and Maintenance of the La Silla Site: covering the cost of water, electricity, basic internet, general site infrastructure maintenance (2018 prices).</p> <p>For the year 2018 For the year 2019 For the year 2020</p> <p>INAF has the right to temporarily suspend operations of REM on La Silla. The annual lump sum due to ESO will be decreased by 4% for every period of 2 weeks whenever the telescope will not be operational. These periods will be announced at least one month in advance to the Director General of ESO or his representative. The above rates are subject to revision due to yearly cost variation indexing as approved on an annual basis by ESO internal bodies.</p>	<p>€ 36.925 € 36.925 € 36.925</p>
2.	<p>Technical Support</p> <p>Additional Technical support may be provided on request and only on a best-effort basis, cost to be defined on a case-by-case basis. Unit costs: € 45/hour for mechanics or electronics € 75/hour for IT € 75/hour for optics</p> <p>The above rates for Technical Support are subject to revision due to yearly cost variation indexing as approved on an annual basis by ESO internal bodies.</p>	
3.	<p>Operational Support</p> <p>Additional Operational Support of up to 5 hours per week may be provided on request and only on a best-effort basis. € 30/hour</p> <p>The above rates for Operational Support are subject to revision due to yearly cost variation indexing as approved on an annual basis by ESO internal bodies.</p>	
4.	<p>Board and Lodging Costs in Chile (Rates as of January 1, 2018)</p> <p>Lodging in the ESO Guesthouse (breakfast included)</p> <p>Main meal in ESO Guest house</p> <p>24 hrs stay at La Silla</p> <p>Round trip air transfer to/from La Silla</p> <p>One-way surface transport from La Serena to/from La Silla</p> <p>Taxi from the airport Santiago to the ESO Guesthouse and vice versa</p> <p>The above prices for board, travel and lodging are subject to revision and are updated on a regular basis and can be found at "http://www.eso.org/sci/observing/travel/visas-instruc.html". The board, travel and lodging prices published on the ESO website shall prevail.</p>	<p>€ 65.00 € 15.00 € 65.00 € 130.00 € 25.00 € 28.00</p>



ANNEX D Routing and Packing

1. Shipping, Import, Export and Customs procedures

The procedure laid down in this document shall apply to all imports, exports and shipping to and from Chile under the Agreement.

The Project shall be solely responsible for any consequence resulting from non-compliance with the present procedure.

ESO shall be timely advised of shipments arriving to Chile and may issue special instructions, if necessary.

It is expressly understood that under no circumstances ESO shall be liable or responsible for any delays, damage, theft and consequential costs resulting from the import, export, unloading, loading and storage operations.

Dangerous or hazardous shipments must comply with the IATA, IMDG regulations and is expressly understood that is under the complete responsibility of the Project.

The Project shall be solely responsible for obtaining up to date information concerning the required fumigation for wooden crates, pallets or any other wooden packing material or merchandise being imported to Chile, to comply with the rules in force at the time of shipment, including the provision of any necessary fumigation certificate.

ESO will not support customs clearance of merchandise imported as accompanied luggage. All merchandise that is imported and consigned to ESO Chile must come as a regular shipment.

1.1. Import and Customs procedures

It shall be the responsibility of the Project to export to Chile the equipment, materials, etc. DAP La Silla Observatory (incoterms 2010) until delivery at final destination, including unloading and in accordance with existing laws and regulations.

ESO is exonerated from customs duties in Chile only for materials, equipment and apparatus, etc. Duty free imports can only take place in the name of ESO.

Duty free imports into Chile in the name of ESO shall not be used for any other purpose than for the Project in Chile.

Prior to effecting any shipment, the Project shall send to the ESO Logistic department copies of the corresponding invoice(s), packing list(s), Safety Data Sheet, Declaration of Dangerous goods (if any), certificates of fumigation according to NIMF 15 regulation and anticipated shipping details or, alternatively, the shipment plan.

All shipping documents must be provided in English unless a Spanish version is mandatory or requested by the Chilean government.

Two original Bills of Lading of any such overseas shipment, together with invoices and packing lists shall be sent to the ESO Santiago Office (cf. Articles 1.3 and **Error! Reference source not found.** hereafter).

For sea freight shipments, the document must notify the Logistic department at ESO Santiago and deliver the documents at least three weeks before the estimated time of arrival (ETA) of the vessel.

The Contractor shall establish separate shipping invoices for:

- the materials, equipment, apparatus, etc. to be delivered to ESO under the Contract;
- the Shipper own containers (SOC), if any.



In case of container shipments: net weight and TARA to be indicated separately on the B/L.

Shipping marks

ESO

Project xxx.

Box No.:

Net weight:kg

Gross weight:kg

On at least 2 opposite sides all packages have to show the above and all necessary shipping marks in letters of 6 cm high (for big cases up to 15 cm high) by using stencil and waterproof colour. In case of more than one package these have to be numbered consecutively.

For packages to be handled with cranes, the position of the centre of gravity shall be indicated on all four sides of the package.

1.4. Dispatch Advice.

Right after sea shipment, the dispatch advice and the following documents shall be sent per email and distributed to the ESO Office at Santiago mentioned in Section above:

via special courier service immediately after shipment:

- original B/L 3/3
- copy B/L 3-fold
- invoice 3-fold
- packing-list 3-fold

For airfreights shipments, the contractor should inform ESO Office at Santiago and send copy of shipping documents (AWB, Invoice and packing list) before delivering the goods.

Invoice(s) (or, if applicable, proforma invoice[s]) must indicate:

Number of packages

gross weight kg

net weightkg

Measurements

Description and unitary value of the goods shipped

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In case of shipment by airfreight, the Contractor shall notify the Logistic Department at ESO Santiago office of corresponding flight details at least two weeks before the arrival.

The project shall be solely responsible if the customs clearance cannot be done on time and for all extra costs such delay may cause, including storage and reshipment costs.

ESO's Santiago office will prepare the documents for customs clearance under ESO's privileges and exemptions, apply for approval by the appropriate Chilean authorities, and transmit them to the customs agent in Chile designated by ESO.

After customs clearance by ESO's agent in Chile, the original clearance/shipping documents shall be returned to ESO Santiago office.

All costs other than strictly own cost that ESO may sustain in connection with these import operations will be borne by the Project.

Goods imported under ESO exemptions may not be sold to third parties (not being ESO) during the first five years after the import took place without ESO's prior written approval.

Due to regulations applicable hazardous and controlled chemical substances, users are required, before importing and/ or exporting to/ from Chile, to check the attached lists according to UN and CAS numbers mentioned on the safety data sheets of the products. In case one of these substances is listed, these substances should be bought locally in Chile to avoid formalities and delays with the local authorities.

Links

- [Resolución 408 Ministerio de Salud](#)
- [Controlled Chemical and Drugs substances](#)

If buying locally cannot be done, ESO Logistics Chile shall be informed immediately, as the process requires a special procedure, for which the Safety Data Sheet (SDS) will be requested in a Spanish version. Also, a period of approximately 10 working days of storage (not at port, but in a mid-term certified warehouse) must be considered, to allow the Chilean authority in charge (Seremi de Salud) to carry out an inspection of the products already cleared from customs so, after this is done, the shipment can continue in transit to final destination.

Delivery and pick-up from/to the mid-term warehouse is under the responsibility of the Project.

- [Ozone-depleting substances](#) (must be bought locally)

Please note that products containing substances mentioned in the ozone-depleting substances list (Ley N° 20096) must be bought locally in Chile, as ESO will not support the special import/export process related to those substances.

Any additional costs incurred due to the special formalities required for the import of hazardous products (intermediate storage-not at port-, demurrage, preparation of specific declarations, translation, custom agent fees), shall be borne by the Projects and will be recharged to the Project.



1.2. Export and Customs procedures

After termination of the REM project, the Project shall export or re-export from La Silla Observatory in Chile at its own cost. ESO will be in charge of the export customs clearance documents.

Any item which the Project does not wish to export or re-export to the country of origin of the item shall be reported to ESO. Special procedures and requirements may apply, with which the Project shall comply. Any costs incurred, in particular any taxes which may become due because of this, shall be borne by the Project.

All goods imported under ESO's privileges and exemptions remain in Chile unless export or re-export is authorized in writing by ESO.

Prior to effecting any shipment, the Project shall send to the ESO Logistic department copies of the corresponding invoice(s), packing list(s), Safety Data Sheet, Declaration of Dangerous goods (if any) and anticipated shipping details or, alternatively, the shipment plan. All shipping documents must be provided in English.

For exporting goods from Chile, at least 15 working days must be considered to obtain all the necessary approvals and to comply with all formalities

Duty free exports from Chile in the name of ESO shall not be used for any other purpose than for the Taros-S project in Chile. No other or additional equipment, material, etc. shall be included in the export shipment without prior authorization of ESO.

The customs clearance operation must be performed under the instructions and supervision of ESO.

1.3. Shipping instructions for overseas shipments

Final delivery shall be made to the ESO La Silla Observatory in Chile. The address of the ESO office dealing with all transport related matters in Chile is as follows:

Organización Europea para la Investigación Astronómica en el Hemisferio Austral (ESO)
Alonso de Córdova 3107,

Vitacura

Santiago / CHILE

Telephone: Santiago 56 2 24633160

Telefax: Santiago 56 22 2285132

E-mail: logistics@eso.org; kcedon@eso.org

Bill of Lading

Consignee:

Organización Europea para la Investigación Astronómica en el Hemisferio Austral (ESO)

Alonso de Córdova 3107, Vitacura

Santiago, Chile

Notify address:

(Contractor's address in Chile or designated party) c/o ESO - Alonso de Córdova 3107

Vitacura

Santiago, Chile



In case of container shipments: net weight and TARA to be indicated separately on the B/L.

Shipping marks

ESO

Project xxx.

Box No.:

Net weight:kg

Gross weight:kg

On at least 2 opposite sides all packages have to show the above and all necessary shipping marks in letters of 6 cm high (for big cases up to 15 cm high) by using stencil and waterproof colour. In case of more than one package these have to be numbered consecutively.

For packages to be handled with cranes, the position of the centre of gravity shall be indicated on all four sides of the package.

1.4. Dispatch Advice.

Right after sea shipment, the dispatch advice and the following documents shall be sent per email and distributed to the ESO Office at Santiago mentioned in Section above:

via special courier service immediately after shipment:

- original B/L 3/3
- copy B/L 3-fold
- invoice 3-fold
- packing-list 3-fold

For airfreights shipments, the contractor should inform ESO Office at Santiago and send copy of shipping documents (AWB, Invoice and packing list) before delivering the goods.

Invoice(s) (or, if applicable, proforma invoice[s]) must indicate:

Number of packages

gross weight kg

net weightkg

Measurements

Description and unitary value of the goods shipped

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